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Los Angeles Unified School District

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

STATE OF CALIFORNIA, et al.,

Plaintiffs,

v.

WILBUR L. ROSS, JR., et al.,

Defendants.

Case No. 3:18-cv-01865-RS

**TRIAL DECLARATION OF JEFFERSON
CRAIN**

*Assigned for all purposes to Hon. Richard
Seeborg, Courtroom 3*

Complaint filed March 26, 2018
First Amended Complaint filed May 4, 2018

Trial: January 7-15, 2019

TRIAL DECLARATION OF JEFFERSON CRAIN

I, Jefferson Crain, declare as follows:

1. I am the Executive Officer to the Board of Education for the Los Angeles Unified School District ("LAUSD" or "District") and have served in this position since 1995.

2. As Executive Officer to the Board of Education, I oversee the Board Secretariat.

3. The role of the Board Secretariat is to serve as a liaison between the Board of Education and the School District staff, other public agencies, and the general public concerning the operations of the Board of Education. The Board Secretariat staff's mission is to assist the Board Members in carrying out their duties as elected officials and to serve the public by providing information regarding Board actions and activities. The Board Secretariat performs legally mandated duties with respect to the operation of the Board of Education as well as provides administrative assistance to the Board Members and support to their office staff.

4. In fulfilling its functions, Board Secretariat staff, myself included, regularly attend various hearings and meetings impacting the District. This allows us to keep Board Members informed of issues impacting the District and to ensure that the Board of Education's policies are appropriately implemented.

5. During the 2001-02 and 2011-12 school years, I personally attended numerous meetings regarding LAUSD's Board District redistricting in my capacity as Executive Officer to the Board of Education. During these meetings I would take notes which were used to keep the Board of Education apprised of ongoing developments and progress during the redistricting. I also gathered many of the publicly available records for these meetings. I still possess many of these records and notes.

6. My testimony concerning LAUSD's redistricting process is based on my personal recollection from attending these redistricting meetings, preparing reports concern these redistricting meeting to the Board of Education, as well as from my review of the agendas, minutes, notes, and publicly distributed files and documents for these meetings gather by myself and my staff.

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1 7. LAUSD's Board District redistricting is compelled by Los Angeles Charter and
2 Administrative Code, art. VIII, section 802.

3 8. During the redistricting process, a redistricting commission is formed by
4 appointment every ten years shortly before the U.S. decennial census data is released.

5 9. Redistricting commission members are appointed both by the District and the City
6 of Los Angeles ("City"). Each Board Member appoints a single member, the City Council
7 President appoints four members, and the Mayor appoints four members for a total of fifteen
8 members.

9 10. The purpose of the commission is to review and prepare a proposed redistricting
10 plan to the City Council, dividing LAUSD into seven Board Districts containing, as nearly as
11 practicable, equal portions of the total population of LAUSD based upon the U.S. decennial
12 census data. Each proposed Board District must be drawn in conformance with the requirements
13 of state and federal law and to the extent feasible shall keep neighborhoods and communities
14 intact, utilize natural boundaries or street lines, be geographically compact, and conform to high
15 school attendance zones.

16 11. For the 2001-02 and 2011-12 redistricting, the commission was supported and
17 reviewed by the City's Chief Legislative Analyst Office, the City Attorney's Office, as well as
18 City staff.

19 12. During the 2001-02 redistricting, the redistricting commission members were
20 installed and sworn in on November 29, 2001. The commission then hired an executive director
21 and received information and reports detailing the redistricting process, an introduction to map
22 drawing, and an overview of relevant federal and state laws, including conflict of interest
23 requirements, open meeting laws, and voting rights laws.

24 13. In January 2002, the redistricting commission held four initial outreach meetings
25 at the end of January to review data and gather public input on communities of interest. Using
26 this public input along with census data derived from the 2000 census, the redistricting
27 commission drafted three proposed maps that were presented at a February 13, 2002 meeting and
28 were further reviewed at three public hearings in different communities that took place at the end

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1 of February 2002.

2 14. Following these public hearings, the redistricting commission held three additional
3 meetings to review public comments and deliberate on map modifications. The redistricting
4 commission adopted a recommended map on May 20, 2002 and a draft final report on May 27,
5 2002.

6 15. The City Council then created an ad hoc committee on redistricting to consider the
7 proposed map and held additional public hearings throughout the District before adopting Board
8 District boundaries in June 2002.

9 16. LAUSD's 2011-12 redistricting followed a similar process. The redistricting
10 commission members were installed and sworn in on October 7, 2011. Afterwards, the
11 commission held a series of meetings in late 2011 to fill staffing needs for an executive director,
12 establish a budget and proposed timeline, and to receive information and reports detailing the
13 redistricting process, an introduction to map drawing, and an overview on relevant federal and
14 state laws, including conflict of interest and ethical requirements, open meeting requirements, as
15 well applicable requirements set forth under the federal Voting Rights Act and the California
16 Voting Rights Act.

17 17. The City retained Paul Mitchell of Redistricting Partners as a technical director to
18 aid the commission throughout the redistricting process. His role was to aid help educate the
19 commission members with cartography, use of the Maptitude software, and general guidelines
20 applicable to redistricting. Part of this education included distribution of a written overview of
21 the redistricting process. I have the reviewed the document marked as PTX-857, which is a
22 correct copy of the written overview I received while attending a meeting of the redistricting
23 commission.

24 18. In January 2012, the redistricting commission held several meetings to review
25 available data and gather public input on local communities of interest.

26 19. The redistricting commission then began the process of preparing Board District
27 proposals. In drawing the Board District lines, commission members relied upon census data
28 derived from the 2010 census and American Community Survey identifying ethnicity,

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1 households, housing, families, age, sex, and other significant socio-demographic factors in order
2 to identify and preserve local communities of interest.

3 20. At the February 15, 2012 meeting, the commission published three draft plans for
4 public review and comment—Plans A, B, & C. The District received hundreds of public
5 comments pertaining to the draft plans and their potential impacts on LAUSD community.

6 21. At the redistricting commission's February 23, 2012 meeting, five draft maps were
7 circulated for consideration along with 2010 census data corresponding to each proposal
8 identifying the total populations as well as citizen voting age population data ("CVAP") with
9 race/ethnicity. The census data is necessary to ensure compliance with the federal Voting Rights
10 Act and the California Voting Rights Act by preventing improper dilution of minority voting
11 rights. Many of the public comments received in support or opposition to the proposed plans
12 addressed potential impacts to particularly races, ethnicities, cultures, and local communities
13 within LAUSD.

14 22. The five proposed maps were labeled as Plan Av2, Plan Bv1, Plan Bv2, Plan Cv1,
15 and Plan Cv2. I have reviewed the document marked as PTX-858, which is a correct copy of
16 the five maps and corresponding census data tables distributed at the February 23, 2012 meeting
17 along with a map of LAUSD then existing Board Districts with and corresponding census data
18 tables that was also circulated at a redistricting commission meeting.

19 23. Towards the end of the February 23, 2012 meeting, the redistricting commission
20 voted to approve PlanCv1 with some minor changes. The commission's recommended plan was
21 presented to the City. I have reviewed the documents marked as PTX-855 and PTX-856,
22 which are correct copies of the commission's recommended plan as modified and its
23 corresponding and corresponding census data tables.

24 24. In April 2012, the City's Rules, Elections and Intergovernmental Relations
25 Committee held a series of further meetings to review the redistricting commission's proposed
26 plan. Several further changes were made prior to the City Council's adoption of a final Board
27 District plan.
28

1 25. After the 2020 decennial census, LAUSD will again redraw its Board District
2 lines. The data derived from the 2020 decennial census and American Community Survey are
3 integral to the commission's map drawing, allowing members to see the community demographic
4 shaping local communities of interest and ensuring compliance with the federal Voting Rights
5 Act and California Voting Rights Act. Often the revisions to the commission's plans involved a
6 few thousand residents or less. The public input also relies on this same data to identify strengths
7 and weaknesses in the redistricting commission's proposals.

8 26. Any decrease in the accuracy of the census data undermines these public efforts to
9 preserve local communities within LAUSD's boundaries.

10 27. I have personal knowledge of the facts set forth in this declaration.

11 I declare under penalty of perjury, under the laws of the State of California and the United
12 States, that the foregoing is true and correct.

13 Executed December 20, 2018, in Los Angeles, California.

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16 _____
17 Jefferson Crain
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