



LUSKIN SCHOOL OF PUBLIC AFFAIRS
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March 24, 2021

Franklin County Commission
Franklin County Courthouse
1016 N. 4th Ave
Pasco, WA 99301
Via Electronic Mail: jsafarli@floyd-ringer.com

Dear Mr. Safarli:

I am writing in response to your March 10, 2021 communication. Hopefully we can have a productive discussion and resolve this matter. It is unfortunate the county elected to wait so long after our October 12, 2020 notice letter to reach out to us. As you know, on April 10, 2021, the notice period expires, and litigation may commence absent court approval of a remedial plan.

You have requested a proposed plan and we enclose one herein. This plan has been prepared by the UCLA Voting Rights Project experts as one possible remedy to the violation of Washington State law that we have described in our earlier letter. There may be other maps that can adequately remedy the violation. Critically, any acceptable remedy would include single member districts. Obviously before the enclosed plan (or another) can be accepted, meaningful public input must be received and considered. Additionally, our clients have not fully reviewed this plan and they may have proposed adjustments. Because of the tight timing we are now faced with, we wanted to get this plan to you and your clients as soon as practicable.

To answer your other inquiry, and as noted above, public input is important in the adoption of any redistricting map. Furthermore, RCW 29A.92.080 requires the county seek a court order acknowledging that the remedy complies with RCW 29A.92.020. We would expect the reviewing court to look for careful public consideration of the plan. This process should include community input, allowing for residents to voice their questions, comments, and concerns for two minutes each. Additionally, if these hearings should occur in-person, the locations of the hearings must span the entire county in order to allow for a range of voices to be heard and to allow for maximum accessibility. In doing so, hearings should occur in all of Franklin County's zip codes: 99301 (Pasco), 99326 (Connell), 99330 (Eltopia), and 99343 (Mesa). Furthermore, the ability to participate remotely must be made available regardless of whether hearings occur in-person or not.

In the final response to your letter, we note that Wash. Rev. Code § 29A.92.110(1), (2), (3)(a), and (3)(b) provide for the remedies we requested in our notice letter. In addition to single member districts and adoption of a district plan, we believe moving the election schedule to align with November elections is an appropriate remedy to the historical electoral discrimination that

has occurred in Franklin County. Whether or not the current election schedule is adjusted, careful consideration should be made by appropriate experts as to the electoral impact of such change.

We are happy to discuss this issue with your clients in the appropriate setting.

Given the short amount of time remaining in the notice period, we would propose scheduling this dispute for mediation. If this is agreeable, we would ask that Franklin County appoint attendee(s) to the mediation with authority to reach an agreement that is highly likely to gain acceptance by the governing body in an appropriately noticed public hearing that complies with state law. We would likewise attend mediation with clients and full authority to resolve this case. Assuming a settlement is reached, appropriate public input proceedings can be scheduled.

Sincerely,



Chad W. Dunn
Legal Director
UCLA Voting Rights Project

CC:

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On behalf of voters: Gabriel Portugal, Brandon Paul Morales, and Jose Trinidad Corral, as well as the League of United Latin American Citizens.