

## SB15 Proposed Amendments Related to Native American Voting

The coalition of redistricting reform organizations recommends several amendments to SB15-Redistricting Act:

1. **Address Native American concerns about dividing tribal lands and diversity on the Citizens Redistricting Committee**
2. Require the legislature to hold discussions on new maps in open meetings
3. Require the legislature to provide written evaluations of how the final maps adhere to redistricting criteria
4. Prohibit consideration of incumbency and partisan data

This fact sheet addresses issues in item #1 above. A [detailed bill mark-up](#) is available online.

### Why Is Fair Redistricting a Priority for NM Tribes and Pueblos?

Native peoples have, for generations, experienced various forms of voting suppression. One form of suppression is voting maps that fail to recognize boundaries of pueblos, tribes and nations. For example, standard precincts rarely conform with Navajo governance boundaries (or "chapter boundaries"). So, when tribal, county, state and federal elections are held on the same day, Navajo voters often must travel to two different (and often distant) polling places to cast ballots. Hundreds of Navajo voters are disenfranchised by this problem.

Additionally, most state's redistricting laws take into account "political and geographic boundaries." Political boundaries typically refer to county and city lines. Often, map-drawers fail to consider tribal boundaries as well – forgetting that sovereign nations are distinct political entities. Some of the best-publicized online redistricting tools do not even include tribal boundaries as a variable. Here in New Mexico, leaders sometimes overlook the legal obligation by the state to collaborate and consult with the pueblos and tribes. Whether through legislation or rule-making, it is important to directly consult with tribal redistricting coalitions.

Another concern for Native American voters is the U.S. Census. Traditional redistricting processes rely almost exclusively on census data, despite the reality that the populations of tribes and pueblos are often undercounted. This year in particular, the COVID-19 pandemic created unprecedented challenges for census outreach on native lands and among people of color no matter where they live.

### Recommendation Summary-Tribal Interests

- **Section 7.A.4:** Allow for split precincts (i.e., at census block level) if required to comply with federal law or to protect communities of interest, an item of high priority to Navajo communities that are sometimes divided between precincts.
- **Section 7.A.9:** Add tribal boundaries to the list of political and geographic boundaries to be considered when drawing maps and consult with tribal redistricting coalitions.
- **Section 7.A.3:** Allow for consideration of reliable data sources in addition to the census, given concerns about undercounts statewide and particularly on tribal lands. This consideration does not change the legislation's allowable population deviations; it simply informs the work.
- **Section 3.B.7:** Regarding appointments to the proposed Citizens Redistricting Commission, consider the cultural and geographic diversity of the state, including a member from one of the 23 recognized sovereign nations.
- **Section 5.A.2-3:** Clarify that public meetings will be held statewide, including multiple meetings on tribal lands.

Generally speaking, tribal advocates also support the other proposed amendments in the mark-up (legislative transparency and accountability, bans on incumbency protection, and prohibitions on partisan data). All amendments are redlined in the [coalition's detailed mark-up](#).

This document focuses specifically on item #1 on the list above: **redistricting fairness for pueblos, tribes and nations**. For additional context on issues facing Native American voters, please contact Leonard Gorman, Navajo Nation Human Rights Commission, [leonardgorman2010@gmail.com](mailto:leonardgorman2010@gmail.com), or Ahtza Chavez, NM Native Vote, [ahtza@NMNativeVote.org](mailto:ahtza@NMNativeVote.org). Both are members of the New Mexico Redistricting Task Force. Information on amendment categories 2, 3 and 4 is available at [www.RedistrictNM.org](http://www.RedistrictNM.org) or by calling 505-715-3693.