

CONGRESSIONAL REDISTRICTING

District shuffle centers on southern Hispanics

Trial concludes with expert testimony on proposal aimed at giving group greater voice

By Barry Massey
The Associated Press

A trial that will decide new boundaries of New Mexico's congressional districts wrapped up Tuesday with political science experts offering differing views on whether a Hispanic majority district should be established in the southern part of the state.

Gabriel Sanchez, an associate professor of political science at The University of New Mexico, testified in support of a proposal to revamp the boundaries of the 2nd Congressional District to ensure that Hispanics account for a majority of the population 18 and older.

Hispanics will benefit, Sanchez said, even if the district changes didn't lead to the election of a Hispanic congressman.

"You can almost guarantee that the Hispanic population is going to be better represented," Sanchez said.

Whoever is elected in the district, Sanchez said, will have to be responsive to a Hispanic majority population. Hispanic voter registration and turnout in elections also will likely increase in such a district.

The New Mexico League of United Latin American Citizens, or LULAC, advocates revamping congressional district boundaries to give Hispanics a stronger voice in elections in the 2nd District, which currently has the greatest Hispanic population of the state's three districts.

However, a retired political science professor told the court that Republicans will keep their political advantage in the 2nd Congressional District under the LULAC proposal. Theodore Arrington, a redistricting consultant who taught at the University of North Carolina at Charlotte for 37 years, said the LULAC proposal "does not achieve what they want to achieve."

Voters in the 2nd District historically have favored Republican candidates, and that will continue even if the court adopts the boundary changes recommended by LULAC, Arrington testified. He grew up in New Mexico and moved to Albuquerque after retiring last year.

Hispanics ages 18 and over would make up 52 percent of the population in the 2nd Con-

gressional District as proposed by LULAC, but that figure includes noncitizens who can't vote. Hispanics would make up less than a majority of the adult population who are citizens and potentially eligible to vote, the court was told.

The LULAC proposal would split Lincoln, Chaves and Lea counties in southeastern New Mexico between two districts. Currently they are entirely in the 2nd Congressional District.

It will be up to District Judge James Hall to decide how to adjust district boundaries for population changes during the past decade. Groups of Republicans, Democrats and minority voters, including LULAC, have recommended three options for him to consider.

The goal of redistricting is to equalize district populations as much as possible to ensure that each New Mexican's vote has equal weight. That's necessary to comply with the legal requirements of one person, one vote.

Arrington testified in support of a redistricting plan proposed by GOP Gov. Susana Martinez, other Republicans and a group of Democrats, including Rep. Brian Egolf of Santa Fe. They say their "least change" proposal would move the fewest number of New Mexicans into new districts, leaving the current districts intact and not altering their political tilt.

Arrington said the Albuquerque-area 1st District is a "two-party district," in which either a Republican or Democratic candidate can win. The 3rd District of Northern New Mexico is solidly Democrat, and the 2nd District has been reliably Republican in congressional elections.

Sanchez told the court that the 1st Congressional District clearly favored Republicans because the GOP held the seat for nearly four decades until a Democrat won in 2008 and was re-elected in 2010.

A separate group of Democrats, including Rep. Antonio "Moe" Maestas of Albuquerque, wants the judge to adopt a plan that would consolidate Valencia and Bernalillo counties into the 1st District. It also would move Torrance County from the 1st District into the 2nd District. Those changes would give Democrats a better chance of winning in the district, according to Arrington.

Hall said he hoped to make a decision in the congressional case before a trial ends on redistricting the state House of Representatives. The House trial was scheduled to start Monday and conclude Dec. 21. Trials will be held in January for redistricting of the state Senate and the Public Regulation Commission.

Trial starts in congressional redistricting

The three competing proposals will likely have no effect on Northern New Mexico voters

By Steve Terrell | The New Mexican

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The Legislature had its chance but failed to pass a plan to redraw congressional districts. On Monday, the effort shifted to court, where retired state District Judge Jim Hall will decide between three plans.

The trial to determine the congressional districts is taking place at the old State Senate Chambers in the Bataan Building, which, until the mid 1960s, served as the state Capitol.

The effect on Santa Fe and most of Northern New Mexico would be nil under any of the three proposals. Under any of the plans, Santa Fe will remain in Congressional District 3. And in all the plans the district would remain safe for Democrats with percentages of Hispanic voters remaining above 36 percent and American Indians better than 16 percent.

On Monday, lawyers for a bi-partisan proposal that would keep the current districts fairly intact, called their first witness, retired New Mexico State University sociology professor James Williams, an expert in demographics. Williams drew up the compromise congressional proposal that is supported by a group of Democratic plaintiffs headed by state Rep. Brian Egolf, D-Santa Fe, and Republican Gov. Susana Martinez. Other Republican plaintiffs do not oppose what is being called the "joint proposal."

The plan would keep District 3 more favorable for Democrats and the southern District 2 more friendly to Republicans. District 1, which is dominated by the city of Albuquerque, would remain a competitive "battleground" district.

The other two proposals are backed by Democrats. One plan is proposed by a group including state Rep. Antonio "Moe" Maestas of Albuquerque, which would consolidate most of Bernalillo and Valencia counties into the 1st District. The Maestas plans would give Democrats a better edge in that district.

The other Democratic plan is proposed by the New Mexico League of United Latin American Citizens and backed by state Rep. Joe Cervantes of Las Cruces. Lawyer Santiago Juarez told Hall on Monday that the goal of this plan is to create a Hispanic majority in southern District 2.

Juarez pointed out that despite the fact the southern district has the largest percentage of Hispanics, no Hispanic candidate ever has been elected in the conservative-leaning district.

The Cervantes plan would include Albuquerque's South Valley in Congressional District 2. Also District 3, which already stretches east to Clovis, would dip southward, so that it would include the entire east half of the state except the southern half of Lea County in the far southeast corner. The Cervantes plan

also would put about a third of the population of Roswell in the 3rd District, as well as conservative Lincoln County.

Responding to questions by lawyer Joseph Goldberg, who represents the Egolf plaintiffs, Williams said that the "joint plan" would change the districts of only 25,000 people in the state. But the Maestas plan would change the districts for about 180,000 New Mexicans, while the Cervantes plan would change the districts for about 264,000.

Stephen Durkovich, attorney for the Maestas plaintiffs, argued that his plan would stay true to the original intent of redistricting in New Mexico since the state gained a third district after the 1980 census. That's having one metropolitan district in the center of the state and two geographically large districts in the northern and southern parts of the state. He said his plan has equal district populations and would come closest to achieving the goal of one-person, one-vote.

Deciding the congressional plan is the easy part of the redistricting court battle. There has been no sign of bipartisan compromise in the fight over state House and Senate districts or even for the Public Regulation Commission.

The Democrat-controlled Legislature passed plans for legislative and Public Regulation Commission Districts, at the special session in September. But Republican Martinez vetoed those bills.

Redistricting is performed every 10 years after the census.

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