



August 28, 2020

Hon. Chief Justice Tani Gorre Cantil-Sakauye and Hon. Associate Justices  
Supreme Court of California  
350 McAllister Street, Room 1295  
San Francisco, CA 94102-4797

Re: *Pico Neighborhood Association, et al. v. City of Santa Monica*  
Court of Appeal, Second Appellate District, Case No. B295935  
Los Angeles Superior Court Case No. BC616804

Dear Chief Justice and Associate Justices of the California Supreme Court,

For eighteen years, the California Voting Rights Act (“CVRA”) has improved the political empowerment of Latinos throughout California. To comply with the CVRA, hundreds of cities, school districts and special districts have done away with their at-large elections in favor of district-based elections known to be more favorable to minority voters.

Those changes in electoral structure have energized Latino communities. Latino candidates who would never have dreamed of running in an at-large election sought local elected office in the first-ever district elections in their communities. Many of them prevailed and became the first Latinos elected to their respective governing boards, including for example Jesse Chavez and Anaeli Solano in Highland, Manuel Chavez in Costa Mesa, and Kim Nguyen in Garden Grove. The adoption of district elections and the subsequent historic victories of Latino candidates, have destroyed the sense of political futility in Latino communities, empowered local Latino leaders to emerge as candidates, prompted those communities to organize, and even improved voter registration rates in those communities. Local Latino communities have been energized by the CVRA, the doors it has opened and the electoral changes it has ushered, in ways not seen since the aftermath of Proposition 187 in 1994.

The Court of Appeal's decision in *Pico Neighborhood Ass'n, et al. v. City of Santa Monica* threatens to reverse all of that progress, leaving California's minority voters vulnerable to being denied a meaningful vote based merely on where they reside. It is, therefore, imperative that this Court review and reverse that decision.

### AMICI'S PARTNERSHIP AND THE CVRA

Amici League of United Latin American Citizens ("LULAC") and Southwest Voter Registration Education Project ("SVREP") have, for several decades, been at the forefront of the political empowerment of Latino communities. With approximately 132,000 members, LULAC is the largest and oldest Hispanic organization in the United States. LULAC is devoted to advancing the economic condition, educational attainment, political influence, housing, health and civil rights of Hispanic Americans through more than 1,000 LULAC councils nationwide. SVREP, founded in 1974 to ensure the voting rights of Latinos, is the largest and oldest non-partisan Latino voter participation organization in the United States. Since its inception, SVREP has registered nearly 3 million voters, and recruited and trained countless community leaders and elected officials.

SVREP and LULAC have witnessed, and been an integral part of, the transformative power of the CVRA. Their partnership in the City of Palmdale is illustrative. In the first CVRA case to go to trial - *Jauregui, et al. v. City of Palmdale* - the plaintiffs prevailed. The Los Angeles Superior Court ordered district elections, and following the plaintiffs' victory in the Second District Court of Appeal, and this Court denying review, the City of Palmdale called its first district elections for November 2016. (See *Jauregui v. City of Palmdale* (2014) 226 Cal.App.4th 781). In anticipation of the first district-based election, SVREP worked with the local chapter of LULAC to organize a voter registration and outreach drive, because while Latinos accounted for nearly 40% of the eligible voters in Palmdale, Latinos were consistently less than 15% of the voters in Palmdale's municipal elections. And, SVREP and LULAC worked to recruit Latino candidates. The result was the election of Juan Carrillo to the City Council -- the first Latino Democrat elected to that position in the 50+ year history of the City of Palmdale. Mr. Carrillo was re-elected in 2018; SVREP and LULAC registered thousands of Latino voters in Palmdale; the Latino community is now well organized; and the sense of futility that plagued that community is gone.

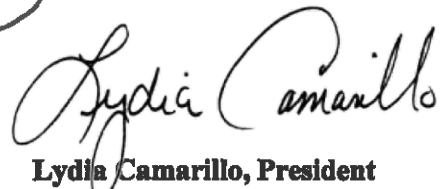
None of that would have been possible without the CVRA, and if the Court of Appeal's decision is not reversed all of that hard-fought progress may be undone. That empowering experience is not unique to the Latino community in Palmdale. Latino communities throughout California have been empowered by the CVRA and the electoral changes it has prompted. And, demonstrating the fallacy of the Court of Appeal's decision in *Pico Neighborhood Ass'n*, the Latino communities in many of these jurisdictions were not concentrated enough to enable the creation of a majority-Latino district - for example in San Juan Capistrano, where a majority-Latino district is not possible, Sergio Farias prevailed in that city's first district election despite finishing last in an at-large election eight years earlier.

In enacting the CVRA, the Legislature understood that in California a majority-minority district is not necessary to empower minority voters to have a meaningful voice in their local elections – influence districts, under certain circumstances, are effective at allowing minority voters to even elect their preferred candidates. The Legislature knew this best because many of them were elected in districts where minorities comprised substantially less than a majority of voters. The Court of Appeal – three justices lacking the electoral experience of the Legislature – did not understand this political reality of California, and ignored the plain language of the CVRA, and its legislative history, that clearly state the CVRA has no majority-minority district requirement. This Court should review and reverse the Court of Appeal’s evisceration of the CVRA; the voting rights of millions of Californians, and the political empowerment of minority communities throughout California depend on this Court to do so.

Respectfully,



**Domingo Garcia, National President  
League of United Latin American Citizens**



**Lydia Camarillo, President  
Southwest Voter Registration Education Project  
William C. Velasquez Institute**

**PROOF OF SERVICE**

***Pico Neighborhood Association, et al. v. City of Santa Monica***  
**California Supreme Court, Case No. S263972**  
**Court of Appeal, Second Appellate District, Division Eight, Case No. B295935**  
**Los Angeles Superior Court Case No. BC616804**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 3500 W. Beverly Blvd., California 90210-5302.

On September 11, 2020, I served on interested parties in said action the within:  
***Amicus Curiae* Letter in Support of Petition for Review**

X **ELECTRONIC TRANSMISSION:** by transmitting via electronic transmission the document(s) listed above to the person(s) at the e-mail address(es) as stated on the **attached list**. The party on whom this electronic mail has been served has agreed to such form of service.

Executed on September 11, 2020, at Montebello, California.

I declare under penalty of perjury that I am a member of the bar of this Court and that the foregoing is true and correct.

  
Christian Contreras

**SERVICE LIST**

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