**Fair Districts for New Mexico (FDNM)**

**Final Report on the Special Session on Redistricting**

These were the requests FDNM made of the Legislature prior to the 2021 special session on redistricting:

A. Select the Citizen Redistricting Committee (CRC) maps which best balance; compliance with the Voting Rights Act; freedom from partisan gerrymandering; protection of communities of interest; adherence to governmental boundaries including Tribal boundaries; and no favoring incumbents.

B. If the Legislature amends the maps sent to them by the CRC they should provide a detailed explanation of why they amended the maps. This should include any changes made to maps via committee substitute, since the maps could not be legally amended. (In response, FDNM was told by the Senate leadership to file an IPRA request to obtain this information. To paraphrase journalist Gwyneth Doland, “That’s a hard no.”)

C. During the special session on redistricting all legislative meetings should follow the letter and spirit of the Open Meetings Act. The public’s business should be conducted in full public view. The actions of the public bodies should be taken openly and all deliberations made open to the public.

Note: Throughout the cycle from the commencement of the New Mexico First Task Force in 2020, the passing of the Redistricting Act in 2021, the appointments to the CRC and throughout the CRC process, FDNM advocated for and supported the inclusion of Native American voices. CRC Senate Concept Maps A1 and C1 both included Native American consensus. We are pleased that the New Mexico House and Senate final maps include the Native American consensus. Any criticism of the process should not be construed as criticism of that inclusion.

**Where the redistricting stands after the session,** 12/30/21

Please note Fair Districts for New Mexico’s objective is a fair and transparent redistricting process. FDNM does not endorse or oppose any specific map.

 **HOUSE OF REPRESENTATIVES**

The House filed all the CRC maps for boththe House and Public Education Commission.The **HB8** House Map was based on CRC House Concept MapE1 and incorporated the Native American consensus which had not yet been reached when the CRC adjourned. HB8 passed both chambers and was signed by the Governor on 12/29. CRC Map E1 was evaluated by the Princeton Gerrymandering Project and Dr. David Cottrell, PhD, at the University of Georgia as part of the CRC process and was found to be free of partisan bias. The CRC was barred by law from looking at partisan data and past election results. However, Research & Polling and the CRC attorneys did review the CRC Concept Map E1 for compliance with the Voting Rights Act where it was found to be in compliance.

**HB9** the Public Education Commission map is based on CRC Concept E1 and passed both chambers with minor changes, explained by the sponsor. It was signed by the Governor.
The **House passed SB1** the Congressional map which came over from the Senate. It has been signed by the Governor.
The **House passed SB2** the Senate map which came over from the Senate. It is longstanding custom that each chamber affirms and authorizes (passes) the other chamber’s map.

**Fair Districts for NM is pleased with the House’s choice of a CRC recommended map and its adherence to transparency in the redistricting process.**

 **SENATE**The Senate was charged with initiating the legislation for the NM Senateand Congressional maps**.** We are displeased that the Senate filed the CRC maps for neither the NM Senate, nor Congress. The Senate might have obliged the public and the CRC by having seen to it that the recommended maps of the CRC were at a minimum introduced.

 **SB1,** theCongressional map, was drawn behind closed doors and had to be revised after resistance from the public, including some Pueblos. It passed both the Senate and House and has been signed by the Governor. It most closely resembles CRC Concept Map H, but the Senate did not explain what they changed.
**SB2**, the Senate District map, was also drawn behind closed doors in the Democratic caucus and in our analysis was created mainly for the purpose of incumbency protection. In fact, at hearings *many legislators said as much.* It was stated that SB2 was based upon CRC Concept C1 and its sponsors boasted in Committee that it contains 68% of CRC Concept Map C1. (In most schools 68% qualifies as a “D” grade.) The Senate noted that SB2 included the Native American consensus, which is true. They failed to mention however that both CRC Concept Maps A1 and C1, maps which they rejected out of hand, included Native American consensus as well.
In the Senate Judiciary Committee a substitute for SB2 was proposed which eliminated an incumbent pairing and in the process altered the Native American consensus. It was overturned with a Senate floor substitute passed both chambers. It was signed by the Governor on January6, 2022.

 **In the Senate we witnessed a repudiation of the CRC recommended maps, intentional non- transparency, and procedural noncompliance. FDNM disapproves of the lack of transparency in the Senate’s creation of the Congressional and Senate maps as well as the affronts to a fair process; e.g. Senate Judiciary’s preclusion of virtual public comment at its hearing on the substitute for SB2, as well as Senate Rules preclusion of the same at the hearing for HB8**

 **Onward to a constitutional amendment: Despite their denials, the Senate chose to ignore the Citizen Redistricting Committee recommendations. So, it is time to move to a constitutional amendment that would create an Independent Redistricting Commission.+**