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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**DAVID TANGIPA, et al.,**

Plaintiffs,

vs.

**GAVIN NEWSOM**, in his official  
capacity as the Governor of California, *et al.*;

Defendants.

CASE NO. 2:25-cv-10616 JLS (KESx)

**DECLARATION OF  
ASSEMBLYMEMBER DAVID TANGIPA  
(D-08) IN SUPPORT OF  
PLAINTIFFS' MOTION FOR  
PRELIMINARY INJUNCTION**

Assigned to Hon. Josephine L. Staton

Action Filed: November 5, 2025

1 I, David Tangipa, declare as follows:

2 1. I am over the age of 18, and a United States citizen. I know the following facts of my  
3 own personal knowledge, and if called upon as a witness, I could and would testify competently thereto.

4 2. I am a duly elected Member of the California State Assembly, representing Assembly  
5 District 08, which covers over 450,000 residents and over 250,000 registered voters in 7 counties:  
6 Calaveras, Fresno, Inyo, Madera, Mariposa, Mono, and Tuolumne.

7 3. I am the first legislator elected in California's history of Polynesian decent, the smallest  
8 and least represented minority group in the state and my district is a majority white district.

9 4. I serve on the Assembly Committee on Elections. I make this declaration of my own  
10 personal knowledge to describe what information was, and was not, provided to me when the  
11 Legislature considered measures placing what has been described as "Proposition 50" on the ballot.

12 5. I have personal knowledge of the facts stated herein and, if called, could and would  
13 testify competently to them.

14 6. This declaration concerns the Legislature's consideration and passage of three measures  
15 related to placing Proposition 50 on the November 4, 2025, ballot: ACA 8 (Rivas/McGuire), AB 604  
16 (Aguiar-Curry/Gonzalez), and SB 280 (Cervantes) (collectively, the "Measures"). On information and  
17 belief, these Measures addressed congressional maps and procedures in ways that were justified publicly  
18 by references to the VRA and to so-called "VRA districts," including a proposed additional Latino VRA  
19 district.

20 7. I have learned, that when a State invokes the federal Voting Rights Act (VRA) as a  
21 reason to use race in drawing district lines, it must have district-specific evidence, before acting,  
22 showing that, absent the use of race, the State would likely face liability under Section 2. As a legislator,  
23 I therefore look for concrete analytical materials, not general assurances.

24 8. On Friday, August 15, 2025, the preliminary maps and press release regarding  
25 Proposition 50 was released to the public by the press online for public comment.

26 9. Sometime either late August 15, 2025, or early Saturday, August 16, 2025, I became  
27 aware of this release of information in a press release from social media. No official communication,  
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1 analysis, or other documents were forwarded to me from leadership or legislative staff.

2 10. I took advantage of the remainder of the weekend to prepare for what was to come that  
3 week. I drafted committee questions, read the bills, and looked at the proposed map lines.

4 11. No additional information was given to Republican members of the Assembly more than  
5 what was released to the public at any point in the process to pass the Measures.

6 12. On Monday, August 18, 2025, at 2:30 PM, the Assembly Committee on Elections  
7 noticed a hearing for Tuesday, August 19, 2025, online. I received less than twenty-four hours' notice  
8 and no additional official communications regarding this meeting other than what was available to the  
9 public online.

10 13. During the Hearing ACA 8 and SB 280 were acted upon and AB 604 was noticed for  
11 informational discussion.

12 14. In the few hours before the Hearing and during the Hearing, I was unable to ascertain  
13 any basic information regarding who drew the maps, as the bill language falsely stated that members of  
14 the Assembly Elections Committee drew the lines, let alone information required by the VRA to  
15 determine if VRA districts were necessary.

16 15. As of the morning of the August 19 hearing, I had not been provided any of the  
17 district-by-district technical materials I would expect to see if the Legislature were relying on the VRA  
18 to justify race-conscious line-drawing of the original maps released on Friday August 15, 2025.  
19 Specifically, I did not receive: (a) any racially polarized voting (RPV) analysis; (b) any expert report  
20 (or draft) addressing the *Gingles* preconditions; (c) any functional performance analysis (including  
21 candidate-of-choice results, turnout differentials, or assessments using citizen voting-age population  
22 (CVAP)); (d) any compactness metrics for any proposed "VRA district"; or (e) any side-by-side  
23 race-neutral alternatives with an explanation of why those alternatives would not avoid a Section 2  
24 problem.

25 16. On the morning of the Elections Committee, just minutes before the Committee gavelled  
26 in, I was informed by Caucus staff the map lines had been changed late the night before.

27 17. During the committee hearing, I was going through the new map while I was on the dais  
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1 as my questions and preparation from the weekend were no longer relevant for the new lines.

2 18. For example, the City of Clovis was divided in different ways between the two map  
3 versions. Additionally, the new map did not keep as many communities whole.

4 19. During the committee, I asked basic process questions: who changed the lines, when  
5 those changes occurred, the nature and extent of the changes, and the reasons for them. I did not receive  
6 substantive answers.

7 20. In addition to the lack of substantive answers regarding the new lines, I did not receive  
8 any analysis or explanation of the lines or how the racial drawn VRA districts were determined.

9 21. During the committee hearing, there was no discussion regarding why VRA districts  
10 were necessary or why an additional VRA district for Latinos was warranted.

11 22. At the Hearing, I received no racially polarized voting study, no expert report, no  
12 functional analysis of minority electoral performance (including CVAP thresholds or turnout-adjusted  
13 metrics), and no materials asserting, much less substantiating, that any Latino VRA districts were  
14 necessary, nor an additional Latino VRA district was legally required.

15 23. During questioning, Members from both parties commented that the maps had been  
16 changed late the prior evening. The lack of knowledge of the late-night changes to the maps was  
17 apparent for both Republican and Democratic members of the committee during the hearing.

18 24. The Elections Committee Chairwoman was not aware the lines were changed, until  
19 during the Hearing itself, let alone made aware of any district-by-district analysis of the VRA districts  
20 lines or the justification for why they were drawn.

21 25. At one point, the Committee Chairwoman stated the maps had not been changed; a staff  
22 member then leaned over and advised the Chairwoman that the lines had in fact been changed the night  
23 before.

24 26. Many of my Democrat colleagues' comments and talking points during the hearing were  
25 no longer relevant to the new map due to the last-minute changes.

26 27. Based on these event and statements by my colleagues made on the record in the hearing,  
27 to my knowledge, no district-by-district VRA analysis or written justification of the new map lines was  
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1 presented to members of any party at or before that hearing and voting on the map lines.

2 28. On August 20, 2025, the Assembly Appropriations Committee met briefly to hear the  
3 fiscal impacts of the Measures.

4 29. Again, there was no discussion of the analysis or background of how the map lines came  
5 to be.

6 30. On August 21, 2025, the Assembly considered the Measures on the floor. Before those  
7 votes, I again was not provided any district-specific VRA materials, no expert report, no RPV study, no  
8 election-performance simulations, no CVAP tables, and no analysis of alternatives. In any of the few  
9 materials provided to me, I did not see any statement identifying a particular district as legally required  
10 by Section 2, nor any explanation of how such a conclusion had been reached. To my knowledge, no  
11 member speaking in favor identified district-specific evidence of a VRA need.

12 31. To my knowledge, no such materials exist in the legislative process. To my knowledge,  
13 and after reasonable diligence on my part, I still have not seen district-specific RPV findings, expert  
14 submissions, or race-neutral alternatives that were available to members before their votes on the  
15 Measures. If such materials existed, they were not provided to me.

16 32. Throughout the entire process, no member of the Democratic Party spoke to Republican  
17 members regarding the process or what was happening. The information that my colleagues and I had  
18 was gathered primarily from press and public information. There were no communications from  
19 leadership, committee staff, no summaries of the bills, committee documents from testimony, where  
20 sufficient analysis was provided. Republican members of the Assembly Elections Committee did not  
21 even get the bill language or the basic committee analysis of the Measures until 2:32 PM the day before  
22 10:30AM the next morning was the hearing.

23 33. No sort of district-specific evidence justifying race-based line drawing creating or  
24 maintaining "VRA districts," or adding a new Latino VRA district was ever considered or provided.

25 34. The only information I recall receiving in connection with the Measures were the online  
26 public notices of the hearings and Caucus staff communication indicating that the map lines had been  
27 changed without any accompanying explanation or evidentiary support the morning of the Election  
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1 Committee hearing.

2 35. If any race-based analyses, expert reports, map simulations, alternative race-neutral  
3 plans, or other evidentiary submissions existed in support of these Measures, they were not provided to  
4 me before my participation in the August 19, 2025, committee proceedings or the August 21, 2025,  
5 floor votes.

6 I declare under penalty of perjury under the laws of the State of California and the United States  
7 that the foregoing is true and correct.

8 Executed on November 7, 2025,

9 at 4:17 \_\_\_\_\_, California.

10  
11 *David Tangipa*

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13 David Tangipa

14 Member, California State Assembly (D-08)  
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