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March 23, 2017

VIA EMAIL AND U.S. MAIL

Mr. Michael Adams
President, Board of Trustees
Antelope Valley Community College District
3041 West Avenue K
Lancaster, California 93536

Mr. Edward Knudson
Superintendent
Antelope Valley Community College District
3041 West Avenue K
Lancaster, California 93536

Re: Demand for Compliance with California Voting Rights Act
California Elections Code §§ 14027 and 10010(e)

Dear Mr. Adams and Mr. Knudson:

We have received complaints from Latino voters in the Antelope Valley Community College 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 the Antelope Valley Community College District is in violation of the CVRA and must convert to a by-district election system. Please consider this letter written notice under California Elections Code § 10010(e).

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 the Antelope Valley Community College District are a “protected class” within the meaning of the CVRA. U.S. Census

Mr. Michael Adams
Mr. Edward Knudson

March 23, 2017

population data shows that Latinos constitute 35% of the citizen voting age population of your district. However, none of the five current members of the Board of Trustees is Latino, and no Latino has been elected to the Board in at least the last sixteen years. 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 California Education Code § 5019 and Antelope Valley Community College District Board Policy 2100.

In addition, we believe that the Antelope Valley Community College District may also be in violation of the California Voter Participation Rights Act (“CVpra”) unless by January 1, 2018 it adopts an ordinance consolidating the District’s elections with the statewide election. Cal. Elec. Code § 14051.

We request your response to this demand by May 6, 2017. 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 Barragan
Staff Attorney
MALDEF

MJB/ro

cc: Barbara Gaines, Vice President
Lew Stults, Clerk
Laura Herman, Board Member
Steve Buffalo, Board Member