

**RESOLUTION OF THE
NAVAJO NATION HUMAN RIGHTS COMMISSION**

**Supporting the Amendment to the New Mexico Constitution to Establish the New Mexico
Independent Redistricting Commission**

WHEREAS:

1. Pursuant to 2 N.N.C. §920 and §921, the Navajo Nation Human Rights Commission (“Commission”) is established within the Legislative Branch as an entity of the Navajo Nation government to operate as a clearinghouse to address discriminatory actions against citizens of the Navajo Nation; and to interface with the local, state, federal governments and with national and international human rights organizations in accordance with the Commission’s plan of operation and applicable laws and regulations of the Navajo Nation; and
2. By Resolution NABIJN-15-21, the Commission was delegated the responsibility to represent the Navajo Nation and Navajo voters in the development and approval of redistricting plans in Arizona, New Mexico and Utah. Throughout the 2021 period, the Commission participated in many redistricting meetings where redistricting plans that impacted Navajo voters were discussed and considered for adoption. The Commission successfully proposed redistricting plans in Arizona, New Mexico and Utah of which many were incorporated into redistricting plans that were adopted. Since the Commission is an entity considered an expert in redistricting activities, in 2020 the Commission was invited to become a member of the New Mexico Redistricting Task Force (herein referred to as the “Task Force”); and
3. In December 2020, the Task Force submitted a report to the New Mexico legislature presenting the recommendation, among other issues, that the legislature establish a citizen redistricting committee that would develop redistricting plans for the New Mexico senate, house, congress and public education committee. The New Mexico legislature passed Senate Bill 304 that created the citizen redistricting committee. On April 6, 2021, the governor of New Mexico signed SB304 into law. Although the New Mexico legislature established the New Mexico Citizen Redistricting Committee, the racial diversity of the citizen redistricting commission did not reflect the diversity of the population in New Mexico. No Native American was appointed to the redistricting committee and the Navajo Nation raised concerns that Native Americans are the fabric of New Mexico; and
4. While the New Mexico Citizen Redistricting Committee fulfilled its statutory responsibilities by recommending several redistricting plans for the senate, house, congress and public education committee election districts, the New Mexico legislature essentially took on its role of developing and passing redistricting plans. After all of the redistricting plans were adopted by the legislature, the Task Force reconvened to assess the success of SB304. A University of New Mexico professor and Director of the UNM Center for Social Policy, Gabriel Sanchez, and University of Georgia Professor David Cottrell were engaged to assess the pros and cons of SB304. They issued their report in September of 2022 entitled “*New Mexico Redistricting Evaluation Report*”, which concluded that citizens in New

Mexico were disenchanted by the role of the legislature when they ignored the redistricting maps recommended by the Citizen Redistricting Committee; and

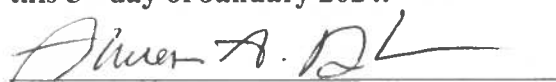
5. During the early part of 2023, the Task Force reconvened after it submitted its December 2022 report to the legislature. The Commission continued its membership on the Task Force and was invited to sit on the drafting group. The drafting group of the Task Force was convened to draft a joint resolution that would be introduced in the 2024 New Mexico legislative session. The Task Force submitted the draft joint resolution to the New Mexico legislative service office in order for the joint resolution to be introduced; and
6. Attached as Exhibit "A" is the proposed joint resolution to amend the New Mexico constitution to establish the independent redistricting commission through a state referendum that will allow citizens to vote on whether an Independent Redistricting Commission can be established. When established, the Independent Redistricting Commission would have the authority to adopt redistricting plans for the congressional districts, state legislative districts and districts of other State offices that require election districts; and
7. The Commission, having drawn upon its internal experience and review of redistricting principles that comply with the Voting Rights Act of 1965, surmises that the establishment of an Independent Redistricting Commission in the State of New Mexico best preserves, protects and advances Navajo Nation's interests with governmental entities that serve the Navajo people. Additionally, the collective input of the citizens of New Mexico is imperative to determining the representation at all levels of government.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Nation Human Rights Commission hereby supports the establishment of the New Mexico Independent Redistricting Commission by referring the measure to the New Mexico voters to consider the amendment to the New Mexico constitution.
2. The Navajo Nation Human Rights Commission further hereby directs the Office of Navajo Nation Human Rights Commission to communicate the intent of this resolution to the Navajo Nation Council, President and Vice President of the Navajo Nation and Chief Justice of the Navajo Judicial Branch.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Human Rights Commission as a duly called meeting at St. Michaels Navajo Nation (AZ), at which a quorum was present and the same was passed by a vote of 2 in favor and 0 opposed, this 5th day of January 2024.



Steven A. Darden, *Vice Chairperson*
Navajo Nation Human Rights Commission

2024 Senate Joint Resolution (SJR) for an Independent Redistricting Commission (IRC)
Sponsors: Senator Leo Jaramillo and Representative Natalie Figueroa

The proposed SJR, if passed by both chambers of the Legislature, would put the question of creation of an independent redistricting commission on the 2024 ballot. If passed by a simple majority of the voters it would assign the responsibility for redistricting to an independent redistricting commission. Further details would be provided by enabling legislation.

Then, in August of each year ending in zero, the Secretary of State (SOS) shall mail out applications, to 5 percent of a random selection of qualified electors. The SOS shall also accept applications from others who may be interested. From those applications the SOS, in a public venue, will randomly select at least 120 nominees reflecting the racial and geographic diversity of New Mexico. The nominees will represent the diversity of party affiliation as indicated in the voter registration of the nominees. There are prohibitions placed upon applications from past elected officials, candidates for elected office, paid lobbyists and those involved in other political activity.

Those 120, or greater, nominees shall be submitted to the president pro tempore of the senate, the senate minority floor leader, the speaker of the house and house minority floor leader who may each strike up to three applicants from the pool.

The IRC will consist of 9 members, 3 from each of the 2 parties with the largest number of registered voters and 3 from minor parties and those who are unaffiliated, chosen as follows: The Secretary of State (SOS), in a public venue, shall randomly select 6 commissioners from the remaining pool of applicants, striving to achieve geographic, racial and gender balance among the appointees. The appointees shall include two members each from the two political parties with the largest number of registered voters affiliated with the party in the state and two members who are affiliated with other political parties or who are unaffiliated voters. Those six commissioners then select the final three commissioners. Should the 6 selected commissioners not be able to reach a majority on the selection, the SOS will in a public venue randomly select the additional 3 commissioners. The full IRC will then select a chair.

The independent redistricting commission (IRC) shall develop district plans for congressional districts, state legislative districts and other districted state offices following each federal decennial census. The commission shall develop district plans in accordance with the traditional redistricting guidelines – these are detailed. The commission may not consider incumbent addresses.

The redistricting commission will hold public meetings and may incorporate suggested changes to its proposed district plans in accordance with public comments and testimonies it receives, but shall not subordinate those to the requirements of traditional redistricting principles.

The commission shall file with the secretary of state the commission's approved plans for senate, house of representatives and congressional districts and other districted state offices by October 1 of each year ending in the number one. The approved plans shall determine the districts for use in the succeeding primary and general elections for the respective bodies.

Fair Districts for New Mexico: www.fairdistrictsnm.org; fairdistricts@lwwnm.org

EXHIBIT

“A”