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August 11, 2016

VIA U.S. MAIL

Ms. Penny Edmiston
President, Board of Trustees
Victor Valley Union High School District
16350 Mojave Drive
Victorville, CA 92395

Dr. Ron Williams
Superintendent
Victor Valley Union High School District
16350 Mojave Drive
Victorville, CA 92395

Re: Demand for Compliance with California Voting Rights Act

Dear Ms. Edmiston and Dr. Williams:

We have received complaints from Latino voters in the Victor Valley Union High School District that the use of an at-large election system for the election of trustees results in Latino vote dilution and prevents Latino voters from electing candidates of their choice. We reviewed demographic and electoral information pertaining to your jurisdiction with particular attention to the prohibitions of the California Voting Right Act of 2001 (“CVRA”). Based on our investigation, we believe that Victor Valley Union High School District is in violation of the CVRA and must convert to a by-district election system.

The CVRA, California Elections Code § 14027, states in relevant part:

An at-large method of election may not be imposed or applied in a manner that impairs the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election, as a result of the dilution or the abridgment of the rights of voters who are members of a protected class...

Latino residents of Victor Valley Union High School District are a “protected class” within the meaning of the CVRA. U.S. Census population data shows that Latinos constitute 33.3% of the citizen voting age population of your district. However, it appears that there are currently no elected Latino members of the five-member Board of Trustees and there have only been two

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Latinos elected to the Board in the past twenty years. (We recognize that a current appointed member of the Board is Latino, but the CVRA focuses on elections results.) Based on our review of election returns and demographic information, we believe that the lack of success of Latino candidates results from the inability of Latino voters to elect candidates of choice due to racially polarized voting among the electorate, and that continued use of at-large elections therefore violates the CVRA. We demand that the Board convert its at-large election system to a district-based electoral system under Education Code § 5019.

We request your response to this demand by August 25, 2016. In the absence of a satisfactory response, our clients will be forced to seek judicial relief in the form of an action to obtain an order converting the election system from at-large to by-district, together with other relief provided for in the CVRA, including an award of litigation and expert witness costs, and attorneys' fees. The District can avoid the imposition of a judicially-mandated plan, including district maps designed or approved by the Court, by taking appropriate action without the filing of litigation.

We look forward to your response.

Sincerely,



Matthew J. Barragan
Staff Attorney
MALDEF

MJB/mg

cc: Timothy Norton, Board Vice President (via U.S. mail)
Barbara J. Drew, Board Clerk (via U.S. mail)
Timothy Hauk, Board Member (via U.S. mail)
Rosalio Hinojos, Board Member (via U.S. mail)