



MALDEF

The Latino Legal Voice for Civil Rights in America.

October 28, 2016

National Headquarters

MALDEF Nonprofit Center
634 S. Spring Street, 12th Fl.
Los Angeles, CA 90014
TEL: 213.629.2512
Fax: 213.629.0266

Atlanta

Program Office

500 West Lanier Avenue
Suite 908
Fayetteville, GA 30215
Tel: 678.559.1071
Fax: 678.559.1079

Chicago

Regional Office

11 East Adams Street
Suite 700
Chicago, IL 60603
TEL: 312.427.0701
Fax: 312.427.0691

Los Angeles

Regional Office

634 S. Spring Street,
11th Fl.
Los Angeles, CA 90014
TEL: 213.629.2512
Fax: 213.629.0266

Sacramento

Program Office

1512 14th Street
Sacramento, CA 95814
Tel: 916.444.3031
Fax: 916.444.7207

San Antonio

Regional Office

110 Broadway
Suite 300
San Antonio, TX 78205
TEL: 210.224.5476
Fax: 210.224.5382

Washington, D.C.

Regional Office

1016 16th Street, NW
Suite 100
Washington, DC 20036
Tel: 202.293.2828

VIA U.S. MAIL

Mr. Lee C. McDougal
President, Governing Board
Chaffey Community College District
5885 Haven Avenue
Rancho Cucamonga, CA 91737-3002

Dr. Henry D. Shannon
Superintendent/President
Chaffey Community College District
5885 Haven Avenue
Rancho Cucamonga, CA 91737-3002

Re: Demand for Compliance with California Voting Rights Act

Dear Mr. McDougal and Dr. Shannon:

We have received complaints from Latino voters in the Chaffey Community College District that the use of an at-large election system for the election of board members 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 Chaffey 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 Chaffey Community College District are a “protected class” within the meaning of the CVRA. U.S. Census population data shows that Latinos constitute 46% of the citizen voting age population of your district. However, it appears that there is only one Latino member of the

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five-member Governing Board, Gloria Negrete McLeod. 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 Governing 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 November 14, 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

MIJ/yp

cc: Katie Roberts, Vice President (via U.S. mail)
Kathleen Brugger, Clerk (via U.S. mail)
Gloria Negrete McLeod, Member (via U.S. mail)
Gary C. Ovitt, Member (via U.S. mail)