



RESOLUTION 2022-19

Resolution Supporting the Verified Complaint for Violation of the New Mexico Constitution Article II, Section 18 Filed by the Republican Party of New Mexico and By Voters of New Mexico and By Voters Registered in the State of New Mexico

WHEREAS, the Republican Party of New Mexico, (along with registered voters including both Republican and Democratic voters) (the “Plaintiffs”) have instituted a Verified Complaint for violations of the New Mexico Constitution, Article II, Section 18, which lawsuit was filed in the Lea County District Court on the 21st day of January 2022; and

WHEREAS, Plaintiffs have asked the Court to set aside New Mexico Senate Bill 1, which has redrawn New Mexico’s three congressional districts in contravention of traditional redistricting principals endorsed by the New Mexico State Legislature as well as the New Mexico Supreme Court, and solely in order to accomplish a political gerrymander which unconstitutionally dilutes the votes of residents of southeastern New Mexico, including residents of Roosevelt County, and in order to achieve partisan advantage; and

WHEREAS, the Roosevelt County Commission fully supports protecting its citizens rights to vote guaranteed under the New Mexico Constitution which provides in Article II, Section 18 that: “The New Mexico Constitution guarantees that “[n]o person shall be deprived of life, liberty or property without due process of law; **nor shall any person be denied equal protection of the laws.**” N.M. Const. art, II, §18 (emphasis added); and,

WHEREAS, New Mexico’s equal protection clause mirrors the Fourteenth Amendment’s Equal Protection Clause and is coextensive with its federal analog. See *U.S. Const. amend, XIV, §1*; and,

WHEREAS, the New Mexico State Legislature adopted the Redistricting Act of 2021, which is codified at §1-3A-1, *et seq.* NMSA (2021); and

WHEREAS, the Redistricting Act created the Citizens Redistricting Committee as a bipartisan committee which was chaired by former New Mexico Supreme Court Justice Edward Chavez; and

WHEREAS, the Citizens Redistricting Committee proposed three (3) congressional maps which included two of the maps which were clearly based on traditional redistricting principals; and

WHEREAS, the Concept A map, was expressly adopted to “maintain status quo.” It largely maintained the existing congressional districts as drawn by the state courts in 2012, and only divided four cities and four counties, while at the same time eliminating the division of McKinley County from the 2012 map; and

WHEREAS, the Concept E map, known as the “Justice Chavez Map” was drawn by Justice Chavez in response to public comment on an earlier version published by the Citizen Redistricting Committee for public consideration; and

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WHEREAS, the State Legislature did not adopt any of the congressional map concepts proposed by the Citizens Redistricting Committee and instead introduced and adopted Senate Bill 1 to redraw New Mexico's congressional district lines; and

WHEREAS, the Roosevelt County Commission agrees with the Plaintiffs that Senate Bill 1, is a creature of partisan gerrymandering of such proportion that it violates not only the Plaintiffs rights under the New Mexico Constitution Equal Protection Clause it also unconstitutionally dilutes the Plaintiffs votes under the New Mexico Constitution Article II, Section 18, and also unconstitutionally dilutes the votes of registered voters within Roosevelt County; and

NOW THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Roosevelt County that:

1. The Roosevelt County Commission wishes to publicly voice its full support of the Plaintiffs lawsuit.
2. The Roosevelt County Commission opposes Senate Bill 1, which the Commission believes created a politically gerrymandered congressional map and the Commission urges the District Court to enter final judgment against the Defendants by declaring that Senate Bill 1, violates the New Mexico Constitution;
3. The Roosevelt County Commission further supports the Courts adoption of a partisan-neutral congressional map consistent with congressional Concept E, (the Justice Chavez map);
4. The Roosevelt County Commission further supports the Court sending a strong message, that New Mexico redistricting principals and maps should be drawn to promote fair and effective representation for all, and not to undercut electoral competition or to protect incumbents. The Commission also urges that it is preferable to allow the voters to choose their representatives through the election process as opposed to having their representatives chosen from them through the art of drawing redistricting maps.

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PASSED, APPROVED AND ADOPTED on this 19th day of April, 2022 by the Roosevelt County Board of Commissioners in an open meeting in Portales, New Mexico.

**BODY OF COUNTY COMMISSIONERS
ROOSEVELT COUNTY, NEW MEXICO**

ATTEST:

Nath Baca
Nath Baca, Roosevelt County Deputy Clerk

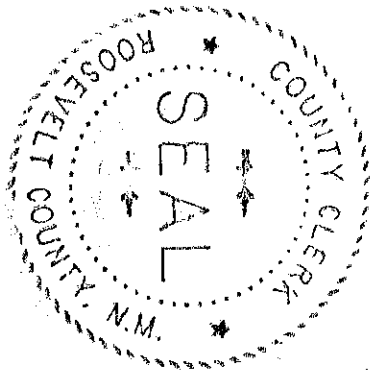
Lewis (Shane) Lee
Lewis (Shane) Lee, *Chair* – District III
Voted: Yes No Abstained

Rodney Savage
Rodney Savage, *Vice Chair* – District II
Voted: Yes No Abstained

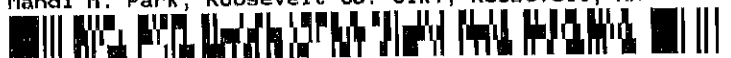
Dennis Lopez
Dennis Lopez – District I
Voted: Yes No Abstained

Tina Dixon
Tina Dixon – District IV
Voted: Yes No Abstained

Paul Grider
Paul Grider – District V
Voted: Yes No Abstained



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