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November 2, 2016

VIA U.S. MAIL

Mr. John Pinkerton
President, Board of Trustees
Victor Valley Community College District
18422 Bear Valley Road
Victorville, CA 92395

Mr. Roger Wagner
Superintendent/President
Victor Valley Community College District
18422 Bear Valley Road
Victorville, CA 92395

Re: Demand for Compliance with California Voting Rights Act

Dear Mr. Pinkerton and Mr. Wagner:

We represent Latino voters in the Victor Valley Community College District who allege 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 Victor Valley Community College 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 the Victor Valley Community College District are a "protected class" within the meaning of the CVRA. U.S. Census population data shows that Latinos constitute 34% of the citizen voting age population of

Mr. John Pinkerton
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your district. However, it appears that none of the five current members of the Board of Trustees is Latino. 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 of Trustees convert its at-large election system to a district-based electoral system under Education Code § 5019.

We request your response to this demand by November 30, 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,

A handwritten signature in black ink, appearing to read "Matthew J. Barragan", with a long horizontal flourish extending to the right.

Matthew J. Barragan
Staff Attorney
MALDEF

MJB/yp

cc: Brandon Wood, Vice President (via U.S. mail)
Marianne Tortorici, Clerk (via U.S. mail)
Dennis Henderson, Trustee (via U.S. mail)
Joseph W. Brady, Trustee (via U.S. mail)