

Citizen Redistricting Committee
New Mexico Bar Association Center
1521 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 2, 2021 | 3:00PM-7:00PM

Virtually Via Zoom

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[SUBJECT TO RATIFICATION BY COMMISSION]

CALL TO ORDER AND ROLL CALL

The meeting was called to order by Chair Chávez. The roll was called; the following Committee Members were present 3:00 p.m. 8/2/21. Justice Chávez briefly reviewed the creation of the CRC. The chair and members briefly gave biographies and appointments upon affirming that they were present.

Hon. EDWARD L. CHÁVEZ, CHAIR present
RYAN CANGIOLSI, MEMBER present
Hon. LISA CURTIS, MEMBER present
ROBERT RHATIGAN, MEMBER present
JOAQUIN SANCHEZ, MEMBER present
Hon. MICHAEL SANCHEZ, MEMBER present
CHRISTOPHER SAUCEDO, MEMBER present

1. APPROVAL OF AGENDA

- Chair Chávez sought a motion to approve the agenda. Committee Member Curtis moved to approve the agenda; Committee Member Saucedo seconded. Hearing no discussion, Chair Chávez conducted a roll-call vote. All Committee Members voted in the affirmative, and the agenda was approved unanimously.

2. APPROVAL OF MINUTES OF JULY 23, 2021 COMMITTEE MEETING

- Chair Chávez sought a motion to approve minutes of the July 23, 2021 Committee meeting. Committee Member Saucedo moved to approve minutes; Committee Member M. Sanchez seconded. Hearing no discussion, Chair Chávez conducted a roll-call vote. All Committee Members voted in the affirmative, and the motion was approved unanimously.

- [NOTE] At about 5:00PM, Committee Member Cangiolosi asked for a motion to reconsider the minutes for the previous meeting on July 23, to reflect that he logged into the meeting at 9:10 a.m. Chávez moved as stated above; Committee Member M. Sanchez Seconded as stated above. Committee Member Cangiolosi provided his reasons for the revision and hearing no further discussion, Chair Chávez conducted a roll-call vote, all members voted in the affirmative and the minutes were revised unanimously as stated above.

3. OPENING REMARKS ON CRC’S WORK AND MISSION

- Chair Chávez made comments on the Committee’s work and direction. He stated his gratitude that the state allowed the meetings to take place. Chair Chávez provided perspectives on redistricting, noting that the whole purpose of government is for to help one another and solve common problems. Chair Chávez highlighted that for the first time, there is a law that requires taking people’s feedback into account during the redistricting process.
- Chair Chávez reviewed the rules of the Committee noting that meetings allow testimony by citizens in their communities. Chair Chávez explained the new online resources available to citizens who can go online to draw maps and submit maps through a public redistricting feedback portal. Chair Chávez described the roll of the CRC’s community liaison.

4. REDISTRICTING 101

- Brian Sanderoff, of Research & Polling (“R&P”) provided a presentation on redistricting in New Mexico focusing on the five principles of redistricting: equal population, minority voting rights, contiguity, compactness, and communities of interest.

Research and Polling’s presentation is attached to these minutes.

- Chair Chávez invited comments from the public.

QUESTIONS FROM THE PUBLIC ATTENDING IN-PERSON:

- An unidentified member of the public in the attending audience asked a question concerning incumbent protection and legislation discussed by Mr. Sandersoff.
 - Mr. Sanderoff explained the conditions under which the CRC may consider information about where incumbent elected officials live.
 - Chair Chávez explained that the legislature sees some value in continuity of representation, and that the CRC’s legal counsel will provide oversight on questions where incumbent residence is involved.
- An unidentified member of the public in the attending audience inquired about why even after large population increases, there is a limit on the number of legislative seats.

- Mr. Sanderoff provided that the Constitution of New Mexico limits the number of seats.
- Hannah Burling, President of New Mexico League of Women Voters, thanked the Committee and highlighted the NMLWV's interest in redistricting processes and standards that provide the people with meaningful choice in who serves as their representatives, and that facilitates government accountability. Further, she encouraged the CRC members to consider the NMLWV's written statement on redistricting.
- Roger Taylor resident of Galisteo, President of Community Association in Galisteo. Mr. Taylor requested that the CRC members consider the unique differences between how urban and rural communities in the area approach community issues and therefore how they should be grouped or split in the process of redistricting.
 - Member Curtis asked if Mr. Taylor had a map he would submit; to which Mr. Taylor stated that he did not have a map but would look into submitting one via the portal. Member Curtis stated a map submission would be helpful.
- Loyda Martinez, a Northern New Mexico advocate and activist, stated that she is concerned about possible racial dilution of the community. Ms. Martinez requested that in any redistricting of Congressional District 3, the CRC propose to enhance or expand CD 3 to keep Rio Arriba county and Rio Rancho together.
 - Mr. Sanderoff responded to clarify Ms. Martinez's concern with Rio Rancho.
- Paul Dirdak, a resident in Santa Fe, stated that northern New Mexico is a community of interest. Mr. Dirdak stated that he had seen maps submitted in the public redistricting portal that divide northern NM along longitudinal lines and stated that these types of maps would be destructive to northern NM as a community and hold back its progress on a multitude of issues.
 - Member Saucedo question. What would be boundaries for example Rio Rancho?
 - Mr. Dirdak stated that he favors modest shifts in counties rather than flipping east-west to north and south.
- John Block, an Alamogordo resident, stated the importance of fair districts and the need to keep community of interests together. Mr. Block stated that he lives in Congressional District 2 and encouraged the CRC to consider differences between northern and southern New Mexico during the redistricting process and stated that he made specific suggestions for how State House district 51 could be revised.
 - Member Curtis asked question regarding districts 54 and 51.
 - Mr. Sanderoff answered, change in population of Alamogordo and Carlsbad can help regarding the shift.
 - Mr. Block stated that he has submitted a map.
 - Chair Chávez asked inquired about Mr. Block's opinion on his state senate district.
 - Mr. Sanderoff clarified the status quo principle regarding districts 51 & 54.

QUESTIONS FROM THE PUBLIC ATTENDING VIA ZOOM

- Castille Aquilar, representative of Youth United for Climate Crisis Action (YUCCA), stated her concern that the redistricting process will not serve community interests properly, especially with respect to the resulting maps ultimately support the interests of the oil and gas industry. She stated her concern that even after redistricting voices could be skewed and marginalized. Ultimately, she encouraged the CRC to avoid proposals or actions in the redistricting process that would otherwise silence or marginalized communities.
- Evelyn Vinogradov, a resident of Edgewood, spoke of division of community between west and east in congressional districts and in senate and house, and asks CRC to consider Edgewood as a community of interest. She said the last special election was very frustrating, Chaparral is an example of attempt to combine districts 51 and 52, and needs to be remedied, as there was uncertainty among voters about where to vote.
- Hon. Liz Stefanics, State Senator in district 39, stated that some members of her district feel little or no connection with other parts of the district. Sen. Stefanics relayed that Lincoln’s County Commission, for example, has passed a resolution to be grouped with other southern counties in Congressional District 2. Ultimately, Sen. Sefanics requested that the CRC take northern and southern communities of interest at the county level into account when proposing maps in the redistricting process.
 - Chair Chávez responded, asked to have residents to participate in the CRC meetings, thanked her for sending letter to constituents.
- Chair asked if there were other questions, none were heard. Chair asked for a ten-minute recess, all Members agreed. The Committee recessed and resumed at 5:00 PM.

RETURN FROM RECESS: 5:00 PM

- Committee Member Cangiolosi asked for a motion to revise the minutes for the previous meeting on July 23, to reflect that he logged into the meeting at 9:10 a.m. Committee Member M. Sanchez moved as stated above. Committee Member Cangiolosi provided his reasons for the revision and hearing no further discussion, Chair Chávez conducted a roll-call vote, all members voted in the affirmative and the minutes were revised unanimously as stated above.

5. RECEIPT OF PUBLIC SUBMISSIONS AND MAP-DRAWING WORK

- **“Alamogordo/Cloudcroft” map (John Block).**
Mr. Sanderoff said status quo example presented regarding Alamogordo very reasonable to do status quo claim; speaker wanted to keep mountain community of Cloudcroft in district 51.
- **“Equal New Mexico” map (Alejandra Salazar)**
Map splitting state N-S with central split part to east part to west, does preserve Indian

communities of interest. Most tribal communities are in the western half except for example for Taos and Mescalero. Question for CRC, is splitting Santa Fe and Taos and splitting Albuquerque uniting New Mexico.

- **“ZXCZXCZXC” map (“John Doe”)**
Not serious, “a test” was listed in the description.
- **“Balanced plan (corrected)” (Fred Kennon)**
Balanced plan (corrected) –not balanced, seems to use senate districts, tries to equalize percentage of democrats and republicans but violates the rules, has deviation of more than 300K.
- **“Rio Rancho” (Richard Mason)**
Just Rio Rancho, wants all in Congressional district, question of intent re state districts, any community greater than state districts will have to be split.
- **“International district” (Kathleen Burke)**
Attempts to unify area around Central Avenue, split now between two districts.
- Chair Chávez asked if Committee Members had any other comments on this specific section and with none heard, moved to the next agenda item.

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

- **“House Congressional Districts” (Dean)**
N-S split of state combines diverse communities of interest in the same Congressional district.

COMMITTEE MEMBER DISCUSSION

- Committee Member Saucedo provided comments concerning radical versus moderate redistricting change.
 - Mr. Sanderoff responded that 1991 was seen as the standard for status quo because 1991 was the last time the New Mexico legislature and government agreed on the redistricting plan.
- Committee Member Curtis commented that public needs to say indicate whether they want radical change.
- Committee Member Rhatigan said that CRC should see what public wants as the CRC travels around the state.
- Chair Chávez said that he wants to encourage public to contribute maps.
 - Mr. Sanderoff said each Congressional district has had growth but not radical growth.

- Committee Member Joaquin Sanchez noted that he does not want to be risk averse, but rather give people the opportunity to decide. He referenced events taking place in the country and mentioned the meaning of “radical” is “to the roots.”
- Committee Member Cangiolosi inquired about excess population?
 - Mr. Sanderoff responded, with slight growth not as likely as ten years ago, it is also necessary that some districts will shrink and that this will cause a ripple effect as surrounding districts are reshaped.
- Chair Chávez asked, if Mr. Sanderoff can draw a map with all communities of interest overlaid, Mr. Sanderoff responded, in the affirmative.
- Committee Member Curtis asked about control for effect of large non-voting populations such as prisons?
 - Mr. Sanderoff described the ways in which non-voting persons are counted and explained that this has a more pronounced effect on smaller districts for local offices.
- Committee Member Rhatigan noted his agreement with Committee Member Curtis on the need for overwhelming public consensus around on any instance of radical change to a district plan.
- Chair Chávez said he does not want to discourage people from submitting maps and comments, even if radical.
- Chair Chávez asked if Committee Members had any other comments on Congressional Districts, and with none heard, moved to the next agenda item.

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

- Chair Chávez asked if Committee Members had any comments on state senate districts.
- Chair Chávez raised the issue of the effect redistricting on incumbents and the Committee members discussed perspectives related to drawing maps with the foreknowledge of where incumbents reside.
- Committee Member Rhatigan said he recommends a process of drawing district maps without knowledge of where incumbents reside, then adding in that information after district plans are drawn according to public feedback and other legal requirements, and simply adjusting for incumbency where possible as a secondary consideration, subordinate to the primary requirements of redistricting.
- Committee Member Joaquin Sanchez noted his agreement with Committee Member Rhatigan’s proposed process for drawing district plans with respect to incumbent residency.

- Mr. Sanderoff stated that R&P will need directions from CRC.
- Chair Chávez brought a motion for R&P to provide relevant population data to the CRC, excluding voter performance information, but including compactness reporting, statistics on each district's deviation from the ideal population level, and the addresses of incumbents along with the boundaries of their respective districts, for each district to be redistricted. and criteria they will use when developing district plans. Committee Member Curtis seconded the motion as stated above. Hearing no discussion Chair Chávez conducted a roll-call vote. All Committee Members voted in the affirmative, and the motion was approved unanimously. **[Specific directions for R&P submitted subsequent to the meeting and attached as Exhibit 1]**
- Chair Chávez asked if Committee Members had any other comments on this specific section and with none heard, moved to the next agenda item.

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

- Mr. Sanderoff displayed the map of state house districts and discussed the boundaries and towns included.
- Chair Chávez opened for discussion.
- James Povijua, who works with the All-Pueblo Council's redistricting group, offered to help connect the CRC with the Mescalero Apache nation to plan a meeting.
 - Chair Chávez requested that he contact Lilly Irvin-Vitella, the CRC's Community Liaison.
- No other public comments were offered on this section.
- Committee Member Curtis asked about sequence of house evaluation of previous plans.
- Mr. Sanderoff discussed how judges decided with reference to Roswell.

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

- Committee Member Rhatigan noted that school districts were not currently in the Districtr tool.
- Mr. Sanderoff said the issue is dividing state into ten districts, because each district has several hundred-thousand people per district.

- Committee Member J. Sanchez question about whether charters could be granted by either school districts or the PEC.
- Chair Chávez opened for public comments.
 - Amber Carillo inquired about whether the school boards or the PEC were the decision-making bodies for how school districts are drawn and how those decisions impact the Pueblo communities' capacity to move in and out of school districts.
 - Mr. Sanderoff explained that the PEC does not make those decisions, but rather the legislature does.
 - Cedric Page noted that data collected on prison populations are going to vary widely because of the diversity of authorities who are responsible for tracking. Additionally, Mr. Page requested the CRC consider utilizing chapter house boundaries rather than precinct boundaries, particularly where redistricting around tribal lands.
 - Mr. Sanderoff explained how the Navajo Nation utilizes chapter houses as body of government and that precinct boundaries can be conformed to chapter house boundaries, noting that the Redistricting Act requires using precincts as the building blocks for districts and that there is a legal question on whether this conformity is consistent with the Voting Rights Act.
 - Committee Member Curtis clarified Mr. Sanderoff's statement explaining that if precincts and chapters are not the same then CRC should not consider them for the sake of compliance with the Voting Rights Act.
 - No other public comments were offered.

10. **Chair Chávez sought a motion to adjourn.** Committee Member Curtis moved to adjourn; Committee Member M. Sanchez seconded. Hearing no discussion Chair Chávez conducted a roll call vote. All Committee Members voted in the affirmative, and the motion was approved unanimously. The meeting adjourned at 7:01 p.m.

EXHIBIT 1

Evaluation Criteria (Submitted by Chair Hon. Edward Chávez)

For each map we consider will you please prepare the following evaluation tables: District Profile, that will include the District Number, the Total population included in each district, the population deviation from ideal, Total Adult Native American both as a numerical expression and percentage of population in the district, Total Adult Hispanic, both as a numerical expression and percentage in the district, the same for Adult Non-Hispanic—includes White, Native American, Black, Asian, Other races—again as a numerical expression and percentage in the district, with the totals for State. I presume that by Adult we mean voting age. Do not include in the district profile or elsewhere a performance measure or a breakdown of registered voters consistent with the prohibition in 8(C)(1). Core retention- Section 8(A)(10) allows the CRC when feasible to preserve the core of existing districts. Compactness Section 8(A)(8) requires districts to be composed of contiguous precincts and shall be reasonably compact. Report if precincts are not contiguous, and provide a measure of compactness, using the Reock (average) and Polsby-Popper measurements. You may include other compactness measurements if you'd like. Boundary Splits Section 8(A)(9) requires us to take into consideration political and geographic boundaries, including the boundaries of Indian nations, tribes and pueblos. Identify the boundaries that are split. Incumbent Pairings—Section 8(C)(2) allows the CRC to consider the voting address of candidates or incumbents to avoid the pairing of incumbents unless necessary to conform to other redistricting principles. Identify those districts that pair incumbents D against D, R against R, and D against R.

[SUBJECT TO RATIFICATION BY COMMITTEE]