



June 3, 2015

**National Headquarters**

**Los Angeles  
Regional Office**  
634 S. Spring Street  
Los Angeles, CA 90014  
Tel: 213.629.2512  
Fax: 213.629.0266

**Atlanta  
Program Office**  
34 Peachtree Street, NW  
Suite 2500  
Atlanta, GA 30303  
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

**Sacramento  
Program Office**  
1512 14<sup>th</sup> 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 16<sup>th</sup> Street, NW  
Suite 100  
Washington, DC 20036  
Tel: 202.293.2828  
Fax: 202.293.2849

Alan Roeden, Interim City Manager  
Thomas F. Nixon, City Attorney  
Mayor Bao Nguyen  
Mayor Pro-Tem Steve Jones  
Councilmember Kris Beard  
Councilmember Phat Bui  
Councilmember Christopher Phan  
11222 Acacia Parkway  
Garden Grove, California 92840

**Re: Garden Grove – District Elections**

Dear City Officials,

We have received complaints from Latino citizens and voters in Garden Grove that the use of an at-large city council election system results in Latino vote dilution and prevents Latino voters from electing candidates of their choice. MALDEF has investigated Garden Grove demographic and electoral information with particular attention to the prohibitions of the California Voting Rights Act (“CVRA”) of 2001. Based on that investigation, we believe that Garden Grove’s at-large election system violates the CVRA and must be changed to a district election system.

The CVRA, which is a part of the California Elections Code, states in relevant part:

§ 14027. [A]n 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 abridgement of the rights and the privileges of members of a protected class.

According to U.S. Census population data, 37% of the population of Garden Grove is Latino. However, none of the five current members of the Garden Grove City Council is Latino, and no Latino candidates have been elected to city council in the last six decades, perhaps longer. Based on our review of election returns, demographic information, and Spanish-surname analysis of votes cast by precinct, we believe that the lack of success of Latino candidates results from persistent racially polarized voting by the Garden Grove electorate. Our methodology for

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estimating the extent of racially polarized voting in Garden Grove is consistent with that universally accepted by federal courts, as §14026(e) of the CVRA requires.

The inability of Latino voters to select candidates of their choice is due to racially polarized voting in at-large elections that violate the California Voting Rights Act. We demand that Garden Grove change its at-large system to a district-based system that affords Latino voters an equal opportunity to elect candidates of choice to the Garden Grove City Council.

We request your response by July 3, 2015. In the absence of a satisfactory response, MALDEF and our clients will be forced to seek judicial relief in the form of an action to obtain an order changing the election system from at-large to by-district, together with other relief provided for in the CVRA, including awards of litigation and expert witness costs, and attorneys' fees.

Please contact me with any questions you may have. We would be pleased to discuss the subject of this letter with you.

Sincerely,

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

Denise Hulett  
National Senior Counsel

cc: Zeke Hernandez  
David Rodriguez  
Art Montez

DH:jaa