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October 19, 2021

Mayor Bill Miranda
City Hall
23920 Valencia Blvd., Suite 300
Santa Clarita, CA 91355
via electronic mail

Re: Voting Rights Litigation

Dear Mayor Miranda:

In all of my prior communications regarding the California Voting Rights Act (CVRA), I have emphasized that my clients were not threatening litigation. Rather, we expected the council to collaborate in bringing the city into compliance with the law through the collaborative process set forth in Section 10010. Nineteen months ago, you promised your constituents that you would do precisely that, specifically prohibiting any delay, except as required by the pandemic.

This letter is, however, different and does anticipate litigation. You must adopt an ordinance requiring district elections and either accept the proposed map or schedule a public hearing at which your constituents can suggest improvements. Otherwise, my clients, acting on behalf of the voters of Santa Clarita, will promptly file an action to enjoin further at-large elections.

Over the past 19 months, you have repeatedly met in closed session on this issue, never seeking guidance from your constituents. Other jurisdictions successfully used teleconference hearings to comply in critical 2020 elections, so that council members elected in accordance with the law could represent historically disenfranchised communities in the redistricting process. It would be a travesty for the incumbents, two of whom were elected in the twentieth century, to draw lines that perpetuate the status quo for another decade. Through your delay, you have lost the right to control the drawing the districts.

I am grateful to the City Clerk Cusick for providing records of the 2014 settlement with attorney R. Rex Parris, Esq., in which members Smyth, Weste, and McLean voted to spend \$600,000 of the voters' money to keep at-large elections. The settlement was structured so that Mayor Parris received *more* attorneys' fees because

the court did not accept alternative remedy, and conveniently allowed the council incumbents to maintain at-large elections. It is a fantasy to think that the council can again use public funds to buy their way out of conducting the competitive elections that are required by law.

Competitive elections will benefit voters of all races and are essential to restore integrity and accountability to Santa Clarita city government. Last year, you defiantly refused to wear a mask during council meetings or even to distance yourself from former member Keller, while hypocritically invoking an Executive Order to excuse the council from performing the one duty it most feared. Now that the Executive Order has been rescinded, and the "safe harbor" long ago expired, the council has revealed that it never intended to fulfill its promise to reform the electoral system.

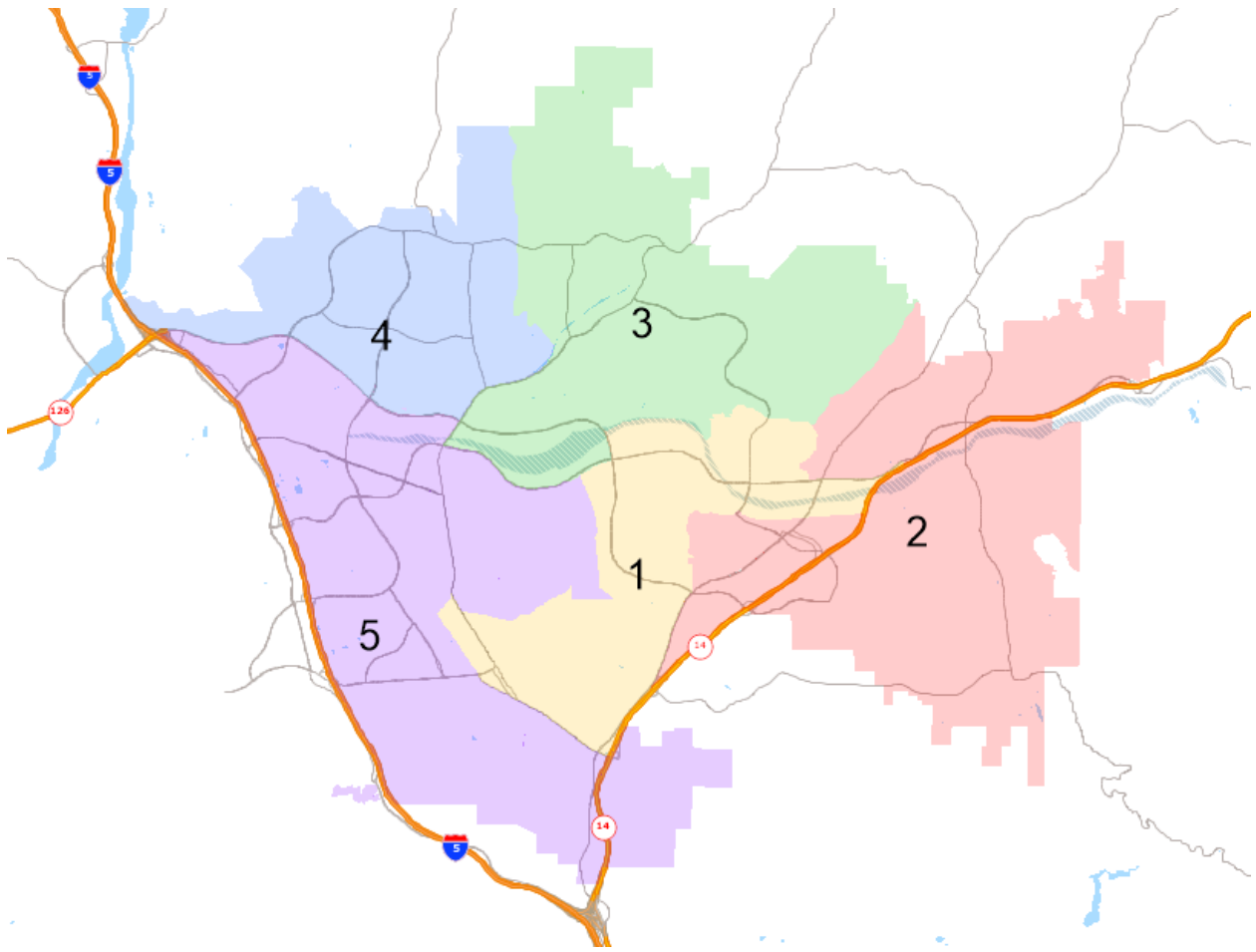
We presented compelling evidence of racially polarized voting in our initial petition. The 2020 election strengthens that proof. Less than 12% of Latinos supported the only incumbent who sought reelection. Not only are Latino and Asian voters unlikely to retain incumbents who have denied their voting rights; a new generation is increasingly willing to embrace candidates of all races. Santa Clarita's first Black candidate almost came within one percent of winning at-large.

It would violate your oath of office to fight the transition to legal, by-district elections, which the council committed to achieve on March 19, 2020. Breaking the promise you made to your constituents would also waste substantial public funds, because you have no conceivable defense to legal action. If you do not place this matter on the public agenda for your next regular meeting on October 26, 2021, my clients will assume that we have exhausted all attempts to avoid litigation.

Sincerely,

A handwritten signature in black ink that reads "Scott Rafferty". The signature is written in a cursive, slightly slanted style.

Scott J. Rafferty



	2020 adj population	% Latino pop	CITIZENS OF VOTING AGE			
			Latino	White	Asian	Black
1	45030	58.1%	45.1%	39.5%	9.1%	5.8%
2	45551	36.1%	27.4%	51.3%	12.4%	6.2%
3	47261	28.7%	25.3%	56.5%	11.1%	4.0%
4	44876	22.1%	17.9%	63.4%	12.7%	3.7%
5	46440	36.1%	21.1%	51.3%	12.0%	5.6%
	229158					
	deviation=5.3%					