

August 12, 2021

Fresno County Advisory Redistricting Commission 2021  
2281 Tulare Street, Room 304  
Fresno CA 93721

Dear Commissioners:

It is extremely important that you and the public are clear about Fresno County's obligations under the federal Voting Rights Act. Tonight, I ask that your consultants clarify that Fresno County's obligations under the Voting Rights Act are different than its obligation to respect Latino Communities of Interest.

I also encourage Commissioners and Supervisors to watch the July 13 meeting video of the state Citizens Redistricting Commission in which their Voting Rights Act attorney, David Becker, provides training on what compliance with the Voting Rights Act entails, starting at 21 minutes. I suggest your consultants provide training on this important area of law.

Voting Rights Act obligations require members of a protected class be kept whole in the same district when they are the majority under certain circumstances. Done correctly, this is not racial or political gerrymandering.

As Attorney Becker explains, assessing the Gingles preconditions and the totality of the circumstances, as laid out by the U.S. Supreme Court, will tell Fresno County WHETHER Section 2 of the Voting Rights Act requires majority-minority districts to be drawn. HOW to draw those districts requires an interactive process to make sure you balance the Voting Rights Act requirement a majority minority district be drawn with the ranked Redistricting principles mandated by California's Fair Maps Act.

The public needs to be very clear that under the Voting Rights Act, Fresno County is obligated to protect members of protected classes when drawing district lines. As this applies to Fresno, that means protecting our Latino community. Please clarify this for everyone tonight.

Respectfully,

A handwritten signature in black ink, appearing to read "Venancio Gaona". The signature is written in a cursive, flowing style with some loops and flourishes.

Venancio Gaona