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June 19, 2020

Commissioner Vicki Baker  
Commissioner Ron Anderson  
Commissioner Norm Childress  
Yakima County Commission  
Yakima County Courthouse  
128 N. 2nd Street, Room 232  
Yakima, WA 98901

**VIA USPS MAIL AND E-MAIL**

Re: Board of Yakima County Commissioners Elections

Dear Commissioners Baker, Anderson and Childress:

MALDEF (the Mexican American Legal Defense and Educational Fund) writes to notify you that the current system for the election of the Board of Yakima County Commissioners results in Latino vote dilution and prevents Latino voters from electing candidates of their choice.

MALDEF reviewed demographic and electoral information pertaining to Yakima County with particular attention to the protections of Section 2 of the federal Voting Rights Act of 1965 (VRA), 52 U.S.C. § 10301. Based on our investigation, we believe that the election system in Yakima County violates the VRA. In order to prevent continued impairment of Latino voting rights, Yakima County must convert its general elections to a single-member district election system and redraw its district boundary lines to include a district containing greater than 50% Latino citizen voting age population (CVAP).

Section 2 of the VRA prohibits voting practices or procedures that result in the denial or abridgment of the right of any citizen to vote on account of race, color, or membership in a language minority group. According to the U.S. Census Bureau, Latinos constitute 29.6% of the CVAP, and 28.9% of the county's registered voters. However, it appears that since 1998, only one Latino candidate has served on the Board of Yakima County Commissioners. Based on our review of election returns and demographic information, the lack of success of Latino-preferred candidates results from the inability of Latino voters to elect candidates of choice due to: (1) the at-large structure of the current election system, (2) racially polarized voting among the electorate, and (3) additional factors that prevent minority voters from enjoying equal access to the political process. See *Thornburg v. Gingles*, 478 U.S. 30, 79 (1986).

The current redistricting plan divides a politically cohesive Latino community in the central and southeast portion of Yakima County into two commissioner districts, neither of which has sufficient Latino population to offer Latino voters an equal opportunity to elect a candidate of choice. Therefore, Yakima County must adopt single member district elections and a district map that does not fracture the Latino community and that includes a Latino CVAP-majority district.

We understand that on January 15, 2020, the Campaign Legal Center (CLC) sent a demand letter to Yakima County alleging that the current election system violates the Washington Voting Rights Act of 2018 (“WVRA”), Wash. Rev. Code § 29A.92.60. The letter proposes two possible remedies, both of which involve ranked choice voting. However, ranked choice voting will not cure the VRA violation unless Yakima County adopts a single member district election system that contains a Latino CVAP majority district.

Please advise within 30 days whether Yakima County will convert to single-member districts and adopt a redistricting plan that includes a district with greater than 50% Latino CVAP for the election of the Board of County Commissioners.

Sincerely,



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Cc: Melissa Paul, Clerk of the Board (email only)