

Citizen Redistricting
Committee
New Mexico Bar
Association Center
5121 Masthead St. NE 2nd
Floor
Albuquerque, NM 87109



Hon. Edward L. Chávez, Chair
Ryan Cangioli
Hon. Lisa Curtis
Robert Rhatigan
Joaquin Sanchez
Hon. Michael Sanchez
Christopher Saucedo

CITIZEN REDISTRICTING COMMITTEE

Meeting Minutes of August 11, 2021 | 3:00PM-7:00PM
Eastern New Mexico University, Instructional Technology Building
Roswell, NM
[View Recording Here](#)

[SUBJECT TO RATIFICATION BY COMMITTEE]

CALL TO ORDER AND ROLL CALL

The meeting was called to order by Chair Chávez. The Chair introduced officials present for the meeting after unanimous assent of the Committee. The roll was called; the following Committee Members were present. The chair and members briefly gave biographies and appointments upon affirming that they were present.

HON. EDWARD L. CHÁVEZ, CHAIR
RYAN CANGIOLSI, MEMBER present
HON. LISA CURTIS, MEMBER present
ROBERT RHATIGAN, MEMBER present
JOAQUIN SANCHEZ, MEMBER not present
HON. MICHAEL SANCHEZ, MEMBER present
CHRISTOPHER SAUCEDO, MEMBER present

1. APPROVAL OF AGENDA

Chair Chávez sought a motion to amend the agenda to provide for the approval of the 8/7/2021 CRC meeting minutes as opposed to the 8/9/2021 minutes (which were not yet ready), and to approve the agenda as amended. Committee Member Michael Sanchez moved to approve the agenda as amended; Committee Member Saucedo seconded. Hearing no discussion, Chair Chávez conducted a vote. All Committee Members voted in the affirmative, and the agenda was approved unanimously.

2. OPENING REMARKS ON CRC'S WORK AND MISSION

Chair Chávez made comments on the Committee's work and direction. He explained that this meeting has a satellite site in Portales at Eastern New Mexico University, where members of the public can watch the meeting and speak during public comment.

3. APPROVAL OF 8/7/2021 MEETING MINUTES

Chair Chávez sought a motion to approve the minutes of the August 7th meeting. Member Curtis moved to approve the minutes. Member Cangioli seconded. Hearing no discussion, Chair Chávez conducted a vote. All Committee Members voted in the affirmative, and the minutes were approved unanimously

4. REDISTRICTING 101

Mr. Brian Sanderoff, of Research & Polling (“R&P”), introduced his associate Michael Sharp, and then gave a brief presentation on criteria the Committee must consider in its examination of maps (*this R&P slide presentation is available on NMRedistricting.org on the Resource page*).

5. COMMENTS FROM THE COMMUNITY (tags are bolded, time shown is elapsed, and full comments are available in Zoom recording linked on first page.)

- Frank Sanchez, **Voting rights, gerrymandering, redistricting, southeastern New Mexico, minority communities of interests.** (Mr. Sanchez’s written submitted comments are appended to these minutes as “Attachment 1”) (00:51:46)
- Hon. Tim Jennings (Fmr. State Senator), voting discrimination against low socioeconomic communities, CRC should focus on economic communities of interest. (01:20:00)
- Wendy Austin, deputy City Administrator of Carlsbad, favors **dedicated Senate district for Carlsbad.** (01:37:15)
- Missy Currier, Provided statement from Mayor of Carlsbad, favors **dedicated Senate district for Carlsbad** (01:43:45)
- Rep. Greg Nibert, **population loss and expanding southeastern house districts,** Representative district 59 Chaves and Lincoln Counties, would like feedback from CRC about the CRC process and what might be done better after maps are submitted, problems of **cities split into three districts** (Roswell 32, 33, 27 and 58, 59, 66) (01:47:38)
- Sen. Stuart Ingle, Senate district 27 Roswell, expressed thanks to Committee Members. **Rural state senate districts have grown.** (02:27:25)
- Candy Ezzell, Representative district 58, discussed role of a representative in Chaves County. **Minority majority district.** (02:30:28)
- Yolanda Rodriguez, personal story experiences as a Spanish speaking immigrant. Wants representation of Hispanic and Latino people in house district 58 precinct 81. Wants Hispanic and Latino representation in Congressional district 2. (03:00:13)
- Gladys Saucedo, Resident of Hobbs, Does not feel represented by elected officials who

are anti-immigrant, anti-Latino, and anti-workers. Wants **representation of Hispanic people. 60% of Lea county is Hispanic and Latino.** Workers are a **community of interest.** The district boundaries in the area are not competitive and nobody wants to run against the current Representatives. Wants to **change boundaries for house district 61 and 62** because minority community of interest are different from current representation. (03:12:30)

- Lorena Sanchez, personal story, wants representation of Hispanic and Latino people proportionate to population. Does not feel represented by current house representative. (03:31:50)

6. COMMITTEE MEMBER DISCUSSION AND DIRECTIONS TO RESEARCH & POLLING REGARDING CONGRESSIONAL PLANS.

The Committee reviewed submissions on the Districtr portal relating to congressional plans. No new maps.

7. COMMITTEE MEMBER DISCUSSION AND DIRECTIONS TO RESEARCH & POLLING REGARDING STATE SENATE PLANS.

The Committee reviewed submissions on the Districtr portal relating to state senate plans. No new maps.

8. COMMITTEE MEMBER DISCUSSION AND DIRECTIONS TO RESEARCH & POLLING REGARDING STATE HOUSE PLANS.

The Committee reviewed submissions on the Districtr portal relating to state house plans. No new maps.

9. COMMITTEE MEMBER DISCUSSION AND DIRECTIONS TO RESEARCH & POLLING FOR THE PUBLIC EDUCATION COMMISSION (“PEC”) PLANS.

The Committee did not review any submissions on the Districtr portal relating to PEC plans, because none were submitted. No new maps.

10. ADJOURNMENT.

Chair Chávez sought a motion to adjourn. Committee Member Michael Sanchez moved to adjourn; Committee Member Curtis seconded. Hearing no discussion Chair Chávez conducted a vote. All Committee Members voted in the affirmative, and the meeting was adjourned.

[SUBJECT TO RATIFICATION BY COMMITTEE]

Frank Sanchez - Aug. 11, 2021



Outline: Redistricting Committee

Introduction:

Frank Sanchez – I was born and raised in Roswell

I am retired: Retired as Executive Director of a Private Family Foundation.

I was one of the lead plaintiffs of the Sanchez vs King Voting Rights lawsuit

I am a member of the Coalition for Equity, a local advocacy organization.

Preface:

Before I began my remarks, I would like to I would like to pay tribute to Congressman John Lewis who passed away last year. A hero and champion of the Voting Rights Act. A man that sacrificed everything to insure all people could vote.

Last week was the 56th anniversary of the signing of the Voting Rights Act by President Johnson.

In 2015 I had the great privilege of attending in Selma, AL the 50th anniversary and Commemoration of the Selma to Montgomery March, which led to the passage of the Voting Rights Act in 1965.

Our Delegation of Foundations (T-Shirt) joined President Obama, President Bush, John Lewis, and 40,000 people in the Commemoration. Joining also were the many unsung heroes of the Civil Rights Movement.

The event and the crossing of the Edmund Pettus Bridge was powerful and inspiring. It brought me to tears thinking about the sacrifice the leaders of this movement made to expand democracy in our nation. I gained an even deeper appreciation of the Civil Rights Movement and their leaders.

The Voting Rights Act transformed American Democracy and enfranchised millions of voters who had been denied the vote.

For our Voting Rights lawsuit I give all credit to John Lewis, Dr. King, the Civil Rights Movement and all the unsung heroes.

Remarks on the history and decision of the lawsuit:

Description

To Conclude:

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I want to respectfully make some recommendations to the committee:

- 1. You take some time to read and review the Sanchez Vs King decision. In my opinion it is a foundational document for redistricting in the state.**
- 2. You take some time to read the book "Bending Toward Justice: The Voting Rights Act and the Transformation of American Democracy." For me the best history on the Voting Rights Act.**
- 3. My third recommendation is for further reference about the structuring of this committee. I believe members should be added in the future to accommodate more citizens in the state. This is a great committee, but clearly missing are Native Americans and Mexican Americans from the Southeast. It is a glaring oversight. Mexican Americans and Native Americans have been some of the groups in the state most impacted by Redistricting.**

I want to thank the committee for allowing us to tell our story. I appreciate your hard work on this new effort by citizens to redistrict. I wish you the best on this maiden voyage.

Thank You

8/11/21 (Now I want to move on to my remarks about the Sanchez Lawsuit.

As I said, I am one of the lead plaintiffs In the Sanchez vs King Lawsuit.

The lawsuit was filed challenging the legislative House Redistricting Plan drawn by the legislature in 1982 under the Voting Rights Act.

My remarks are to emphasize the Historical Context for this lawsuit and how it has framed legislative redistricting since 1984.

It was the first successful lawsuit under voting rights act in NM. However, I remind the committee that the very first successful voting rights lawsuit in New Mexico was in 1948. It was brought by Miguel Trujillo, a Pueblo leader. The lawsuit found that excluding the Native community from voting in state elections violated the Constitution. Trujillo & Garley
(14th & 15th amendment)

Our lawsuit laid out a framework for drawing legislative districts that are fair and equal for minority voters in the state. (It had particular impact for minority communities in S.E. NM and Pueblos and Navajo Nation in Northern New Mexico.)

It also provided a powerful historical context for why the judges ruled in favor of our claims. And it laid the ground work for lawsuits under VRA against local jurisdictions.

The law suit was filed in 1982 by a number of individuals and organizations representing minority communities across the state. The plaintiffs included over 40 Hispanic leaders from around New Mexico, several Hispanic Legislators, The All Indian Pueblo Council, the GI Forum, and several Navajo Leaders. (In a sense it was a coalition of Mexican American communities in the South and Native Communities in the North; those most impacted by the Legislative Plan)

The lawsuit was heard by a Federal 3 Judge Panel made up of Judge Oliver Seth, Judge Ed Meacham; and Judge Juan Burciaga: 3 well respected Judges.

The lawsuit made 2 challenges to the House redistricting Plan in 1982.

First that the plan violated the principle of one-person, one vote. The legislature had drawn a plan based on a "votes cast formula". A formula that failed to create districts of relatively equal populations.

The court ruled quickly on the first challenge. It struck down the plan on the grounds that it violated the principle of one-person, one-vote.

Based on this first challenge the court in June, 1982 ordered the legislature to draw new House Districts of equal population. The legislature did draw new house districts under the order, but the plan did not resolve our lawsuit and second challenge.

The Second Challenge was based on the new House Plan. We claimed that it constituted racially-motivated gerrymandering, which resulted

in the dilution of minority voting strength. (Specifically Mexican Americans in the South and Native Americans in the North) This claim was based on the violation of Section 2 of the Voting Rights Act, as amended in 1982.

On August, 1984 the Judges ruled that based on the “totality of circumstances” with a very strong opinion that the New Mexico House Plan was racially motivated gerrymandering and had diluted minority voting strength. In violation of the Voting Rights Act.

In their ruling and opinion, the Judges laid out the “totality of circumstances” of the House Plan and why it violated the Voting Rights Act. (It affirmed what Mexican Americans in SE New Mexico and Native Americans knew about the political process in their areas of the state)

The Judges Wrote:

- **Minorities had not been elected to office in SE New Mexico because of different electoral schemes that shut them out of the political process**
- **That there was racial bloc voting**
- **There was a history of official discrimination in SE New Mexico**
- **That there are inequalities and disparities in Education and employment for minorities in SE New Mexico**
- **That Voter Registration among minorities is depressed**
- **That Voter Participation among minorities is depressed**
- **That Legislators (incumbents) went to great lengths to the minimize the voting strength of minorities**
- **The legislative plan cracked the minority community precincts**

Overall, the House Plan was racially motivated gerrymandering.

As a result of the judges ruled in our favor on 17 of the 19 districts we challenged.

This time the judges did not give the legislature an opportunity to draw districts. It drew 17 districts and ordered new elections for the House.

The Court drew House Districts that provided the minority community the opportunity to elect candidates of their choice. Majority Minority Districts that did not dilute the Minority Vote. (By the way the state did appeal the decision to the Supreme Court, but the ^{High}court did not hear it)

As part of the consent agreement the State agreed to Pre-clear the 1990 redistricting plan with the Department of Justice.

This set up next chapter in this law suit.

As result in 1990/91 we challenged the State Senate Plan and asked the DOJ to reject the plan. DOJ cleared the House Plan. DOJ agreed with us and asked the Senate to redraw their plan. Specifically in the Southeast and Senate seat in the North.

The state Senate drew a plan that gave minorities the opportunity to elect candidates of their choice and did not dilute the minority vote.

For the Mexican American and Minority Community the Judges ruling was a seminal moment in our political history.

First it confirmed what we knew. That we had been shut out of the political process.

Second Districts were drawn that did not dilute our votes. It gave us for the first time the opportunity to fully participate in the political process.

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Third the decision laid the foundation for us to challenge electoral schemes such as at-large elections.

We filed lawsuits and challenges all across Southern and Northern New Mexico based on the Voting Rights Act against School Boards, City Councils, and County Commissions. We prevailed on everyone of our lawsuits and created single member districts across the state that gave the minority community the ability to elect candidates of their choice. Eventually because of our lawsuits the state created a law that required jurisdictions over a certain population to draw single member districts and eliminate the At-Large Election System.

(Throughout the 90s, 2000s, we continued, at a slower pace to challenge other jurisdictions such as hospital and community college board: we prevailed. In fact, the last lawsuit I participated in we challenged the at-large election of this community college board. We never went to court because they created single member districts for their subsequent elections)

Since 1984 we feel that the Mexican American Community in Southeastern New Mexico has made some progress in participating in the political process and electing candidates of our choice.

I tell this story today because I believe for us this lawsuit and the ruling is a foundational document that needs to be read and understood by all those drawing districts.

I ask you to learn and understand our historical context and understand the framework laid out by the judges 40 years ago, which is still very relevant today. We do not want to go backwards.

Just like any other citizen we want to be able to fully participate in our nation's democracy.