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## **ACLU/SC SUES CITY OF ANAHEIM FOR SHUTTING LATINOS OUT OF ELECTORAL PROCESS**

(Anaheim)—Today, the ACLU of Southern California and Goldstein, Demchak, Baller, Borgen & Dardarian sued the City of Anaheim for violating the California Voting Rights Act (CVRA). Through its at-large electoral process, the city has made it nearly impossible for Latinos, who make up more than one third of the electorate, to be fairly represented on the city council. Anaheim city government is comprised of a four member city council and a mayor, but there are currently no Latinos on the city council, and only three Latino individuals have ever been elected to the city council in Anaheim's history.

With 336,265 residents, Anaheim is the 10th largest city in California, but the largest in the state to still impose at-large elections. The CVRA states that an at-large election method may not be imposed or applied if it impairs the ability of a protected class to elect candidates of its choice or influence the outcome of elections. Under an at-large election system, there are no districts where voters would be able to elect a local resident to the city council who reflects their community and needs. Without districts to enfranchise minority communities like Latinos in Anaheim, the city council is beholden only to the majority in making critical decisions that affect the conditions of everyone's lives in the city.

A recurring and central issue for the Latino community, a large concentration of which resides in central Anaheim, in close proximity to the heart of the tourism industry, is that the city council puts the needs of big business ahead of their concerns, sacrificing their quality of life in favor of revenues that are disproportionately spent outside of Latino neighborhoods, many of which are in dire need of the support. Under the current system, Latinos have no voice in their city government who can represent and raise their concerns.

"The tragedy is that, after so many years of struggling to be heard, so many of Anaheim's Latinos have simply lost hope," says Jose Moreno, a plaintiff and president of Los Amigos of Orange County, a community group established to discuss and address issues and concerns in Orange County affecting the Latino community. "It was time to do something. This is our home, and we have a right to have a voice in what happens here."

"This is a case fundamentally about how political power is shared," said Hector Villagra, executive director of the ACLU in Southern California. "In Anaheim, power, and the opportunity to exercise or influence it, has not been shared fairly. The undeniable fact is that large segments of the community and large parts of Anaheim have been shut off from power because of the at-large election system. We challenge this system to bring equal opportunity to the electoral process in Anaheim."

"The remedy to this unlawful process is to create districts," said Mike Baller, partner with Goldstein, Demchak, Baller, Borgen & Dardarian. "A more representative city council that is responsive to the particular needs of Anaheim's diverse communities will benefit the entire city. The bedrock of our country guarantees that everyone has the right to not only be heard, but have a hand in the political decisions that will shape their future. This case is an important first step for the Latino residents of Anaheim, who have been denied that right for so long."

The lawsuit seeks an injunction to prevent the at-large elections from being imposed or applied after the November 2012 election. It asks for the creation of districts and district elections, or some method that gives Latinos a real opportunity to elect candidates of their choice.

Case name: *Moreno v. City of Anaheim*