



**A Brief History of New Mexico's Redistricting Processes  
for the Courts, Corrections, and Justice Interim Committee  
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New Mexico has a long history of having its redistricting maps litigated and decided by the courts. From the 1960 redistricting cycle until 1991, New Mexico was forced to get pre-clearance by the US Department of Justice to assure that the maps approved by the legislature and the governor complied with federal standards for fair representation. In 1995, DOJ once again required pre-clearance after the 1992 amended maps violated the standards.

Congressional district maps as well as different sets of maps approved by the legislature for state House and Senate districts, Public Regulation Commission, and State Board of Education Commission were challenged and decided by the courts after lengthy battles. In both the 2000 and 2010 redistricting cycles, New Mexico's House and Senate maps were again the subject of extensive litigation. Again, the courts ended up drawing the lines—not the legislature.

After the 2000 Census data was received and concept maps were produced by Research and Polling, the Redistricting Committee held extensive hearings across the state getting input from the public, organizations, and tribal governments. The redistricting budget was \$1.8 million. The maps the legislature approved and the governor signed were challenged by several parties. The state had to pay an additional \$1.7 million in litigation costs. The courts again drew the lines.

Wanting to minimize the problems that occurred in previous redistricting cycles, the bipartisan Interim Legislative Council Committee in 2001 adopted common-sense "Guidelines for the Development of State and Congressional Redistricting Plans." This cycle the maps would follow federal criteria, including equal population and the provisions of the Voting Rights Act of 1965 and state standards with regard to contiguous and compact districts, minimizing partition of counties and cities to the extent possible, respecting communities of interest, and not advantaging or protecting any political party, incumbent, or candidate. In spite of these mostly excellent guidelines, the process again failed.

Numerous lawsuits, appeals, and counter-appeals were heard in different courts over several months. In February 2012, Federal District Court ruled that the NM Supreme Court's contested mapping decisions would stand. The redistricting budget for the 2011 cycle was \$3 million, but the total cost was \$8 million. Because of another lengthy special session and litigation, the court-drawn maps were finally implemented about six months after the legislature's maps could have been.

The costs in public confidence in the ability of the legislature to redistrict are incalculable.