

Press Release

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Historic Settlement ends 70-year period of Asian American Disempowerment

Last night, the plaintiffs and the Santa Clara City Council entered into a settlement agreement that resolves the historic voting rights case. In that case, a December 30, 2020 decision of the California Court of Appeals vindicated the civil rights of Asian Americans residing in Santa Clara by affirming a trial court decision that struck down the discriminatory “at large” method of electing the city council. The Superior Court’s order in 2018 required the City of Santa Clara to conduct its City Council elections from six single-member districts rather than at-large, as the City had done since its charter was adopted 70 years ago. In all those years, Santa Clara had never elected an Asian American to the city council, but in the 2018 and 2020 elections using districts, three of the six candidates elected to the council were Asian American.

Plaintiffs LaDonna Yumori-Kaku, Wesley Mukoyama, Herminio Hernando, Umar Kamal and Mike Kaku are represented by the Law Office of Robert Rubin of Mill Valley, Goldstein, Borgen, Dardarian & Ho of Oakland, and the Asian Law Alliance of Santa Clara County. Wes Mukoyama, one of the plaintiffs stated, “The settlement agreement puts an end to the discriminatory “at large” system and ensures that district elections are here to stay.”

Laura Ho, from the law firm of Goldstein, Borgen, Dardarian & Ho, stated, “the settlement agreement will avoid further costly litigation and allows the City to move on from fighting its own voters in this case to more fairly representing all of its residents.”

Robert Rubin, civil rights attorney, who initiated the case when he warned the city in a letter as far back as 2011 that its at-large system violated the CVRA, and participated in representation of the Asian American plaintiffs throughout the litigation, stated, “after years of resistance to the implementation of a District election system, the City is now required to adopt a voting procedure that will ensure the full and fair participation of the Asian-American community in the political process.”

Richard Konda of the Asian Law Alliance stated, “the right to vote is the most fundamental right in our democracy and the elimination of the discriminatory at large system removes a significant barrier to the meaningful participation of Asian Americans in the city of Santa Clara’s election system.”

The California Legislature enacted the California Voting Rights Act in 2002 to eliminate racially discriminatory at-large election systems. Hundreds of cities, school districts and special districts have eliminated at-large elections in favor of more inclusive district-based elections.