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October 5, 2021

Ms. Gayle Garbolino-Mojica
Placer County Superintendent of Schools
and Secretary to the Board of Education
360 Nevada Street
Auburn, CA 95603
cc: Mr. Glenn Vineyard, President, Placer County
Committee on School District Organization

Dear Board Members:

My clients have not been invited to present to the Board, outside the three-minute public comment period. Our communications are not posted, nor have any other public comments. Nonetheless, we have followed this proceeding closely. As you know, there has been almost no public engagement. Your hearings are not publicized and were even confused with CVRA hearings that Roseville Joint High School District held on the same day. The Board has not taken the constitutional violation seriously or acted to remedy it within the framework of the CVRA, as my clients have generously offered.¹

Parents in Truckee are now protected from being represented by two trustees from Loomis. My Latino clients will benefit from single-member trustee areas in Roseville. We did not expect Latino voting strength to exceed 16%, and several of the pending scenarios are close to that level. However, since we will make this observation to the County Committee, we notify you that a compact trustee area could provide more than 20% voting strength to the Asian community, which is significantly more than any of your scenarios. Since the 2000 and 2010 maps violated the United States Constitution, there is no requirement that there be a majority minority district to obtain a judicially imposed map. Latino and black candidates may well benefit from dividing

¹ For perspective, three current trustees (and the husband of a fourth) were elected using a map with a 600% population variance, greater than most of the cases encountered in the Deep South during the 1960s. Garza v. County of Los Angeles, 918 F.2d 763 (9th Cir. 1990). Population variations were intentionally perpetuated when the Board drew its current map, under which each of these incumbents were reelected. In the Ninth Circuit, the continuing effects of such violations are subject to judicial remediation decades later.

Asian voters, but the intent of the CVRA and federal law is to empower each protected class.

It is significant that your demographer continues to score the maps based solely on race, even though they have been advised in other cases to consider other socio-economic factors. This creates an inference that the reduction of Asian voting strength may be intentional. These maps were also developed without any testimony in support of communities of interest, other than the Board's apparent conviction that school district boundaries have primary importance. This seems ironic, given the fact that school districts have a different supervisory body for organizational issues. The matters under the jurisdiction of the County Board – such as the challenges facing students and their families during a pandemic – relate to socioeconomic and cultural factors that cross school district lines. They do correlate with race and ethnicity. Because of the constitutional violation, Latino, Black, and Asian communities have had a diluted voice on the policies affecting their children during these critical times.

Sincerely,

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