

# **CITIZEN REDISTRICTING COMMITTEE**

Hon. Edward L. Chávez, Chair Ryan Cangiolosi, Member Hon. Lisa Curtis, Member Robert Rhatigan, Member Joaquín Sanchez, Member Hon. Michael Sanchez, Member Christopher Saucedo, Member

Thursday, September 16, 2021, 3:00 p.m. to 7:00 p.m. (Mountain Time) or until adjourned

# Public Meeting

Virtually, Via Zoom

Join Zoom meeting through internet browser: https://us02web.zoom.us/j/88421478866?pwd=TkpIVTFnUEtrTXoxTEtKREZOZkdJQT09

> Meeting ID: 884 2147 8866 Dial-in Number: 346 248 7799 Passcode: 247365

Chair calls meeting to order:

- 1. Roll Call
- 2. Approval of minutes of August 7, 9, 11, 12, 14, 15, 2021 Committee Meeting

### **Committee Meeting Items**

3. Committee discussion and issuance of district plan concepts for public comment under Laws 2021, Chapter 79, Section 6 and Citizen Redistrict Committee Rule 11:

# Action Required

A. Congressional Districts	Yes
B. State Senate Districts	Yes
C. State House Districts	Yes
D. Public Education Commission	Yes

Adjournment

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



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

# **CITIZEN REDISTRICTING COMMITTEE**

Meeting Minutes of August 7, 2021 | 1:00PM-5:30PM West Mesa High School Randy Castillo Performing Arts Center 6701 Fortuna Rd NW, 87121 Albuquerque, NM View Recording Here

# [SUBJECT TO RATIFICATION BY COMMITTEE]

# 1. 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.

HON. EDWARD L. CHÁVEZ, CHAIR RYAN CANGIOLOSI, MEMBER HON. LISA CURTIS, MEMBER ROBERT RHATIGAN, MEMBER JOAQUIN SANCHEZ, MEMBER HON. MICHAEL SANCHEZ, MEMBER CHRISTOPHER SAUCEDO, MEMBER

Justice Chávez briefly reviewed the creation of the CRC. The Chair and members briefly gave biographies.

### 2. 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 vote. All Committee Members voted in the affirmative, and the agenda was approved unanimously.

# 3. APPROVAL OF MINUTES OF AUGUST 2, 2021 COMMITTEE MEETING

Chair Chávez sought a motion to approve minutes of the AUGUST 2, 2021 Committee meeting. Committee Member J. Sanchez moved to approve minutes; Committee Member Curtis seconded. Hearing no discussion, Chair Chávez conducted a roll-call vote. All Committee Members voted in the affirmative, and the motion was approved unanimously.

# 4. APPROVAL OF MINUTES OF AUGUST 5, 2021 COMMITTEE MEETING

Chair Chávez sought a motion to approve minutes of the August 5, 2021 Committee meeting. Committee Member M. Sanchez moved to approve minutes; Committee Member Saucedo seconded. Hearing no discussion, Chair Chávez conducted a roll-call vote. All Committee Members voted in the affirmative, and the motion was approved unanimously.

### 5. OPENING REMARKS ON CRC'S WORK AND MISSION (18:30)

Chair Chávez made comments on the Committee's work and direction. Chair Chávez introduced attending elected officials.

### 6. REDISTRICTING 101

Mr. Michael Sharp, of Research & Polling ("R&P"), gave a brief presentation on criteria the Committee must consider in its examination of maps (R&P slide presentation is available on the website).

### 7. COMMENTS FROM THE COMMUNITY (tags in bold)

- Maureen Skowran, communities of interest of Native Americans. (1:43 PM)
- Colton Dean, favors "international district" (Time from start on video 2:04)\*
- Senator Padilla. District 14 came about because of SW mesa. (2:13)
- Representative Maestas. Favors undercounting west side districts to allow for growth. (2:24)
- Nancy Bearce, Bernalillo County Treasurer improvement district also. **Favors** international district. (2:34)
- Andrea Serrano, favors split of Bernalillo County. (2:46)
- Melissa Sanchez, Westside Business Association, commented on **districting and growth** of west side. (2:56)
- Marcie May, favors redrawing congressional districts (3:00)
- Audrey Trujillo, favors change in boundaries for Corrales (3:08)
- Leanna Derek May, claims voter fraud in last election and noted issues with voter rolls. (3:13)
- Joe Gallant, concerned with Albuquerque **districting and growth**, **congressional districts**, **spread out communities of interest.** (3:26)
- Sheridan Lord, Albuquerque change Congressional District 1 for diversity. (3:37)
- Ailing Martinez, **change South valley** want equitable map so we can be represented (3:39)
- Aileen Castelan, grew up in border area, **favors balanced map for Congressional Districts** (3:43)
- Ms. Ward, opposes splitting communities by physical boundaries (3:49)
- Paul Sanchez, **favors international district**, people consider their neighbors, benefit people who can't travel (3:51)
- Vanessa Alarid, change boundaries west side (4:02)
- Leo Chávez, concerned with state and congressional districts around Albuquerque, communities of interest. (4:06)
- Mr. Gardner. Would like to make sure the CRC is only dealing with Congressional

Districts, state senate, state house and public education. Inquired about county commissioners. (4:15)

• Leslie Mertz. Communities of interest. Favors international district. (4:21)

# 8. 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.

# 9. COMMITTEE MEMBER DISCUSSION AND DIRECTIONS TORESEARCH & POLLING REGARDING STATE SENATE PLANS.

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

# 10. COMMITTEE MEMBER DISCUSSION AND DIRECTIONS TORESEARCH & POLLING REGARDING STATE HOUSE PLANS.

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

# 11. 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 PECplans, because none were submitted. No new maps.

### ADJOURNMENT.

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

\*The West Mesa PA system was not functioning, and the audience could not hear the presentations. After several efforts to work with existing equipment, the Chair recessed until additional equipment could be brought to the venue. Once the microphones were functional the meeting was called to order.

# [SUBJECT TO RATIFICATION BY COMMITTEE]

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



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

# **CITIZEN REDISTRICTING COMMITTEE**

Meeting Minutes of August 9, 2021 | 3:00PM-7:00PM Virtually Via Zoom <u>View Recording Here</u>

# [SUBJECT TO RATIFICATION BY COMMITTEE]

# 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. The chair and members briefly gave biographies and appointments upon affirming that they were present.

HON. EDWARD L. CHÁVEZ, CHAIR RYAN CANGIOLOSI, 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 approve the agenda. Committee Member Curtis moved to approve the agenda; Committee Member Saucedo seconded. Hearing no discussion, Chair Chávez conducted a vote. All Committee Members voted in the affirmative, and the agenda wasapproved 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 Gallup at the University of New Mexico, watching the meeting and able to speak during public comment.

### 3. REDISTRICTING 101

Mr. Brian Sanderoff, of Research & Polling ("R&P), gave a brief presentation on criteria the Committee must consider in its examination of maps (R&P slide presentation).

# 4. COMMENTS FROM THE COMMUNITY

- Matt Dodson. Change boundary of district 1, bad result of pairing. (00:26:03 elapsed time)
- Laurie Weahkee, Navajos are community of interest. (00:32:00)
- Representative Rodney Montoya, **thinks his area undercounted by census**. (00:47:39)
- Damian Atalejo, **concerned about double standard in creating districts.** (01:24:08)
- Joseph Hernandez, Navajos are concerned to maximize voting strength, oppose letting natural boundaries split community. (01:26:00)
- Don Schreiber, opposes changing boundaries, Congressional District 3. (01:35:00)
- Leonard Gorman, Navajo Nation Human Rights Commission, favors Navajo request to have precinct boundaries same as Chapter boundaries, Navajo distrust mail early voting, want to see ballot going into box. (01:45:00)
- Christina Morris, resident of Gallup, has worked in public health, no tag. (02:04:49)
- Eli Pavlik, Chair of Democratic Party of San Juan County, concerning district 4, concern that Representative is in Gallup area but district is Farmington; also true of district 65. (02:08:00)
- Lauren Bernally (already spoke once), grew up in San Juan County. (02:14:21) **questioned loss of population**, responded school enrollment is up.
- Tanya Shelby (San Juan County Clerk), 2011 changes made populous districts smaller, **hopes COIs will be retained when boundaries are changed**. (02:31:06)

# 5. 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.

### 6. COMMITTEE MEMBER DISCUSSION AND DIRECTIONS TORESEARCH &POLLING REGARDING STATE SENATE PLANS.

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

### 7. COMMITTEE MEMBER DISCUSSION AND DIRECTIONS TORESEARCH & POLLING REGARDING STATE HOUSE PLANS.

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

### 8. 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 PECplans, because none were submitted. No new maps.

### 9. ADJOURNMENT.

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

### [SUBJECT TO RATIFICATION BY COMMITTEE]

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



Hon. Edward L. Chávez, Chair Ryan Cangiolosi 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 <u>View Recording Here</u>

# [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 CANGIOLOSI, 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 7<sup>th</sup> meeting. Member Curtis moved to approve the minutes. Member Cangiolosi 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 TORESEARCH & POLLING REGARDING STATE SENATE PLANS.

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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 PECplans, 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 Sandley - Aug. 11, Jez1

# **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 56<sup>th</sup> anniversary of the signing of the Voting Rights Act by President Johnson.

(2)

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.

<u>Remarks on the history and decision of the lawsuit</u>: Description

To Conclude:



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. Trojino & Galley (HTM d ISTM amended)T) 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.)

(2)

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.

<u>First</u> 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.

<u>The Second Challenge</u> 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 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.

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

<u>Second</u> 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.

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.

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



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

# **CITIZEN REDISTRICTING COMMITTEE**

Meeting Minutes of August 12, 2021 | 3:00PM-7:00PM New Mexico State University Las Cruces <u>View Recording Here</u>

# [SUBJECT TO RATIFICATION BY COMMITTEE]

# 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. The Chair introduced visiting officials present. The chair and members briefly gave biographies and appointments upon affirming that they were present.

HON. EDWARD L. CHÁVEZ, CHAIR RYAN CANGIOLOSI, 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 approve the agenda. Committee Member Cangiolosi moved to approve the agenda; 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 Silver City at the Western New Mexico University, watching the meeting and able to speak during public comment.

### **3. REDISTRICTING 101**

Mr. Brian Sanderoff, of Research & Polling ("R&P), gave a brief presentation on the recently

released census data and the criteria the Committee must consider in its development of maps.

- 4. COMMENTS FROM THE COMMUNITY (tags are bolded, time shown is elapsed, and full comments are available in Zoom recording linked on first page.)
  - John Heaton, Representative, CRC should focus on economic communities of interest. Favors changing district boundaries to provide for a state senator that represents the economic communities of interest in Eddy County. (00:43:43)
  - Luis Guerrero, concerns congressional districts, favors re-envisioning New Mexico map. (00:52:00)
  - Linda Pafford, Silver City, both house and senate have **split districts**, **favors contiguous and compact districts for city**, **local representation**, **believes last redistricting was gerrymandered.** (1:01:52)
  - Tiffany Rivera represents agricultural businesses, requests fair representation for agricultural community of interest, rural communities do not have an adequate voice in state legislature. (1:14:09)
  - Uriel Rosales, town of Chapparal is split between two senate districts (31 and 34) Carlsbad and Chapparal have very different interests, recent problem of flooding, wants representation that is focused on addressing climate change, no common community to solve problem. (1:20:00)
  - William Hudson, from valley east of Silver City, state house districts 38 and 39 should be redrawn to provide for greater compactness. In favor of maintaining minority districts such as those that make it possible for Native American, Latino, and Hispanic communities to elect candidates that represent them. (1:32:28)
  - Perla Aguilar, Hispanic and Latino communities of interest in Las Cruces area. (1:35:00)
  - Representative Luis Terraza, District 39, Silver City, size, and diversity of districts is representative of New Mexico as a whole, **disfavors changing district boundaries**.
  - Senator Crystal Diamond, District 35, Community of Vernon is disconnected from its house representative, **rural communities of interest need more representation**, (2:04:47)
  - Ariana Arcienega, Hispanic and Latino communities of interest in Las Cruces, NM need representation. (2:10:30)
  - Andy Payne, Silver City, **voting rights equity**, encourages CRC to pay attention to, protect, and increase districts for **minority communities of interest**, counting prisons

skews representation away from rural urban communities and towards rural communities. (2:12:053)

- Mario Jimenez with Common Cause is concerned about prison gerrymandering.
- Fred Kennon, Dona Ana, (submitted map not considered for population inconsistences), supports **re-envisioning New Mexico map** for **Congressional Districts.** (2:18:12)
- Frances Williams, retired, State Ethics Commission, Las Cruces resident 68 years. Wants legislature to follow Committee's recommendation. (2:31:56)
- Daniel Sanchez, concern that Latinos have no representation in his district, **boundaries need to be changed to give minority communities of interest better representation.** (2:45:32)
- Nena Benavidez, community organizer in Hidalgo County, **Congressional Distric 2 is a Hispanic majority district but does not have Hispanic representation**, to **not split up the Hispanic and Native districts**. (2:50:07)
- Scott Chandler, rural rancher, senate district 38, encourages CRC to focus on economic communities of interest, state needs to help the south, need to **district to reflect the people of New Mexico, like rural representation.** (2:55:24)
- Senator Carrie Hamblen, District 38, disfavors redrawing **congressional maps** in such a way that would allow for Albuquerque to be split into more than one district, **minority communities of interest** are the majority of the state, favors paying legislators. (3:14:40)
- Lee Peters, attorney, Las Cruces, **congressional districts** should be more politically competitive. (3:18:30).
- James Povijua, Native Americans need districts conducive to their selfdetermination and ability to elect Native American candidates of their choosing. 3:25:00)
- 5. COMMITTEE MEMBER DISCUSSION AND DIRECTIONS TO RESEARCH & POLLING REGARDING CONGRESSIONAL PLANS. No new maps.
- 6. COMMITTEE MEMBER DISCUSSION AND DIRECTIONS TORESEARCH & POLLING REGARDING STATE SENATE PLANS. No new maps.
- 7. COMMITTEE MEMBER DISCUSSION AND DIRECTIONS TORESEARCH &

### POLLING REGARDING STATE HOUSE PLANS.

No new maps.

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

No new maps.

### 9. ADJOURNMENT.

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

### [SUBJECT TO RATIFICATION BY COMMITTEE]

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



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

### **CITIZEN REDISTRICTING COMMITTEE**

### Meeting Minutes of August 14, 2021 | 1:00PM-5:00PM Indian Pueblo Cultural Center Albuquerque, NM <u>View Recording Here</u>

### [SUBJECT TO RATIFICATION BY COMMITTEE]

### 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. The Chair and Members introduced visiting officials present. The chair and members briefly gave biographies and appointments upon affirming that they were present.

> HON. EDWARD L. CHÁVEZ, CHAIR RYAN CANGIOLOSI, 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 as amended by the Chair (amended to remove approval of the August 12 meeting minutes which were not yet ready for approval). Committee Member Michael Sanchez moved to approve the agenda; Committee Member Curtis seconded. Hearing no discussion, Chair Chávez conducted a vote. All Committee Members voted in the affirmative, and the agenda was approved unanimously as amended.

### 2. OPENING REMARKS ON CRC'S WORK AND MISSION

Chair Chávez made comments on the Committee's work and direction.

### **3. WELCOMING REMARKS**

Governor of Acoma gave welcoming remarks on behalf of Wilfred Herrera, Jr., Chairman of the All Pueblo Council of Governors representing 20 Pueblos of Governors in New Mexico and Texas. Spoke of the challenges of colonialism, genocide, and efforts at forced cultural assimilation citing as one example the federal boarding schools dating 1890 to 1960. They are stewards of spiritual lands including Chaco, Mt. Taylor, Sandia, and Jemez Mountains, along with other spiritual lands that they will want to be considered in redistricting. They want self-determination. (00:27:50)

# 4. THE HISTORY OF REDISTRICTING, VOTING RIGHTS AND THE SOVEREIGN NATIONS OF NEW MEXICO (*Casey Douma, Esq., Laguna Pueblo*)

Casey Douma, from Pueblo of Laguna, made a presentation regarding the history of redistricting with specifics about the Voting rights of Native Americans and the Sovereign Nations of New Mexico. Co-Chair of APCG redistricting task force. Recounted the history of disenfranchisement of the Native population. Mr. Douma urged the CRC to adopt maps that will be drawn by the Nations and Tribes because the maps will have gone through an extensive process with compromise and they know what is best for their people. (Presentation on Resources page of www.nmredistricting.org) (00:35:10)

### 5. REDISTRICTING 101

Mr. Michael Sharp, of Research & Polling ("R&P), gave a brief presentation on criteria the Committee must consider in its examination of maps (*R&P slide presentation and meeting video on website*).

#### 6. COMMENTS FROM THE COMMUNITY

- **Regis Pecos**, (1:27:11). Spoke of communities of interest. Urged the CRC to have open minds and open hearts and to listen patiently to the presentations and the contributions of the Tribes to the redistricting process.
- Teren Villa (1:57:00). Need to preserve the Chaco region which contributes to world history. Opposes oil and gas development there. Also need to be mindful of Mt. Taylor and Sandia Mountains even if beyond their district boundaries. Concerns are infrastructure, language, education, housing, and water.
- Arden Kucate Councilman from Zuni (2:28:41). In 2011 Zuni sought to be included in CD 2&3, in SD4 and SD30 and in HD6 based on ancestral lands and their communities of interest which extend beyond the Zuni boundaries and even into neighboring states. Oppose the Arizona Salt River project. Urges the CRC to respect their right of self-determination.
- Governor Martin Kowemy from Laguna Pueblo (2:35:15) Wants the CRC to create as many Native American majority minority districts as possible. Laguna exists in Cibola, Valencia, Sandoval, and Bernalillo counties. Zuni has connections with lands beyond their boundaries, i.e., Mt. Taylor, Chaco Canyon, Zuni Mountains, Magdalena Mountains, Rio San Jose River, Rio Puerco river, and other areas beyond their borders, all of which they consider to be sacred lands. Urges the CRC to honor their decision regarding redistricting because it will be based on consensus and consistent with the VRA and redistricting principles.
- **President Edward Velarde (2:42:45)** of Jicarilla Apache Nation. They are pleased with Representative Lente and Senator Schendo.
- Brian Vallo (2:47:20) Governor of Acoma reiterates the importance of land to the Tribes. Urges CRC to reach out to their experts to understand their thought process if we still have questions about their approach. Wants more balance and equity.
- Senator Benny Schendo (2:53:04). Senate District 22. Maintenance of Towa language, which is a unique language, is as important as their historical connection to sacred places like the Pecos area. Self-determination is important. He has a large district but enjoys representing its people.

- **Representative Georgene Louis (3:02:40).** Represents HD26 westside of Albuquerque and Acoma. Native Americans make up 10% of population but not reflected in the legislature. Her district includes about 4% Native American but the majority are Hispanic which have similar concerns as the Native American population in her district.
- **Representative Patricia Roybal-Caballero (3:10)**. Represents HD13 a majority minority district which is continually growing. The district has the highest foreclosure rate. Concerned about immigrants not being counted. Encourages "social consciousness" in CRC work.
- Amber Carrillo (3:50:35) APCG mission is to promote social, cultural, and traditional wellbeing of Pueblos. IPCC is on Isleta and Sandia lands. Works with the Ad Hoc Redistricting Committee. Members are Keegan King, Casey Douma, Pamela Moody, Alicia Suazo, Regis Pecos, Conroy Chino, Lora Weahke, Jake, Austin Weahkee, Ahzta Chavez, Joe Little, Charlotte Little, James Pojuiva, Concerned with undercounting of the Native American population.
- Austin Weahkee (4:08:22) works with NAVA. Reiterates problems with census count. Native Americans are 10% of population so should have seven house members and three senators. Need to be careful not to disrupt HD65 and HD69. Communities are starting to understand the power of the vote. Urges CRC to give deference to the Ad Hoc committee.
- Keegan King (4:19:55) is with the Ad Hoc Redistricting Committee and urges CRC to adopt whatever their committee recommends because it would have been thoroughly vetted with considerable efforts at coordination and compromise. Goal remains to keep the six house districts and three senate districts.
- **Ricardo Caballero (4:37:30)** wants the CRC to look at populations under 5 years or within 5 years. Also immigrant communities undercounted and because of immigrant communities who cannot vote need to have majority minority Hispanic districts that are much larger than 50%
- Ahtza Chavez (4:43) Dine/Tewa. Self-determination is the highest priority. There was a drop in voter participation due to closed polling places during primaries, however, voter participation increased for the general election. Expects maps in 2 to 3 weeks from Native American communities.
- Mason Graham (4:49:40) Black Voters Collaborative. Believes the African American community has historically been undercounted which negatively impacts communities of color. Urges CRC to consider other data or conduct an independent review of population counts in communities of color.
- Eileen Schendo (4:54:55) from Cochiti/Jemez. CRC should be in communities getting input, concerned that tribal men are making most of the decisions. CRC should consider the state, shared interests and approach should be global.
- **Cathryn McGill (5:08:20)** with Black Voters Collaborative. Working to bring coalitions together to better participate in the process. CRC could assist with resources so that they can get us the information we need to make decisions that affect the black community.

- Julie Radosevich (5:11:40) Submitted a Congressional map online. South Valley connects more with Los Lunas, Vegita and Belen than with Tanoan. South Valley should be moved to CD2. South Valley has farming, language and connections to Mexico that define its interests. Spoke about immigrant population in the South Valley, many of which are DACA students. South of I-40 should be the boundary of the South Valley. See HD16 and SD26. Also has prepared maps for HD16 and SD26. (Maps attached to minutes as "Attachment 1")
- Huang Nguyen (5:17:45) with Asian Family Center. CRC must also consider the refugee and Asian immigrant community. Do not split the International District.
- Sonlatsa Sunshine (5:24:28). Member of Navajo Nation in McKinley County. Is a voter registrar and voter educator. Thankful for this forum. Native Americans have been undercounted. There is a huge distrust in the census system or that anything will be done to repair the problems with the census. Encourages leadership to file a lawsuit to correct the census problems, for example, accessibility. Also concerned about lack of education regarding redistricting.
- Sheridan Lund (5:31:20) Submitted a map for Congressional districts. Tried to keep CD1 with some rural communities, moved CD3 up on the east side, and move CD2 lower on the west side.
- **Pat Woods (5:33:00).** Senator District 7. He has nine school districts, 3 cities with different communities. His district goes from Texico to Des Moines. Believes they received an accurate count and it shows a drop of 3%. Problem is all the money that is being pumped into New Mexico which will at some time end.

### 7. Receipt of Public Submissions

There were no new map and no map-drawing work was performed.

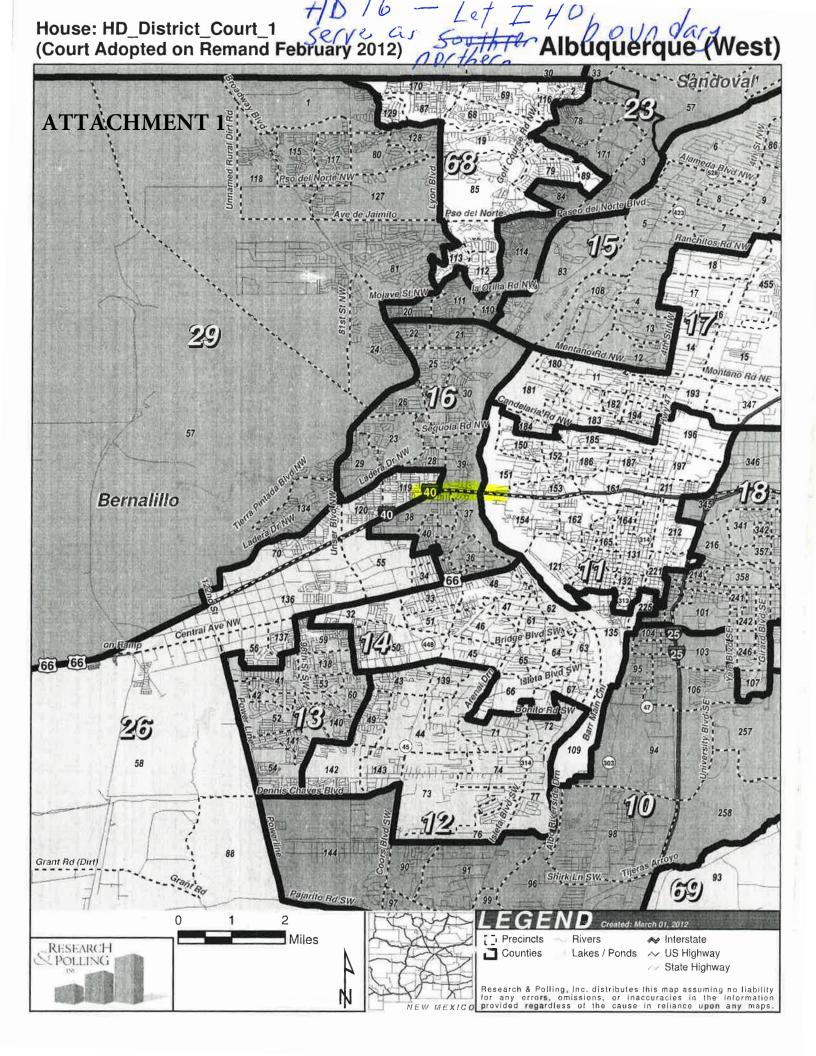
- Review of any submissions over portal since last meeting
  - a. No new maps.
- Receipt of public submission of maps and testimony relating to communities of interest, Congress, state Senate, state House, and the Public Education Commission.
  - a. No new maps.
- Instructions to Research & Polling
  - a. No new instructions.

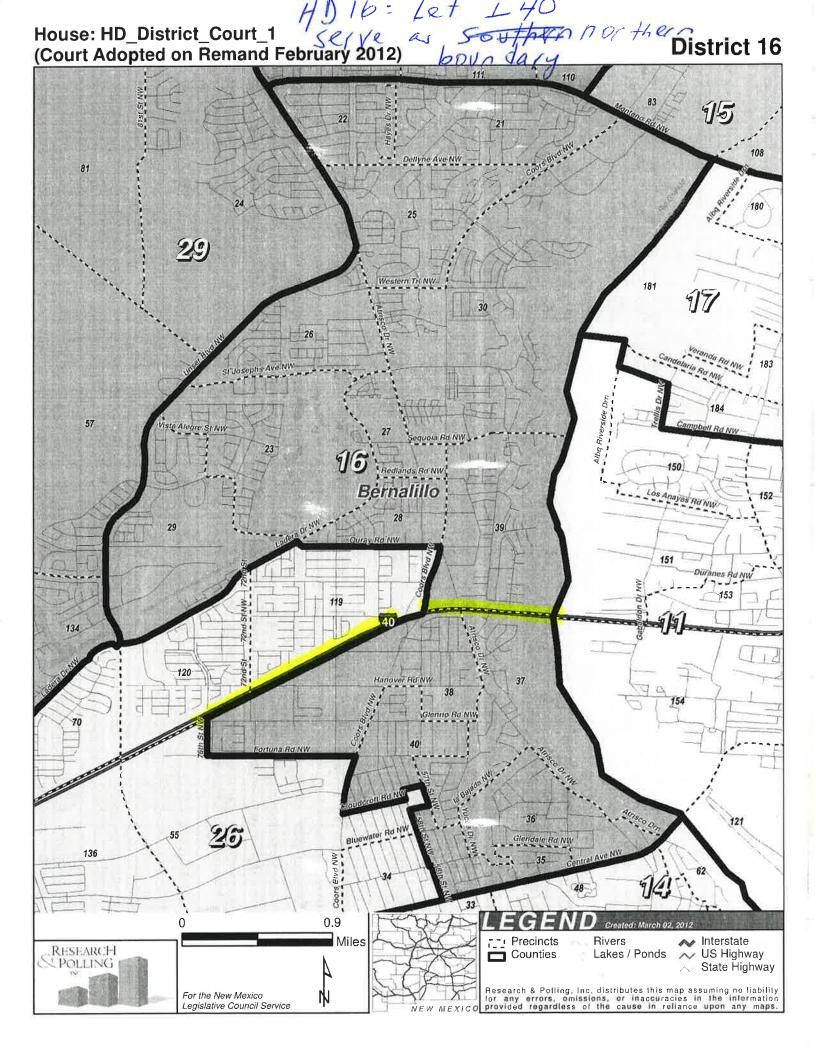
### 8. ADJOURNMENT.

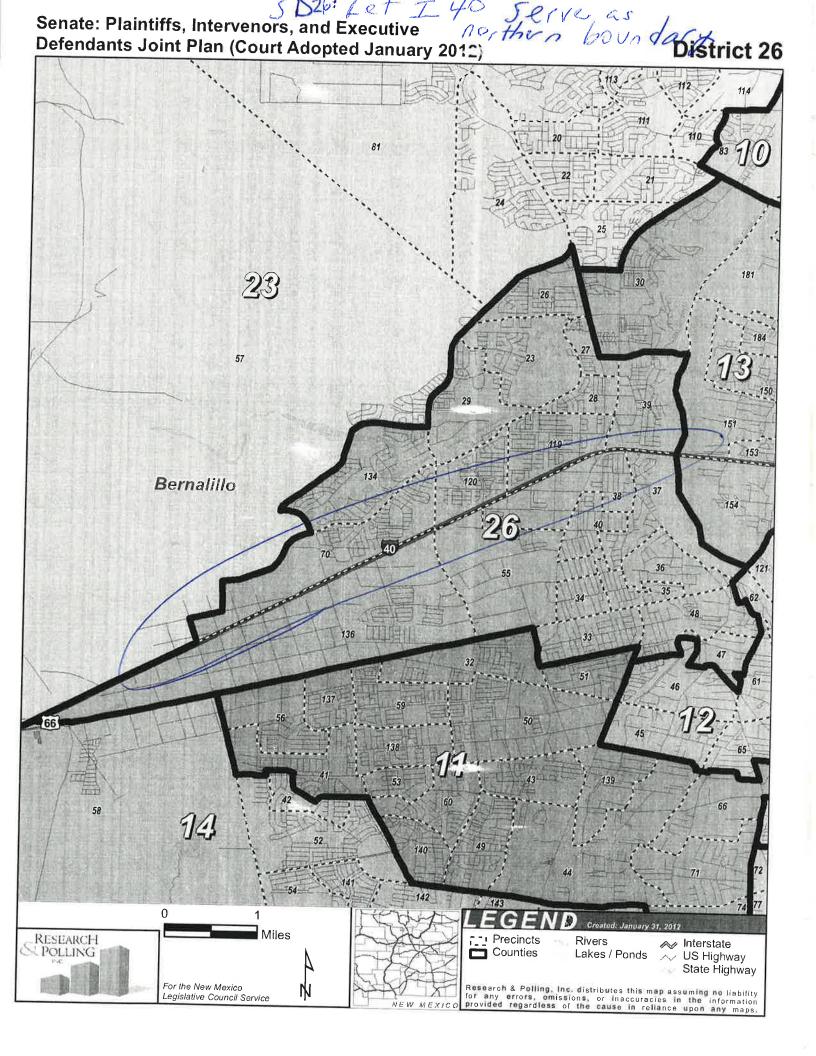
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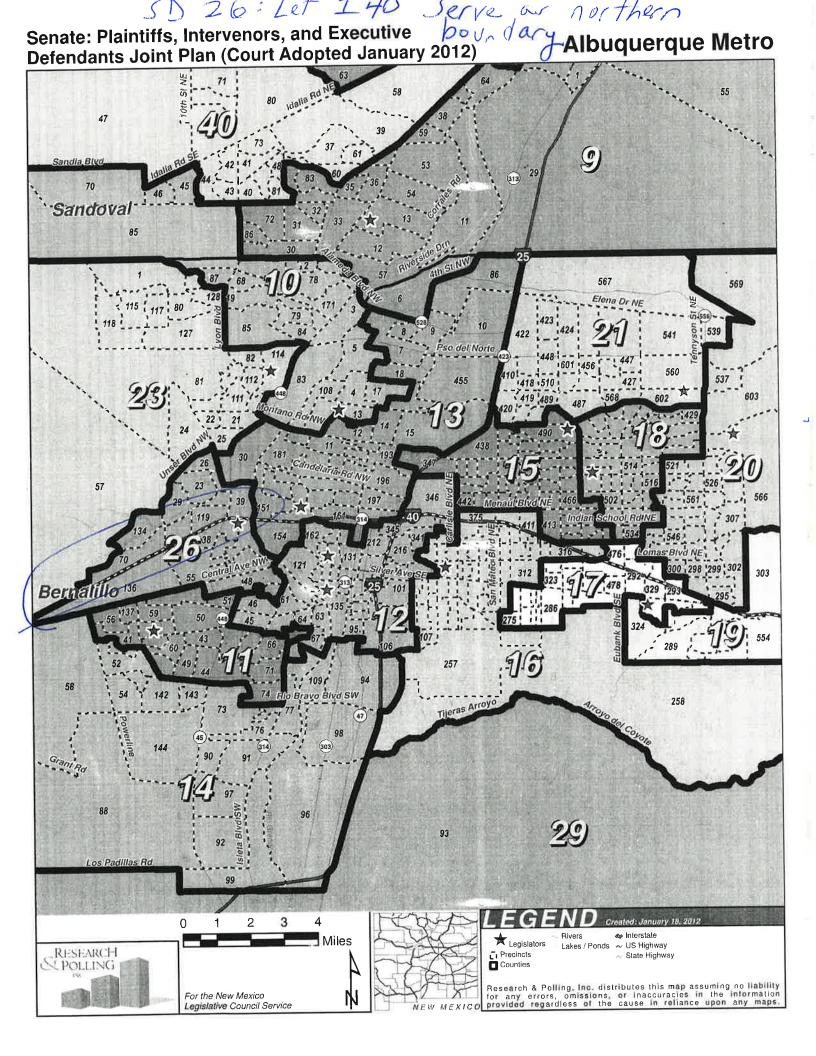
Chair Chávez sought a motion to adjourn. Committee Member Michael Sanchez moved to adjourn; Committee Member Christopher Saucedo seconded. Hearing no discussion ChairChávez conducted a vote. All Committee Members voted in the affirmative, and the motion was approved.

### [SUBJECT TO RATIFICATION BY COMMITTEE]









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



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

# **CITIZEN REDISTRICTING COMMITTEE**

Meeting Minutes of August 15, 2021 | 1:00PM-5:00PM Santa Claran Hotel and Casino Espanola, NM <u>View Recording Here</u>

# [SUBJECT TO RATIFICATION BY COMMITTEE]

# 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. The Chair and Members introduced visiting officials present. The chair and members briefly gave biographies and appointments upon affirming that they were present.

HON. EDWARD L. CHÁVEZ, CHAIR RYAN CANGIOLOSI, 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 except for minutes of August 14, 2021. Committee Member Michael Sanchez moved to approve the agenda; Committee Member Curtis 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 introduced visiting speakers and dignitaries.

### 3. REDISTRICTING 101

Mr. Brian Sanderoff, of Research & Polling ("R&P), gave a brief presentation on criteria the Committee must consider in its examination of maps (R&P slide presentation and meeting video on the website), supplemented by some new data available on the video. (1:03:40)

### 4. COMMENTS FROM THE COMMUNITY

**Charlotte Madueno (1:26:34)** Commission on Status of Women Executive Director. Census undercount occurred because census packets were delivered to post office boxes not to houses. Due to the pandemic the public was not allowed to get packets from Post Office. Urges the CRC to rely on alternative data including Medicaid data when considering population.

- Committee discusses Census undercount concerns (1:28:55) Member Curtis (1:42:40) moves to have the CRC request Medicaid data by county from the Human Services Department, seconded by Member Rhatigan. Motion passes unanimously. Committee continued discussing the complexities of identifying alternative reliable data and the need to convert it into precincts within the deadlines imposed on the CRC. Discussion ends 2:10:00.

**Paula Garcia (2:10:25)** From Las Vegas, New Mexico Acequia Association. Acequias are a community of interest because of agriculture and water conservation practices. Acequias are predominantly Hispanic, so need to avoid diluting the vote of Hispanics. Recommends that the CRC keep CD3 as is because most acequias are in Northern NM. Regarding legislative districts she does not want Mora and San Miguel counties to be combined with eastside counties. Sangre de Cristo region should remain intact as a community of interest. Elimination of HD58 resulted in a huge HD40. Do not split the acequias. Regarding the discussion of census undercount: Mora County also experienced problems because rural addresses did not match with the format created by the Census Bureau. Census bureau developed a work around for online reporting that did not work. Census Bureau followed up by sending more packets to Mora without explanation. People did not submit the new packet because they thought they had already answered online. Believes minus 15% loss of population seems much higher than what she expected. She believes it is single digit although she does not have data to support her belief.

Member Rhatigan (2:22:00) suggests the need for a Uniform Statewide Address Database

**Don Bustos (2:25:35)** Has an organic farm in Santa Cruz and member of the Acequia Board. Wants traditional New Mexicans to have a voice in the North. CD3 should continue as is in northern New Mexico.

**Isaac Dakota Casados (2:31:45)** Chair of Native American Democrat Caucus, emphasized selfdetermination of Native Americans. Regarding Medicaid approximately 186,000 Native Americans were enrolled in Medicaid. Suggests that where stimulus checks were mailed to the Native American population may assist with an accurate count of the population. Amber Carrillo (2:37:20) explains that Medicaid number for 2020 is 134,737 on Medicaid, 13% increase in MCO, and 5% increase in fee for service. Ms. Carrillo also noted that Native American's are concerned about educational issues as evidenced by the Yazzie lawsuit.

#### Recess (2:47:30)

- Chair Chávez contacted Secretary Scrase during the break in the meeting a conferenced in Robert Rhatigan to request Medicaid data.

**Member Rhatigan (3:05:35)** explains conversation with Secretary Scrase and the Secretary's assurance to cooperate in getting Medicaid data to Mr. Rhatigan.

**Representative Roger Montoya (3:06:40)**. Nine hours to drive his district which is District 40. Will humbly represent his district but adding Rio Lucio, Penasco, Vadito and Picuris from Taos County would be a good idea. Community of Raton is more aligned with eastern area philosophies.

**Representative Susan Herrera (3:18:20)** Represents HD41. Recruited others to run in the area. Co-sponsored SB4 for an accurate census count. Explained complications with census reports because Census Bureau changed the process. Wants legislators to be paid to make the recruitment of candidates easier and it is more than a part-time job.

**Sharon Mottola (3:28:30)** President of Acequias del Llano. Lives in Nambe which is within HD46. Point is city people live differently than people in rural New Mexico. Points to water issues. Rural communities should be kept together in rural communities.

Aleta Paisano Sauzo (Tweetie) (3:31:20) Past Chair of the Native American Democratic Caucus. Urges CRC to remember that many Native American young people have moved to Albuquerque. Thinks most go to either Highlands or Del Norte. Estimates 50,000 moved to urban areas.

**John House(3:39:10)** Vice President of Represent US New Mexico and lives in Santa Fe. Pleased with the formation of the CRC. Urges the CRC to avoid politics when drawing maps and avoid partisan gerrymandering.

**Songtree Pisoche (3:43:30)** Vice Chair of Dem Caucus of San Juan County and many other organizations. Believes Native American rolls, tribal election data, tribal infrastructure requests, and stimulus data would be a more accurate count of the Native American population.

#### 5. Receipt of Public Submissions and Map-Drawing Work

a. Review of any submissions over portal since last meeting. *There were no new maps.*b. Receipt of public submission of maps and testimony relating to communities of interest, Congress, state Senate, state House, and the Public Education Commission.c. Instructions to Research & Polling.

### 4. ADJOURNMENT.

Chair Chávez adjourned the meeting.

\*During the meeting the Chair contacted Secretary Scrase by telephone, and conferring with Member Rhatigan, they obtained agreement from the cabinet secretary to share Medicaid data pursuant to law. Thus, the letter for this purpose called for by the Committee, is no longer needed.

# [SUBJECT TO RATIFICATION BY COMMITTEE]