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October 15, 2021

VIA EMAIL

Orange County Board of Supervisors
c/o County Executive Office
333 W. Santa Ana Blvd.
Santa Ana, CA 92701

2021 Redistricting Team
333 West Santa Ana Blvd., 3rd Floor
Santa Ana, CA 92701
Email: redistricting@ocgov.com

Re: Orange County Board of Supervisors Redistricting 2021

Dear Members of the Orange County Board of Supervisors, the Orange County Executive Office, and Members of the Orange County 2021 Redistricting Team:

On behalf of MALDEF (Mexican American Legal Defense and Educational Fund), I write to urge you to meet your obligations under the federal Voting Rights Act and to adopt a redistricting plan for the Orange County Board of Supervisors that includes a Latino-majority district.

Section 2 of the Voting Rights Act (VRA), 52 U.S.C. §10301, requires the Orange County Board of Supervisors to construct a plan that includes a supervisorial district in which Latinos constitute a majority of the citizen voting age population (CVAP). Federal law is clear that in determining compliance under Section 2 of the VRA, “CVAP is the appropriate measure to use in determining whether an additional effective majority-minority district can be created.” *Luna v. County of Kern*, 291 F.Supp.3d 1088, 1107 (E.D. Cal. 2018) (quoting *Cano v. Davis*, 211 F.Supp.2d 1208, 1233 (C.D. Cal. 2002)). In light of the history and current circumstances of Orange County, where a Latino-majority supervisorial district is possible, the redistricting plan must include such a district to comply with VRA section 2.

It is possible to draw a compact supervisorial district that includes Santa Ana, east Garden Grove, and central Anaheim, and that would have greater than 50% Latino CVAP. It is incumbent upon the County to provide Latino voters to elect their candidate of choice in such a supervisorial district.

The Board of Supervisors should direct staff to construct a map with a VRA-compliant Latino-majority district in Orange County.

If you would like to discuss further, I am available at eherrera@maldef.org, or at (213) 629-2512, ext. 114. Thank you.

Sincerely,



Ernest I. Herrera
Staff Attorney
Los Angeles Regional Office
MALDEF

cc: Supervisor Andrew Do, First District, Andrew.Do@ocgov.com
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