

**RESOLUTION OF THE
NAVAJO NATION HUMAN RIGHTS COMMISSION**

**Recommending the Arizona Independent Redistricting Commission to Amend the Draft
Legislative Districts Plan to Provide for a Robust Native American Majority Minority
District and Continues to Support a Congressional Plan that Provides a Significant Native
American Population**

WHEREAS:

1. Pursuant to 2 N.N.C. §§ 920 and 921, the Navajo Nation Human Rights Commission (herein referred to as “Commission”) is established in the Legislative Branch as an entity of the Navajo Nation government and organized to operate as a clearinghouse entity to administratively address discriminatory actions against citizens of the Navajo Nation; and to interface with the local, state, federal governments, and with national and international human rights organizations in accordance with the Commission’s plan of operation (Navajo Nation Council Resolution CJN-15-08) and applicable laws and regulations of the Navajo Nation; and
2. By Resolution NABIJN-15-21, the Naabik’iyat’i Committee of the Navajo Nation Council designated the Commission and its office to take the lead in participating in redistricting activities in Arizona, New Mexico and Utah. In November 2000, the people in Arizona passed Proposition 106 that amended the constitution of Arizona by replacing the legislature with the Arizona Independent Redistricting Commission (“AIRC”) to adopt congressional and legislative redistricting plans; and
3. Section 2 of the Voting Rights Act of 1965 (“VRA”) provides that when redistricting occurs, minority districts cannot be diluted to where minority communities in the district lose their voting strength. In addition, the protected minority populations do not retrogress in their voting strength so they lose the opportunity to elect candidates of their choice. In Arizona, there are thirty legislative districts from which the senators and representatives are elected. Each district is referred to as multi-member districts. The current Legislative Districts 7 is the only majority Native American district in Arizona; and
4. The Office of Navajo Nation Human Rights Commission (herein referred to as “Office”) and the Commission have submitted proposed legislative and congressional plans to the AIRC. In addition, the Office was provided legal consultation by the law firm of *Sacks Tierney*, which also submitted a “white paper” providing a legal analysis on why the AIRC needs to consider a negative deviation that exceeds the traditional maximum negative deviation of 5%. The redistricting plans submitted by the Navajo Nation did not advance to the approved draft maps produced by AIRC and the shape of the district approved by the AIRC, referred to as LD 6, does not have a Native American Voting Age Population (“NAVAP”) that approximates the current 63%; and
5. As an effort to work with the AIRC, the Office developed an alternative LD 6 redistricting plan that accommodates the other interests identified in northern Arizona. In addition to

adjusting the proposed LD 6, the Nation proposed revisions to LD 7 and 19. The Navajo Nation repeatedly requested that AIRC exceed the -5% deviation in order to increase the NAVAP for the only majority Native American legislative district in Arizona. However, the draft legislative plan demonstrates that the AIRC was prepared to under-populate areas of the State that do not have the protections of the Voting Rights Act of 1965 intended to protect Hispanics, Blacks, Asians and Native Americans in Arizona. Instead, the proposed maps include a dominant Non-Hispanic White population with deviations that are nearly -5% and that would clearly allow that majority Non-Hispanic White population to elect candidates of their choice. For example, the AIRC proposed legislative districts for draft legislative districts 19 and 28 are significantly majority Non-Hispanic White and they have -4.23% deviation and -4.95% deviation, respectively; and

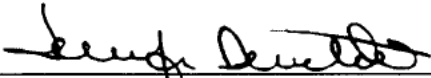
6. In December 2011, the AIRC through their legal counsel offered to the Navajo Nation the opportunity to have a deviation that exceeded -5%. However, the Navajo Nation at the time found that 63% NAVAP was sufficient to have Native Americans in Legislative District 7 elect candidates of their choice; and
7. There is justification for the majority-minority Native American legislative district to have a deviation which exceeds -5% in order to bring the NAVAP closer to 63%. Native Americans face special circumstances that require the AIRC to favorably consider adjusting the deviation requirements to strengthen the Native American voter participation and turnout. The special circumstances include the depressed socioeconomic condition, the 2020 census undercount, reduced Native American voter participation, and the COVID-19 pandemic; and
8. With respect to the 2020 Census, while the AIRC is required to use the census numbers, the AIRC can adopt a policy that acknowledges the reality of the undercount by providing for a greater under-population of the majority Native American district. It can do that, while staying within the presumptively valid 10% deviation by limiting overpopulation in other districts by significantly less than +5% or by adopting a policy that allows for greater than 10% specifically articulating the bases for that policy adoption; and
9. In anticipation that the AIRC is unwilling to consider deviations that exceed the -5% deviation, the Navajo Nation provides a plan that stays within the -5% deviation, sacrificing the percentage of NAVAP further below the current 63%; and
10. The Commission is well aware of the comments made by non-indigenous White Arizona citizens that they do not have any commonality with indigenous communities. This is far from reality. Native Americans citizens who reside within their reservation boundaries live in rural community conditions that are similar to non-indigenous White citizens; the indigenous Arizona citizens contribute monetarily to the Non-Hispanic White communities that neighbor the reservations, including but not limited to, contributions to the tax base and to their economic survival. The neighboring cities include, but are not limited to, Winslow, Holbrook, Showlow, Snowflake, Pinetop and St. Johns. In addition, indigenous reservation communities substantially depend on these neighboring rural cities for goods and services.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Nation Human Rights Commission hereby recommends that the Arizona Independent Redistricting Commission increase deviations for Legislative Districts 19 and 28, reduce deviations for Legislative Districts 11 and 21, and adopt the new Navajo plan that meets the Voting Rights Act of 1965 by reconsidering its proposed Legislative District 6 that at a minimum has a -5% deviation similar to the plan provided for in the attached Exhibit "A" plan.
2. The Navajo Nation Human Rights Commission hereby continues to support and requests the AIRC to adopt the Navajo proposed congressional district plan that includes a significant representation of rural Indian tribes. The congressional redistricting plan is attached hereto as Exhibit "B".
3. The Navajo Nation Human Rights Commission further hereby directs the Office of Navajo Nation Human Rights Commission to communicate this resolution to the Navajo Nation Council and Office of the President & Vice President.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Human Rights Commission at a duly called meeting via telecommunication, at which a quorum was present and the same was passed by a vote of 4 in favor and 0 opposed, this 3rd day of December 2021.



Dr. Jennifer Denetdale, Ph.D, *Chairperson*
Navajo Nation Human Rights Commission

Exhibit "A"

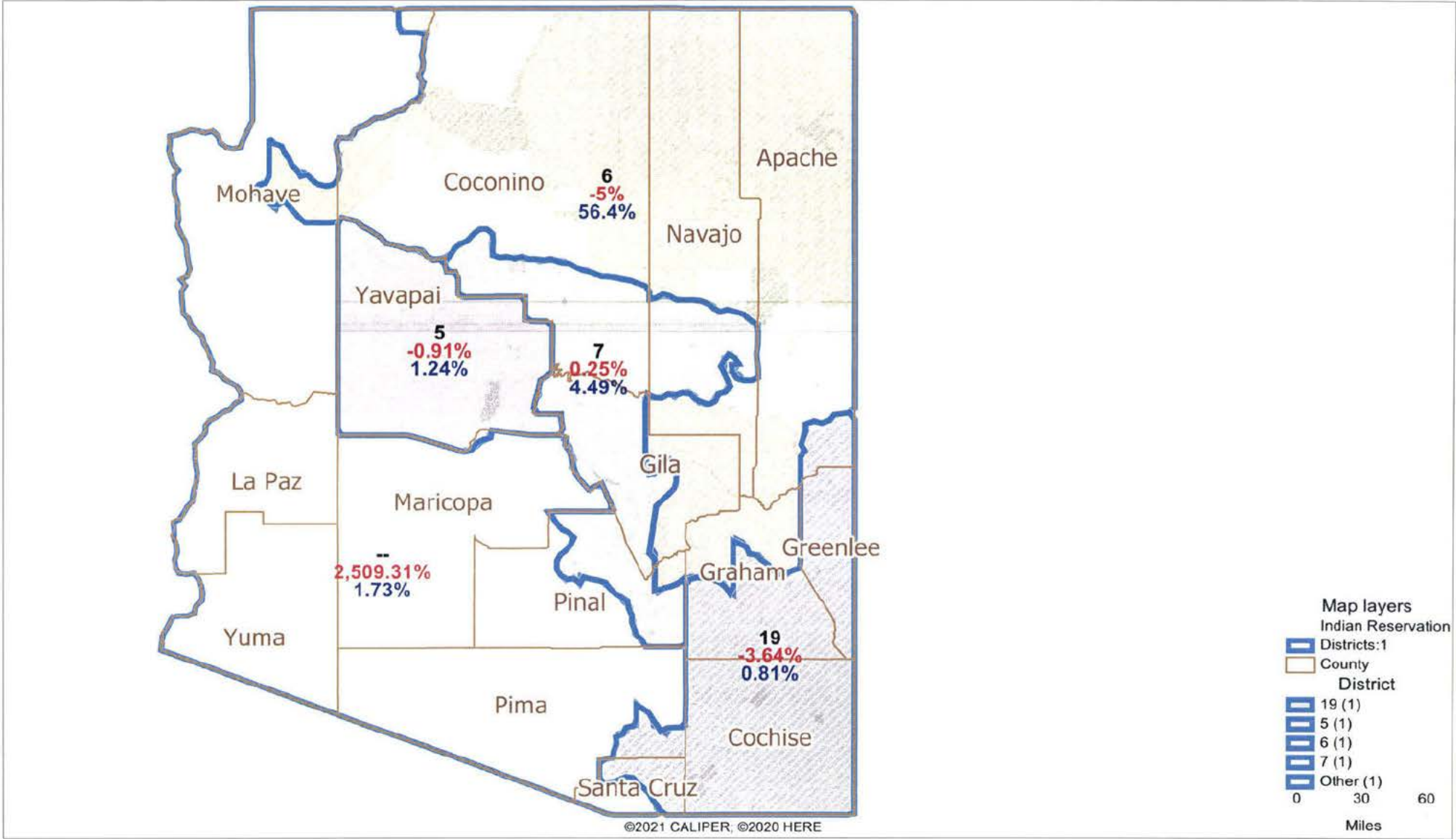
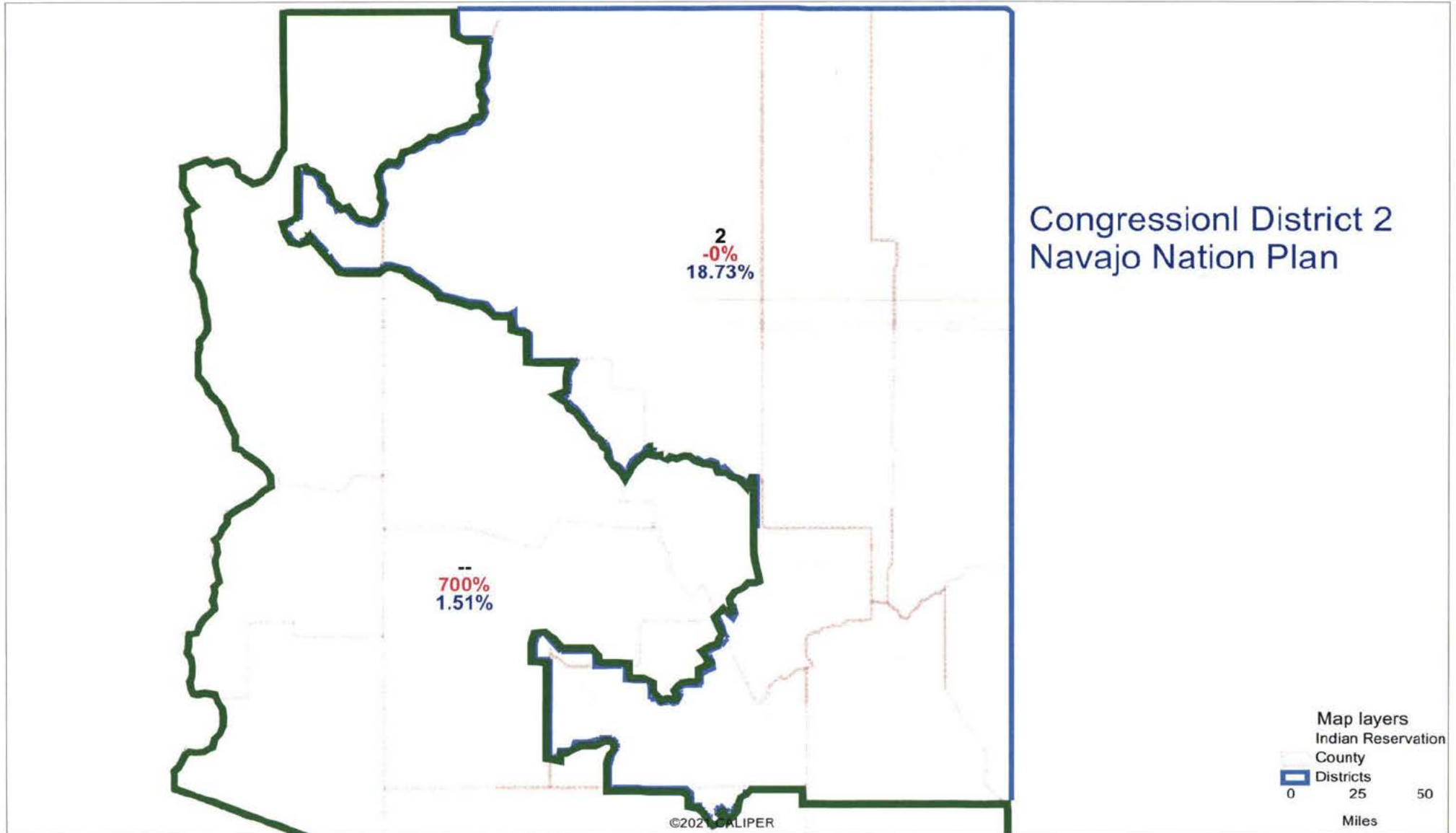


EXHIBIT "B"



Please approve CD 6 map (#774963)










It represents our communities of interest and the people in this district. Thank you!

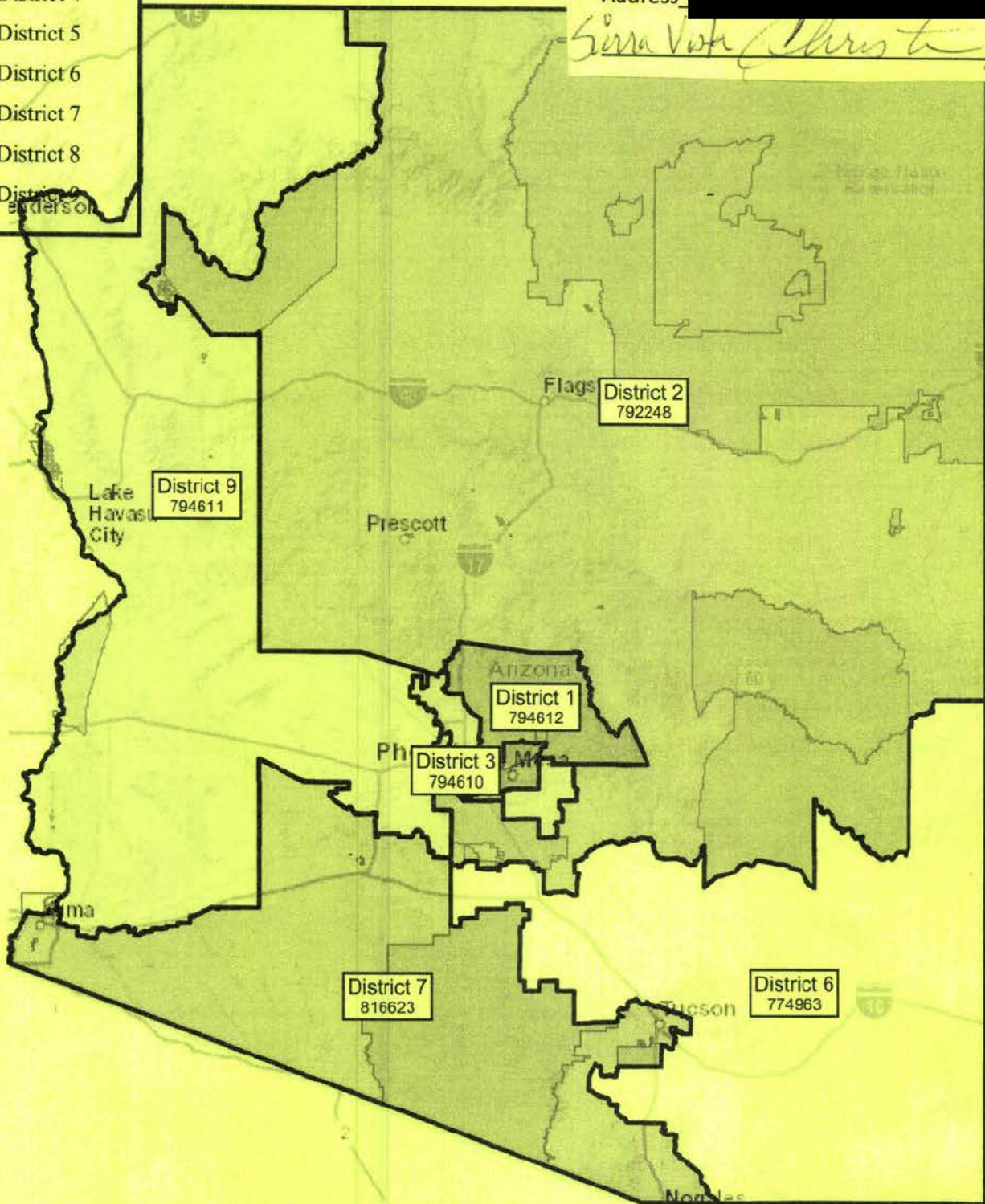
Name Christine Hicks

Address [REDACTED]

Signed Christine R Hicks

LEGEND

-  District 1
-  District 2
-  District 3
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-  District 6
-  District 7
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Fair CD6 and CD7.plan

Please approve CD 6 map (#774963)

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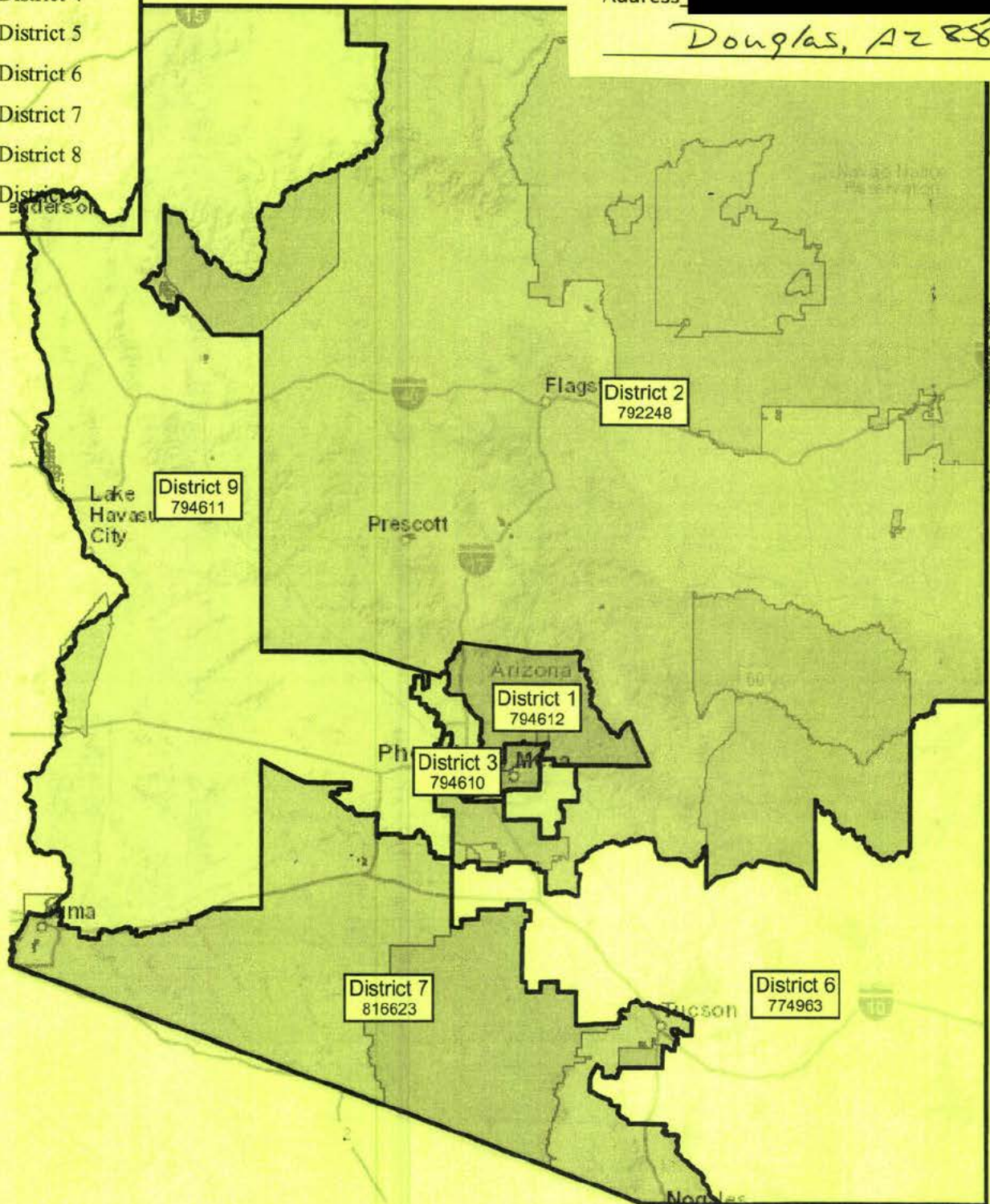
Name Debra Wendt

Address [REDACTED]
Douglas, AZ 85607

D. Wendt

LEGEND

- District 1
- District 2
- District 3
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Fair CD6 and CD7.plan

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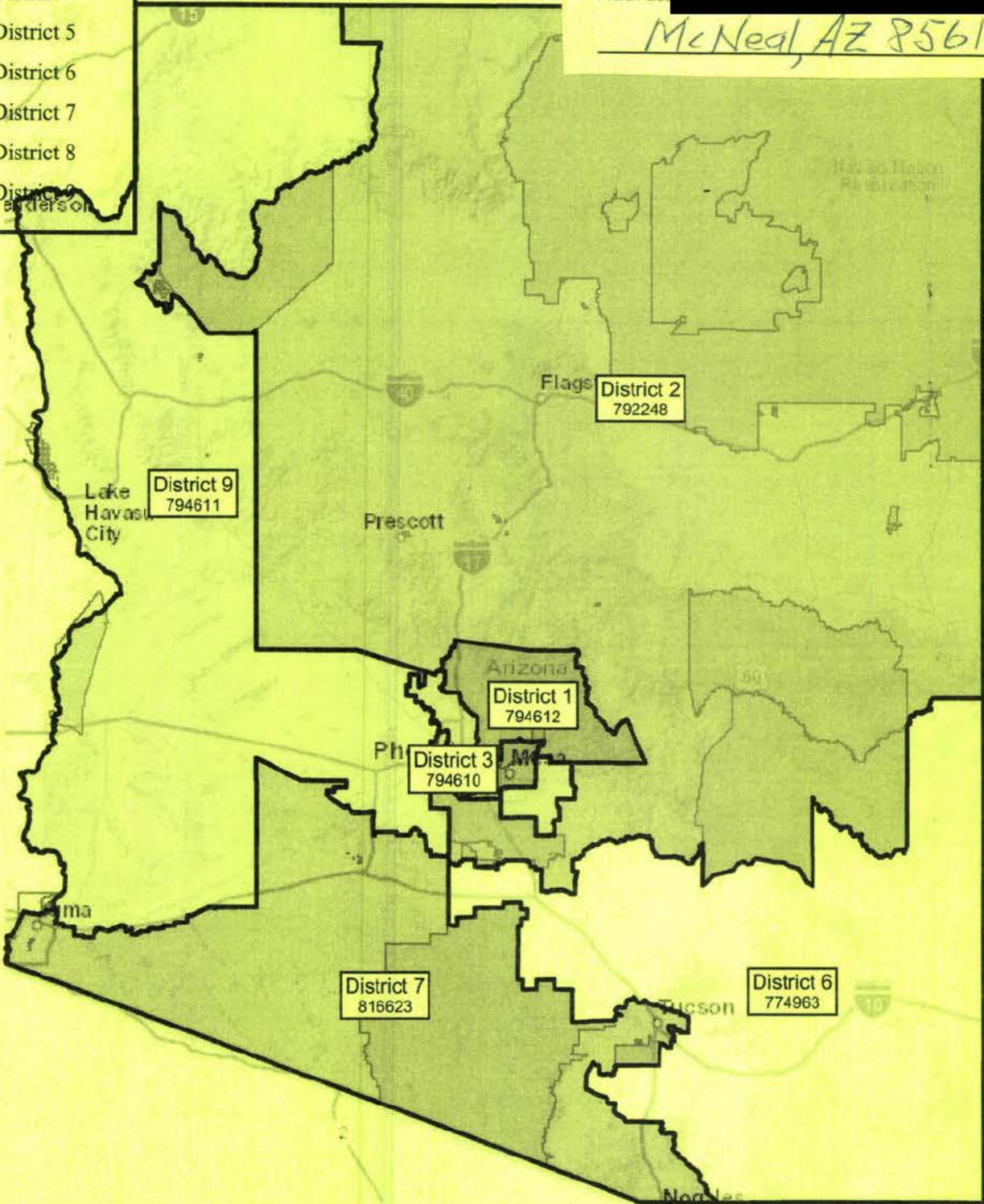
Name *Ronald J. Bem* Ronald J. Bem

Address [Redacted]

McNeal, AZ 85617

LEGEND

-  District 1
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Fair CD6 and CD7.plan

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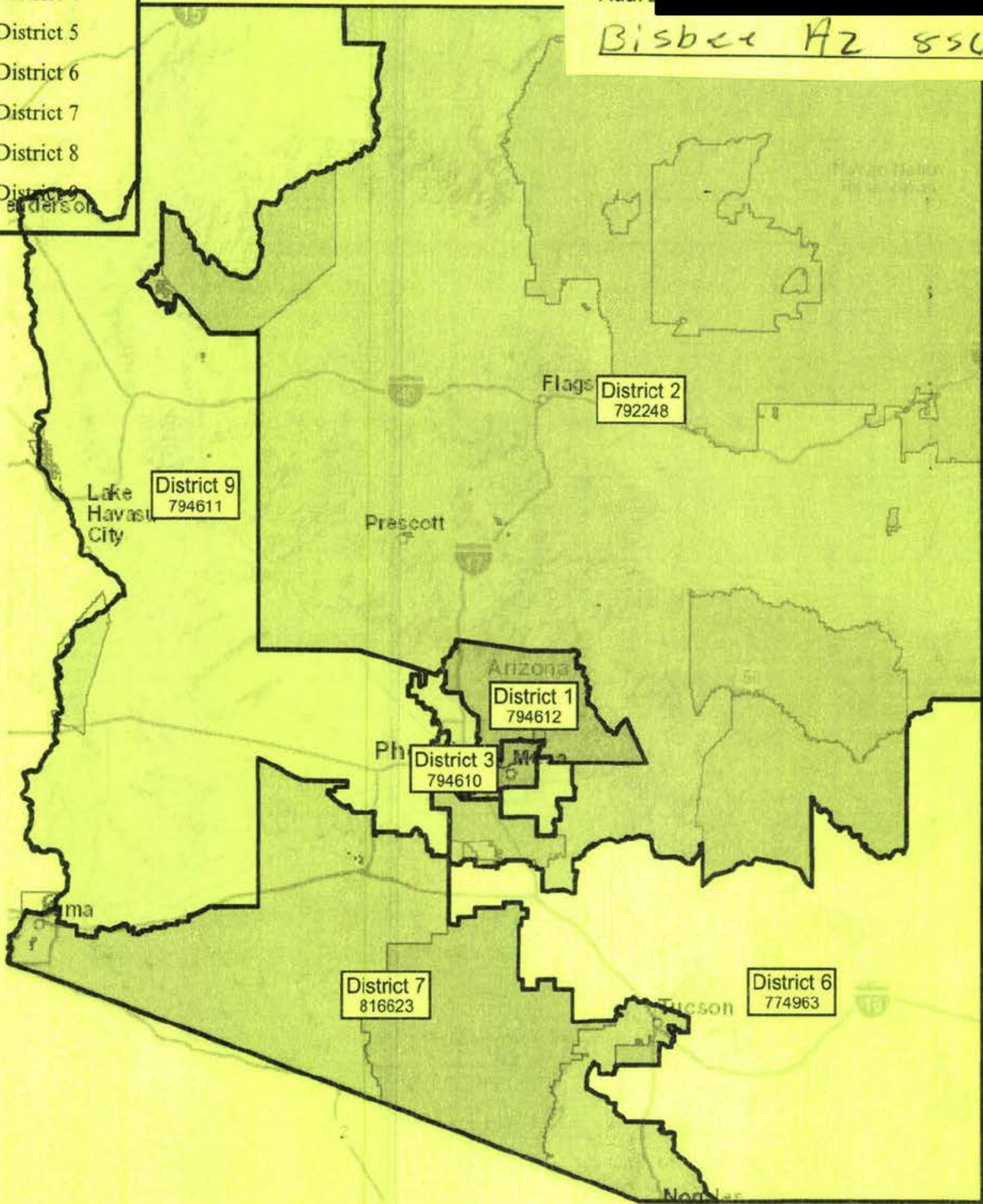
Name Lora Gutierrez

Address [REDACTED]

Bisbee AZ 85603

LEGEND

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Fair CD6 and CD7.plan










Please approve CD 6 map (#774963)

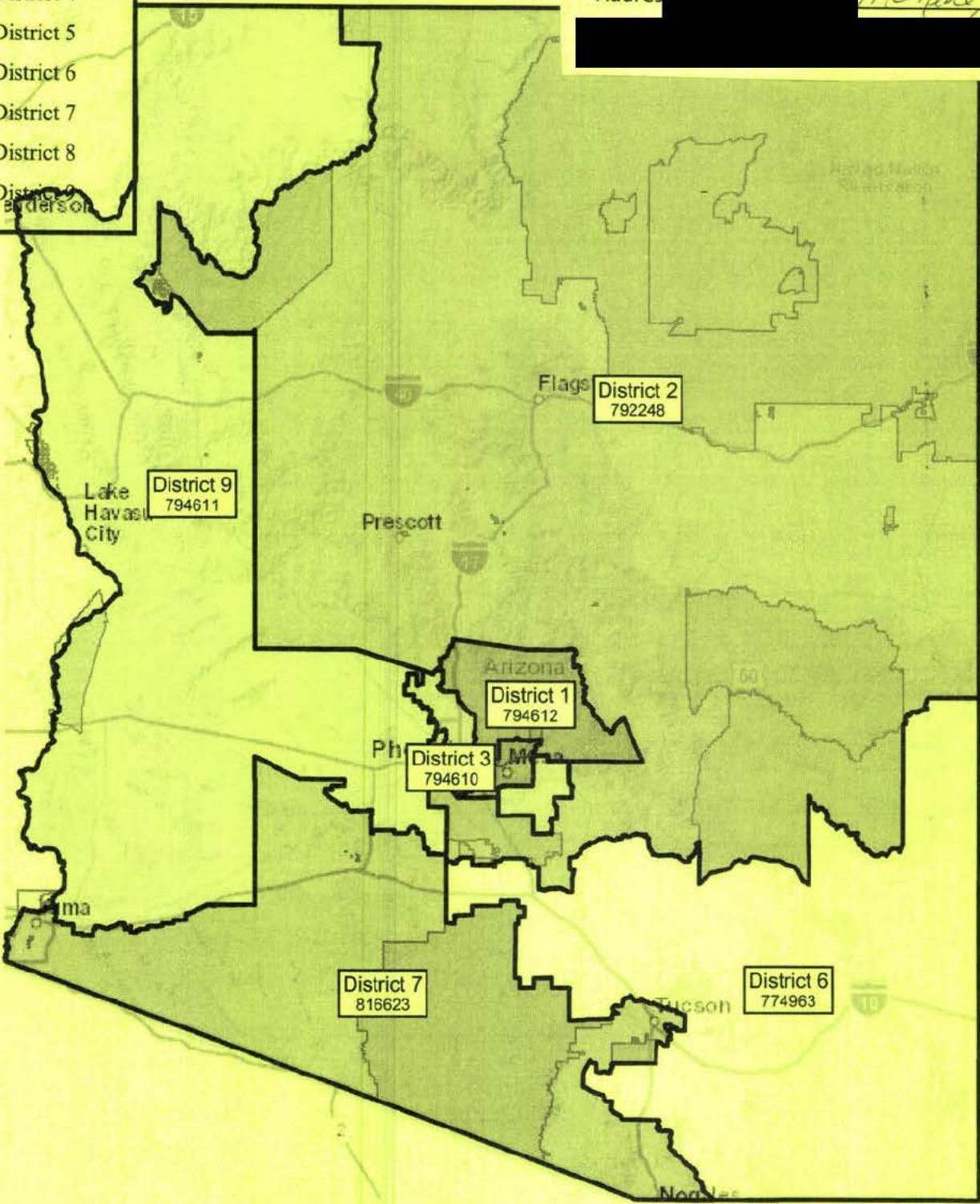
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Name Margaret Brown Bemis

Address [Redacted] Mc Neal










LEGEND

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Fair CD6 and CD7.plan

LEGEND

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Liana Smith

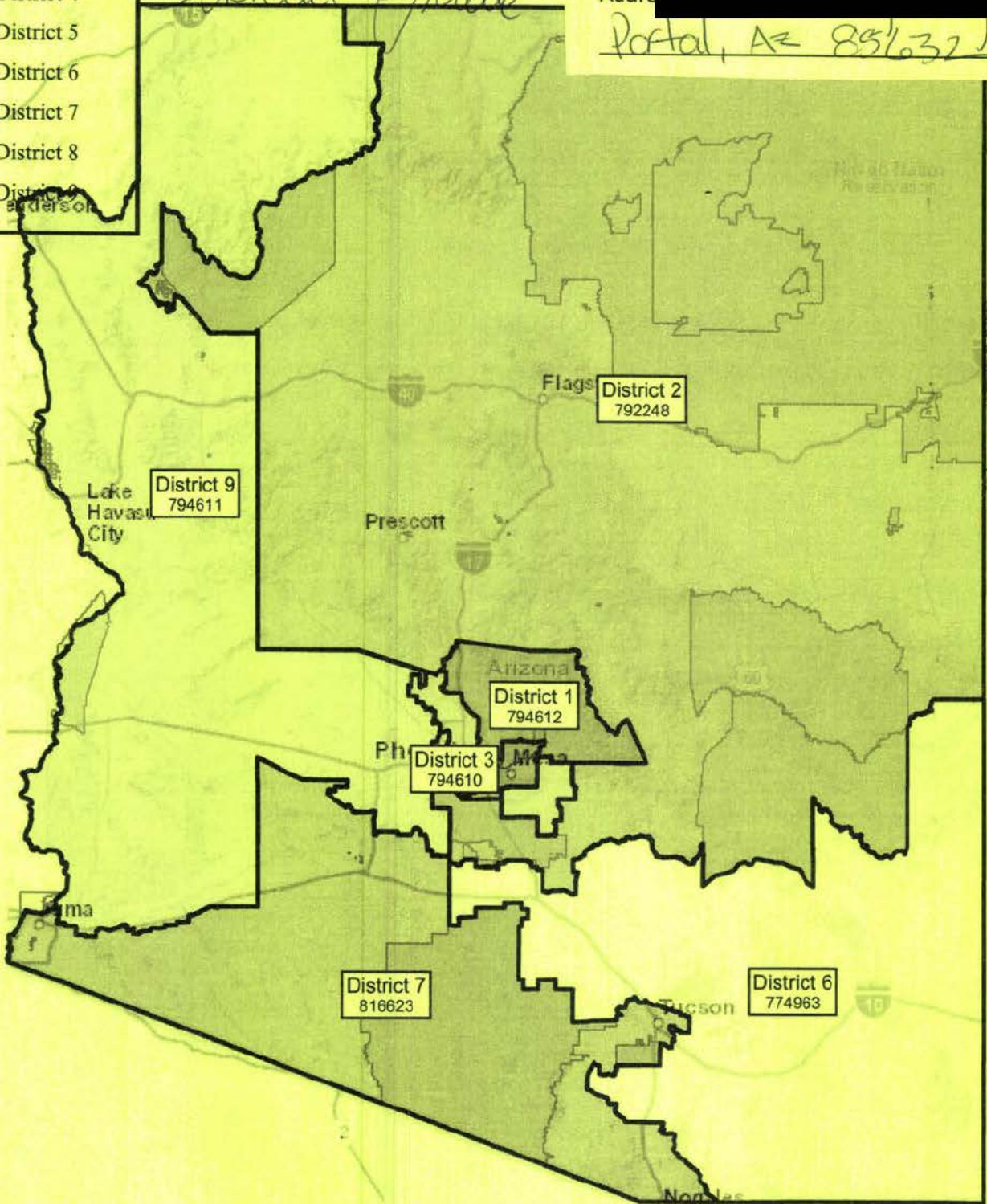
Please approve CD 6 map (#774963)

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Name Liana Smith










Address 

Portal, AZ 85632




Fair CD6 and CD7.plan

LEGEND

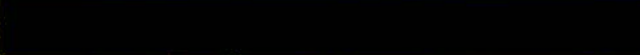
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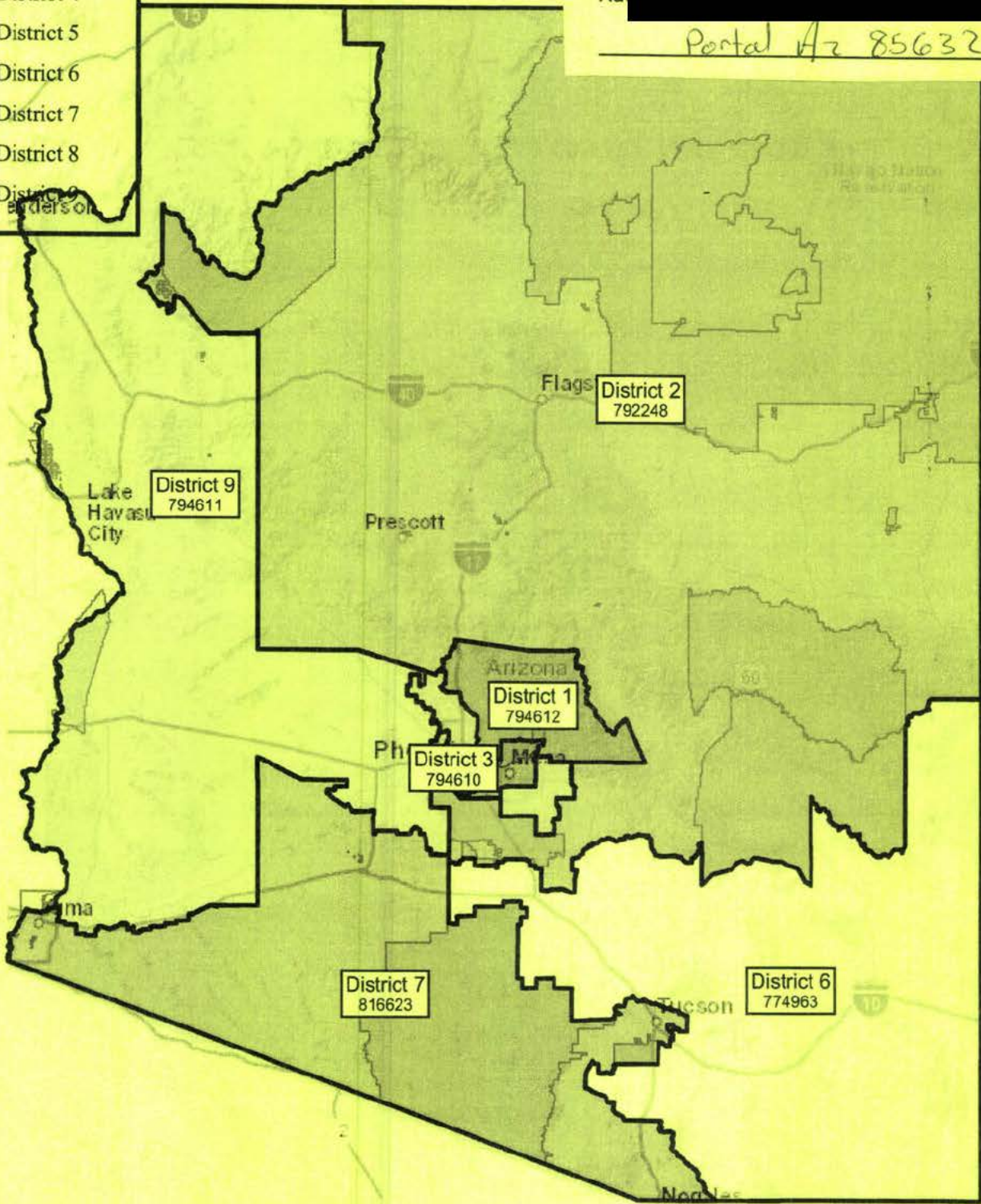
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Name Steven Chance Smith










Ad 

Portal Az 85632



Fair CD6 and CD7.plan

LEGEND

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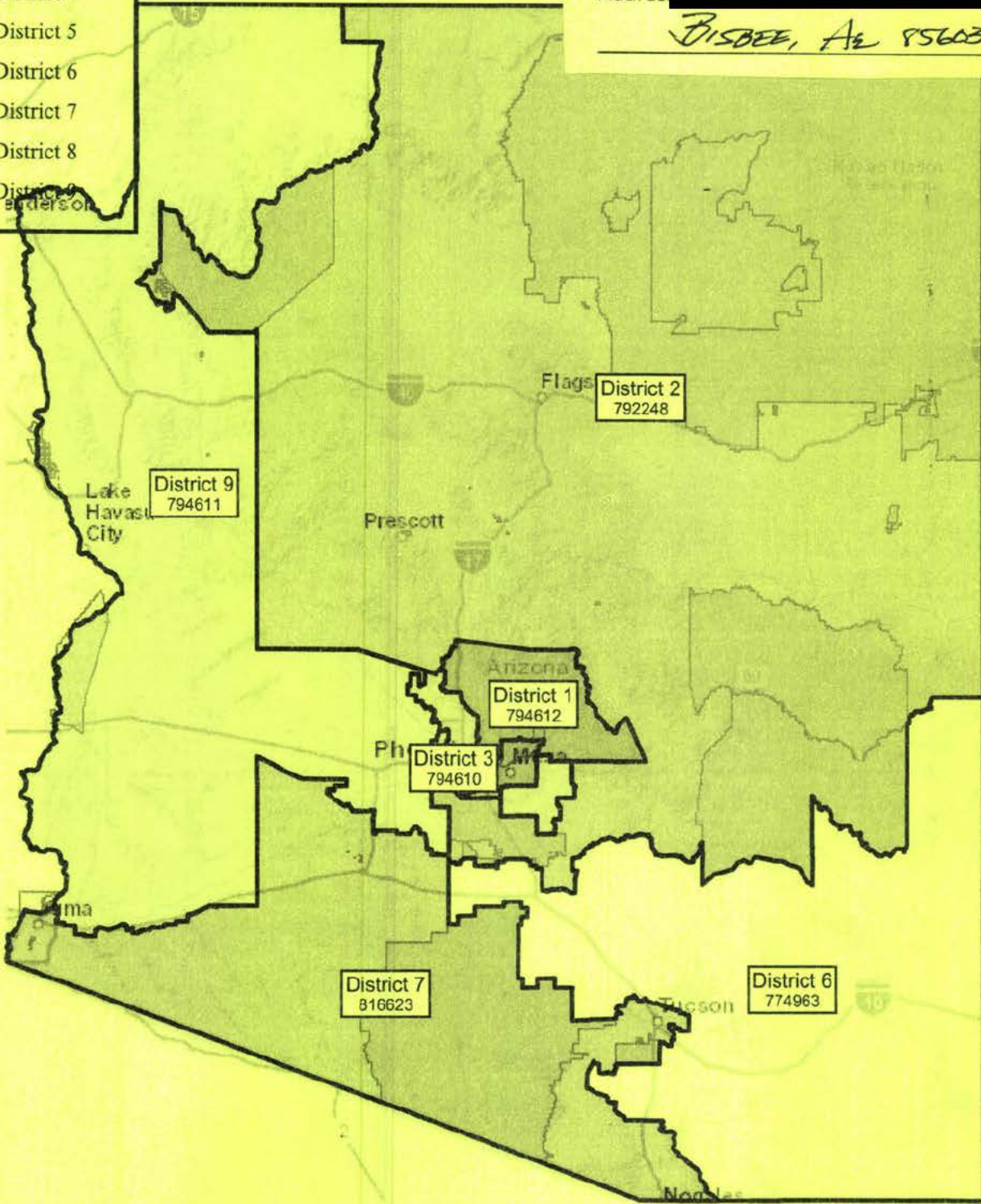
Please approve CD 6 map (#774963)

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Name *LISBETH HINES*

Address

BISBEE, AZ 85603



Fair CD6 and CD7.plan

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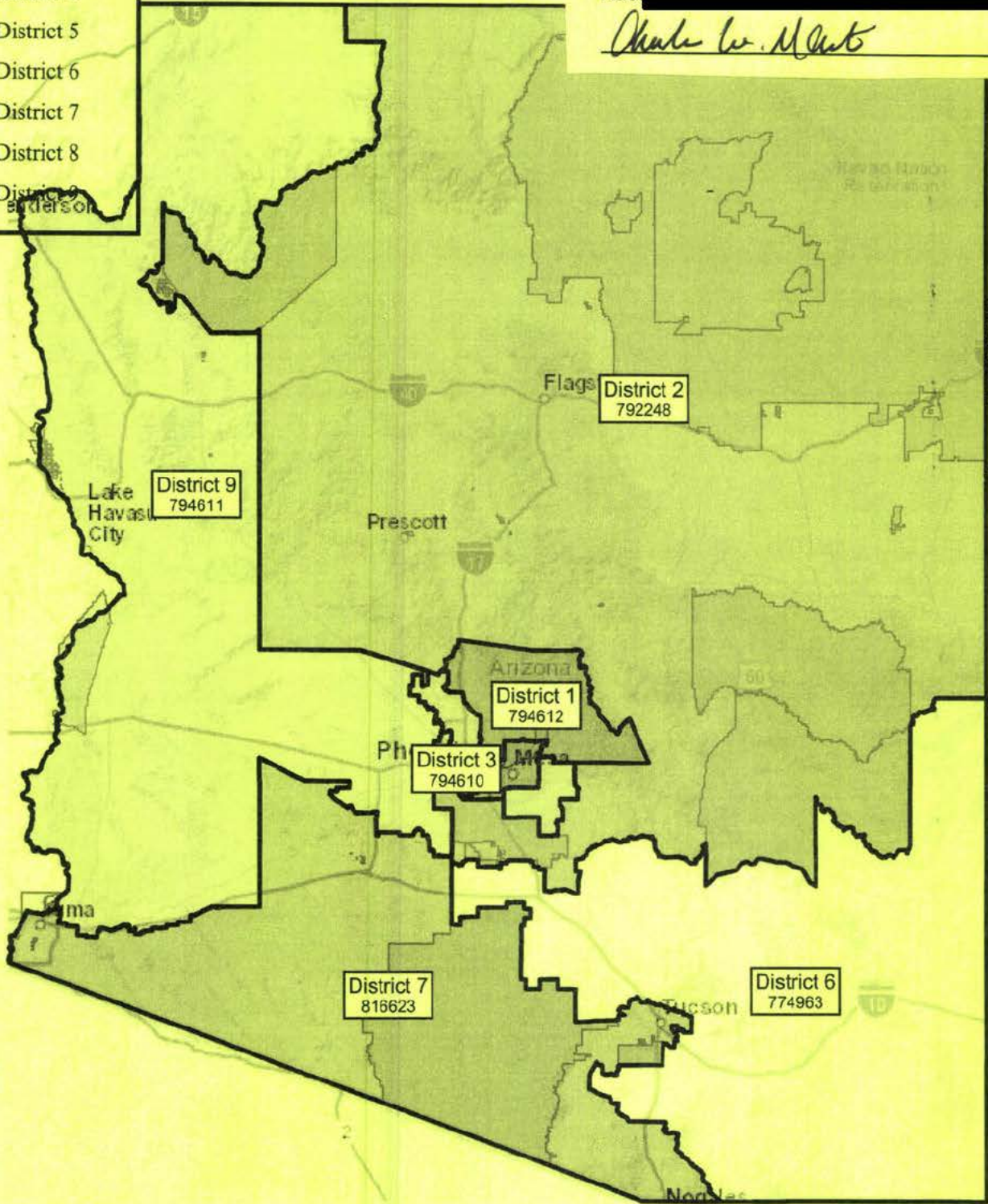
Name *Charles W. Martin*

Add

Charles W. Martin

LEGEND

-  District 1
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Fair CD6 and CD7.plan










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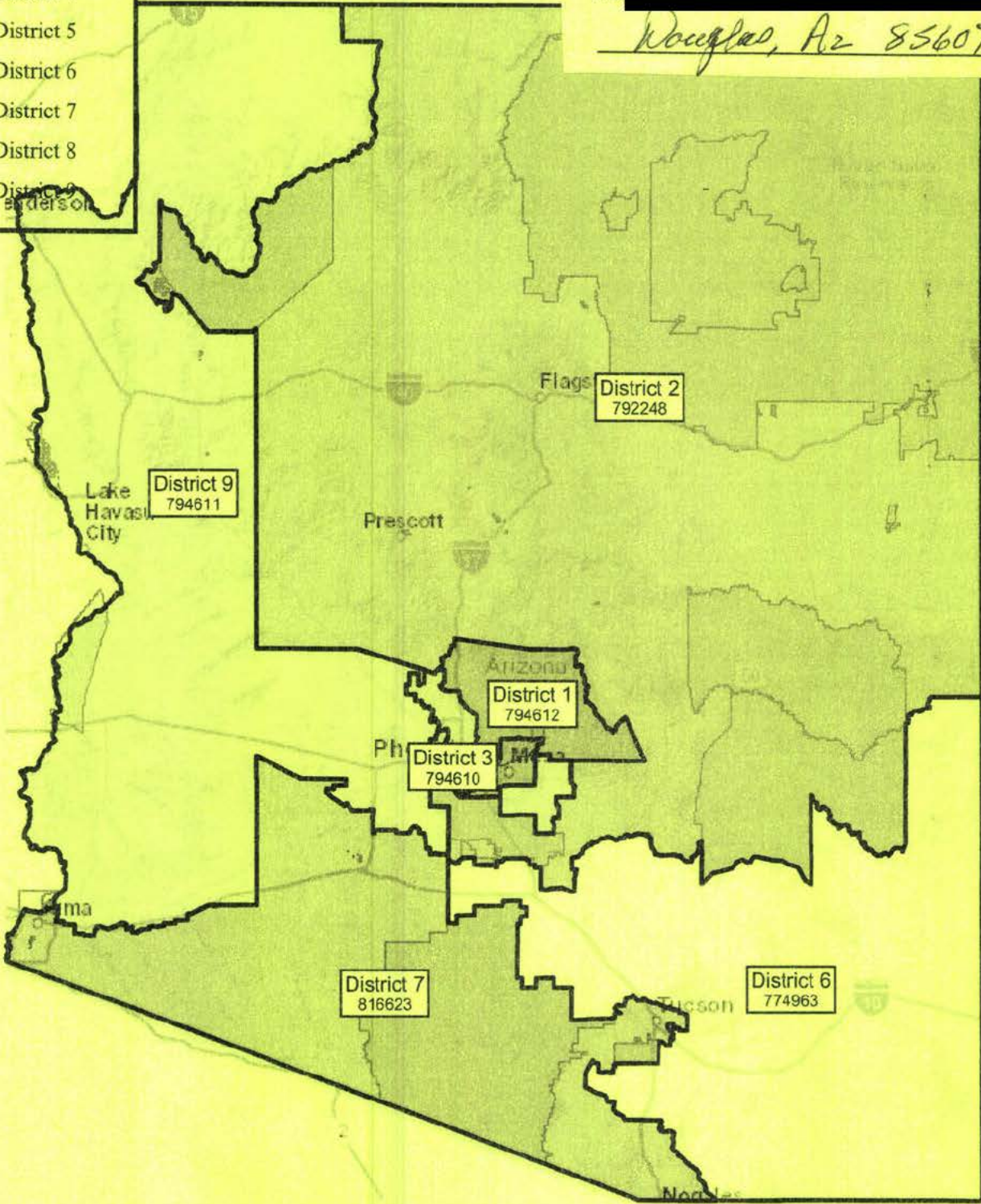
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Name Madeline C. Riggs

Ad Douglas, Az 85607

LEGEND

-  District 1
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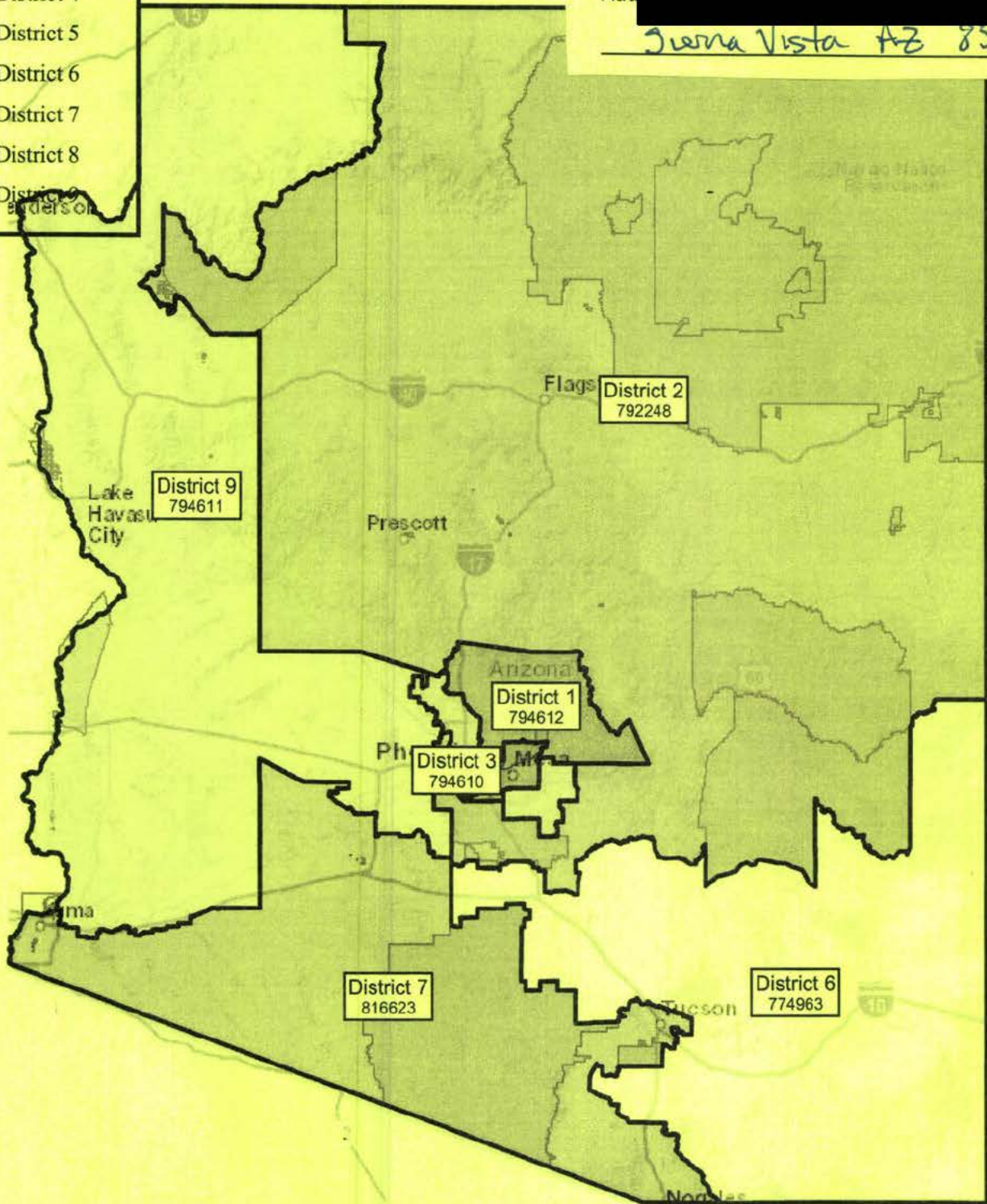
Name William Colberg

Add

Suna Vista AZ 85650

LEGEND

-  District 1
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
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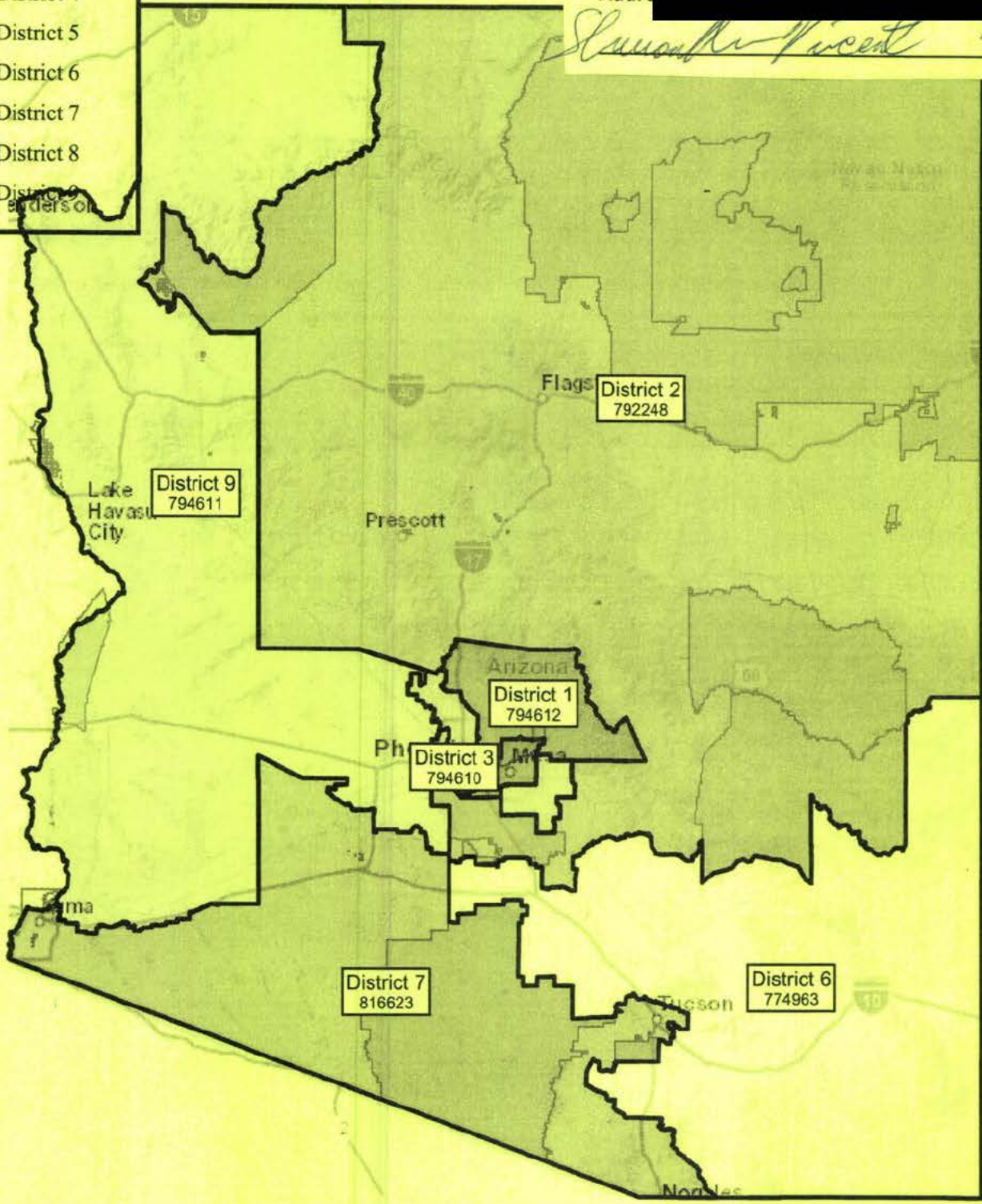
Name *Sharon A. Vincent*

Address [Redacted]

Sharon A. Vincent 84643

LEGEND

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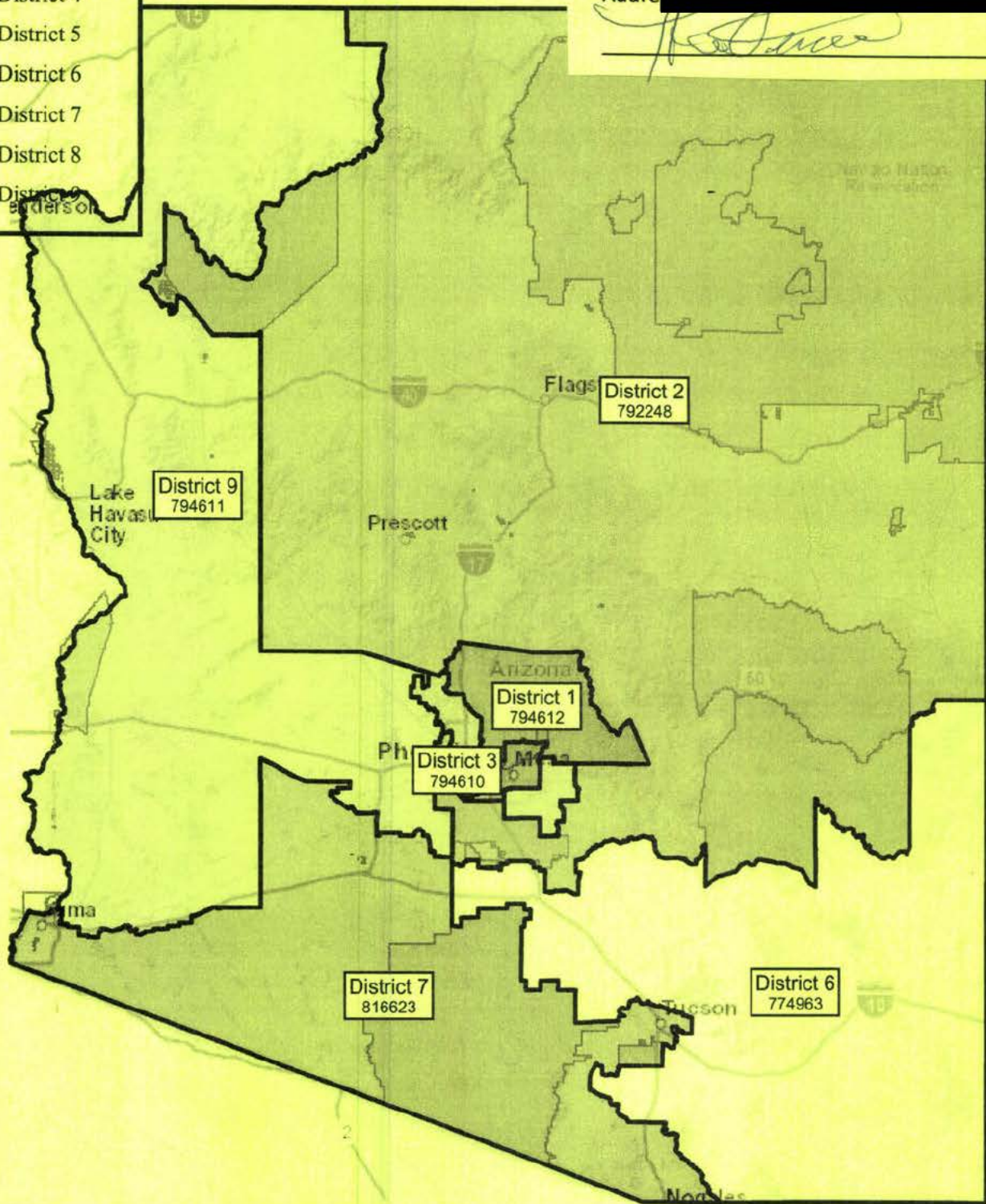
Name *George H Vincent*

Address [REDACTED]

[Signature]

LEGEND

-  District 1
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



Name Donald E Barnett

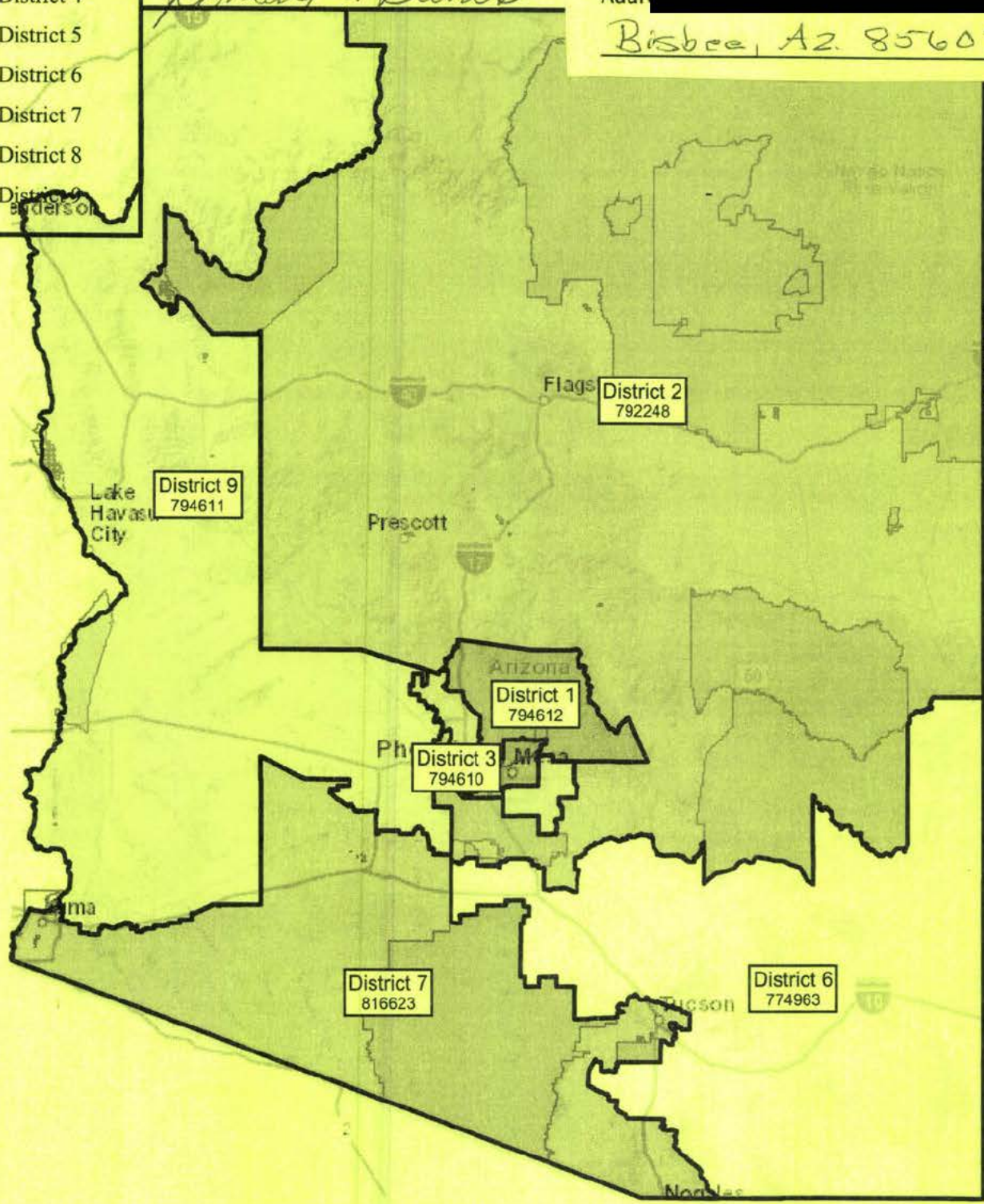
Address [REDACTED]

Bisbee, AZ 85603

Donald E. Barnett

LEGEND

-  District 1
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Fair CD6 and CD7.plan

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John W Ladd

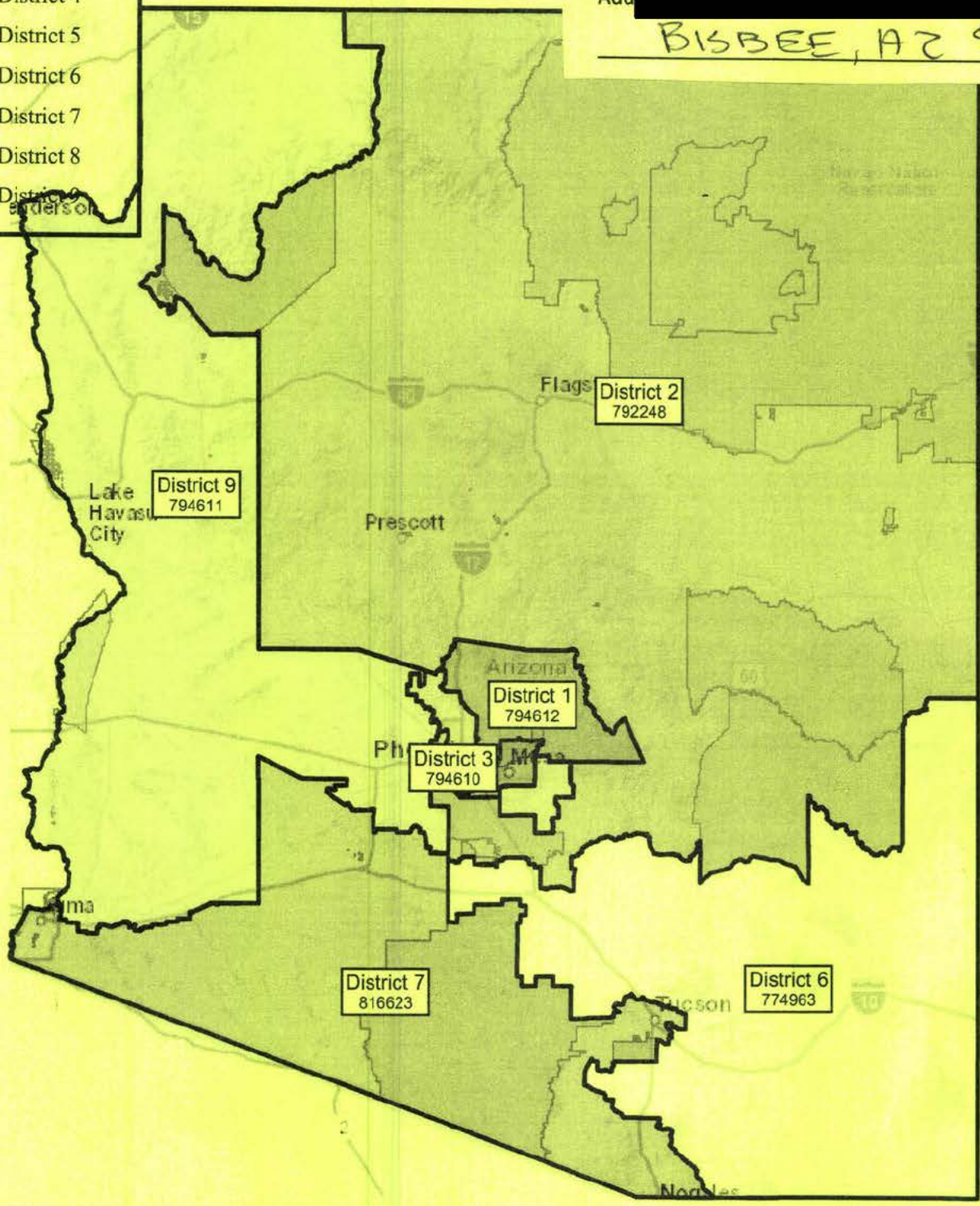
Name JOHN W. LADD

Add [REDACTED]

BISBEE, AZ 85603

LEGEND

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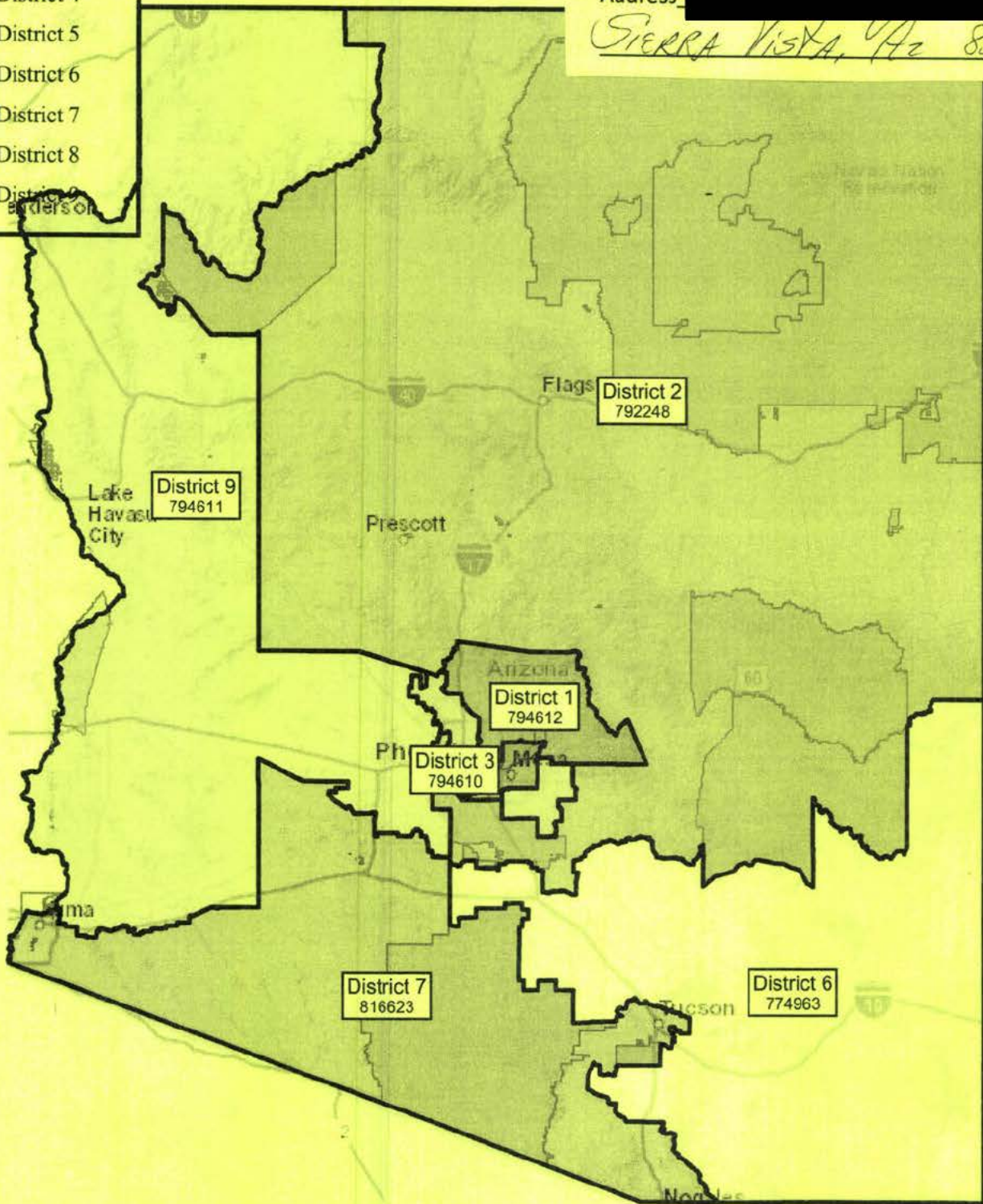
Name Roberta Harter

Address

SIERRA VISTA, AZ 85635

LEGEND

-  District 1
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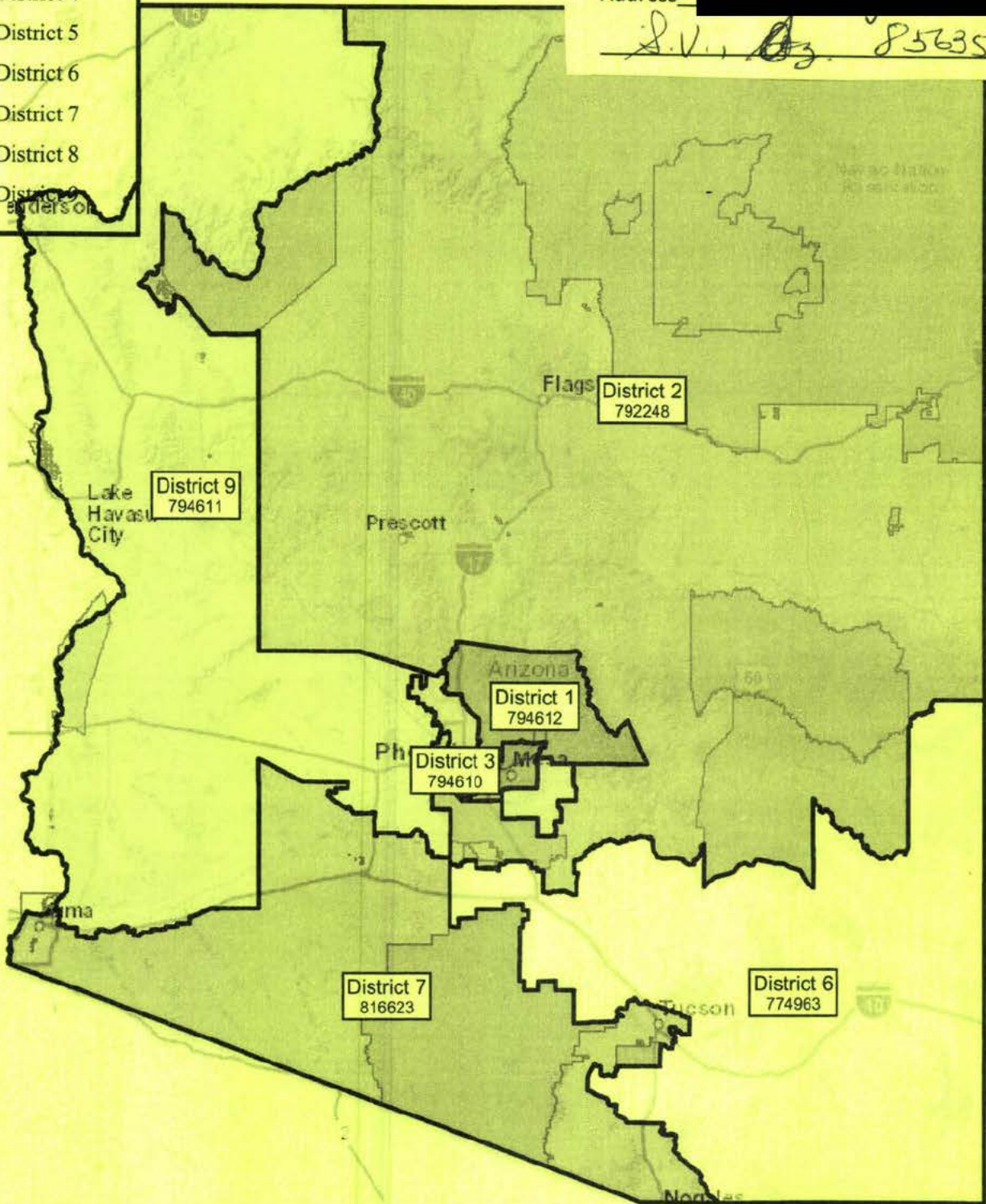
Name Melvin Hester

Address _____

S.V. Az 85635

LEGEND

-  District 1
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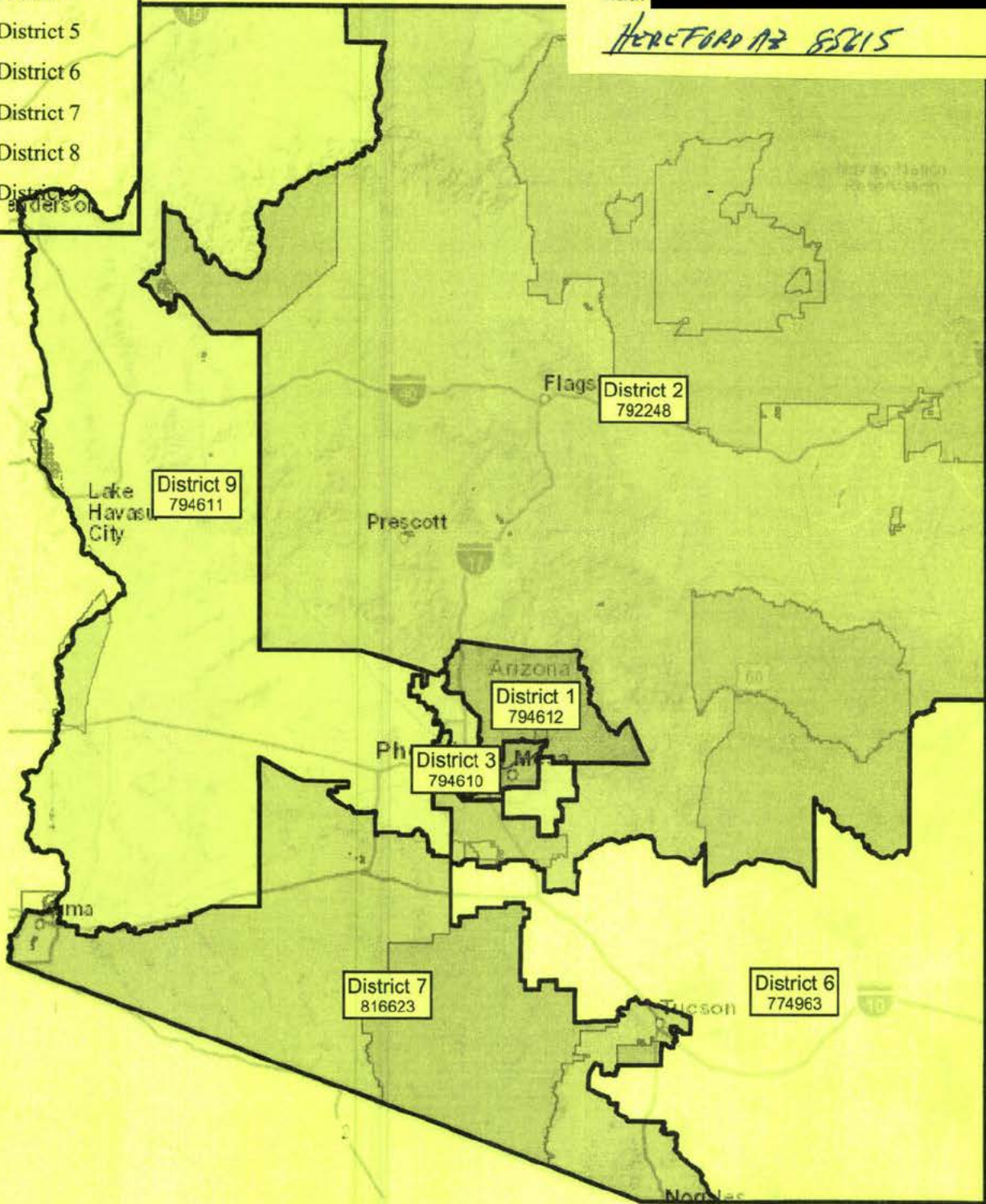
Name PAUL LAVEER

Address

HERTFORD AZ 85815

LEGEND

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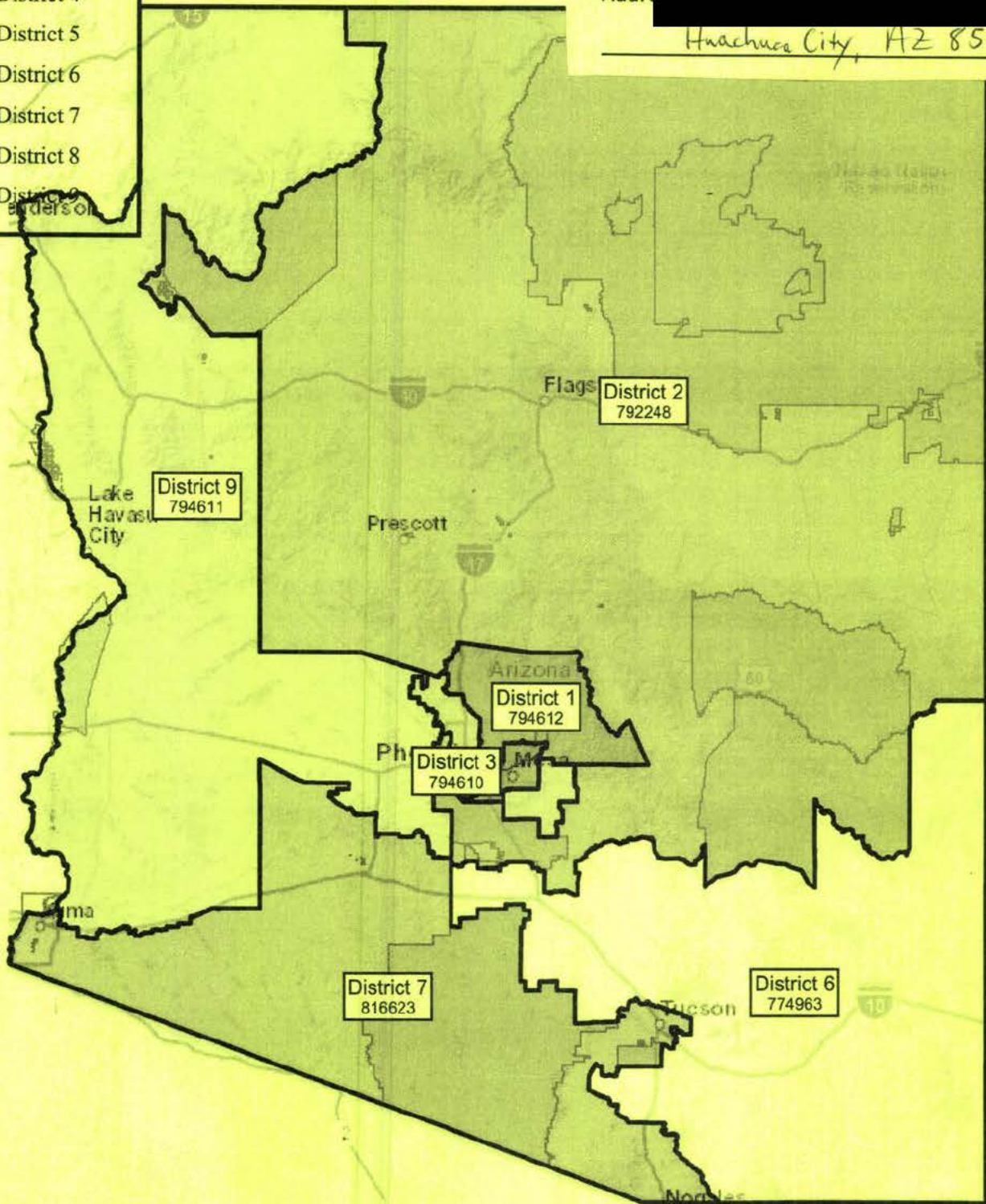
Name Brenda L. Malarchik

Address

Huachuca City, AZ 85616

LEGEND

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Name

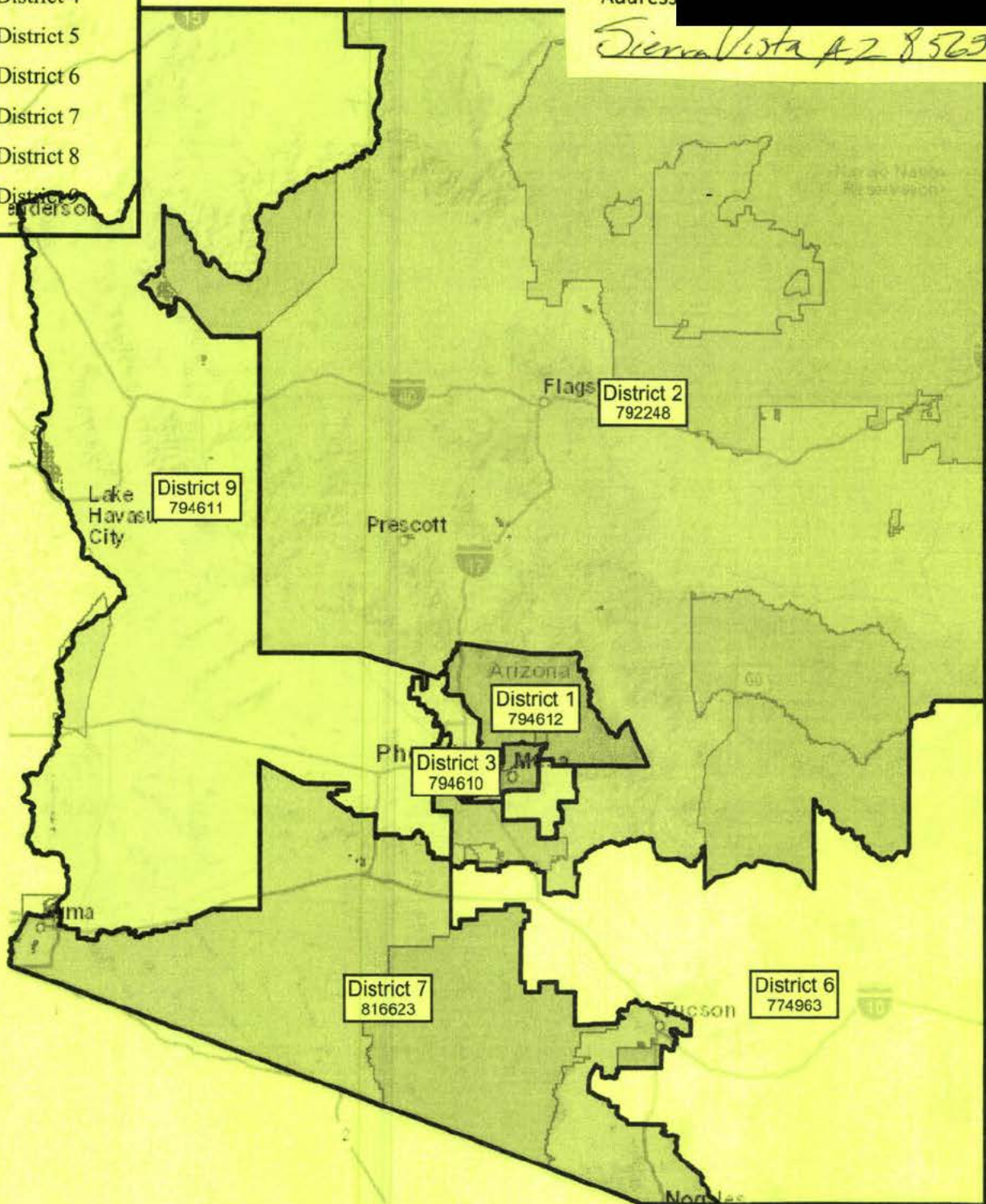
Tom Croft

Address

Sierra Vista AZ 85635

LEGEND

-  District 1
-  District 2
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Fair CD6 and CD7.plan

Please approve CD 6 map (#774963)










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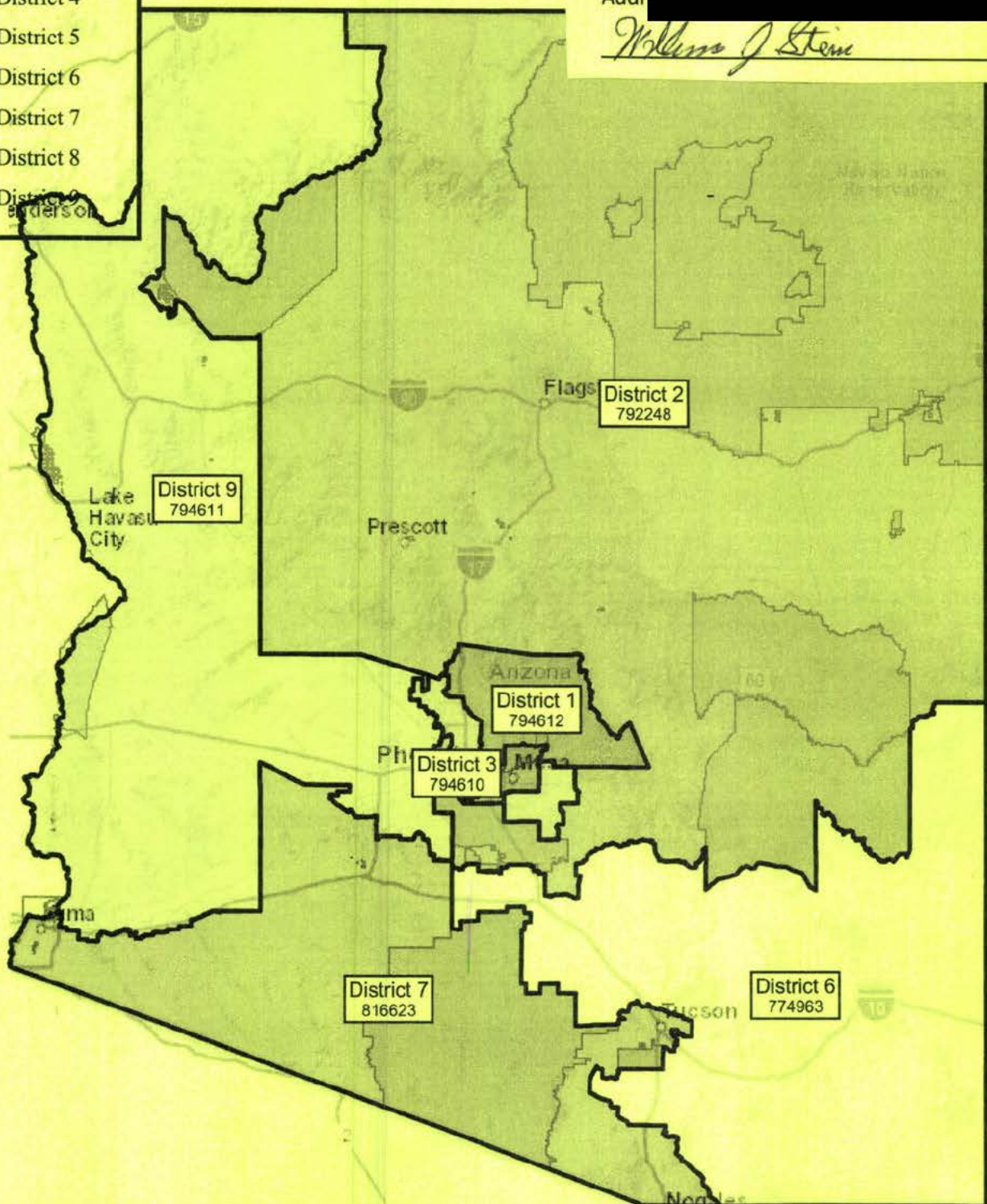
Name *William J Stein*

Address

William J Stein

LEGEND

-  District 1
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Fair CD6 and CD7.plan

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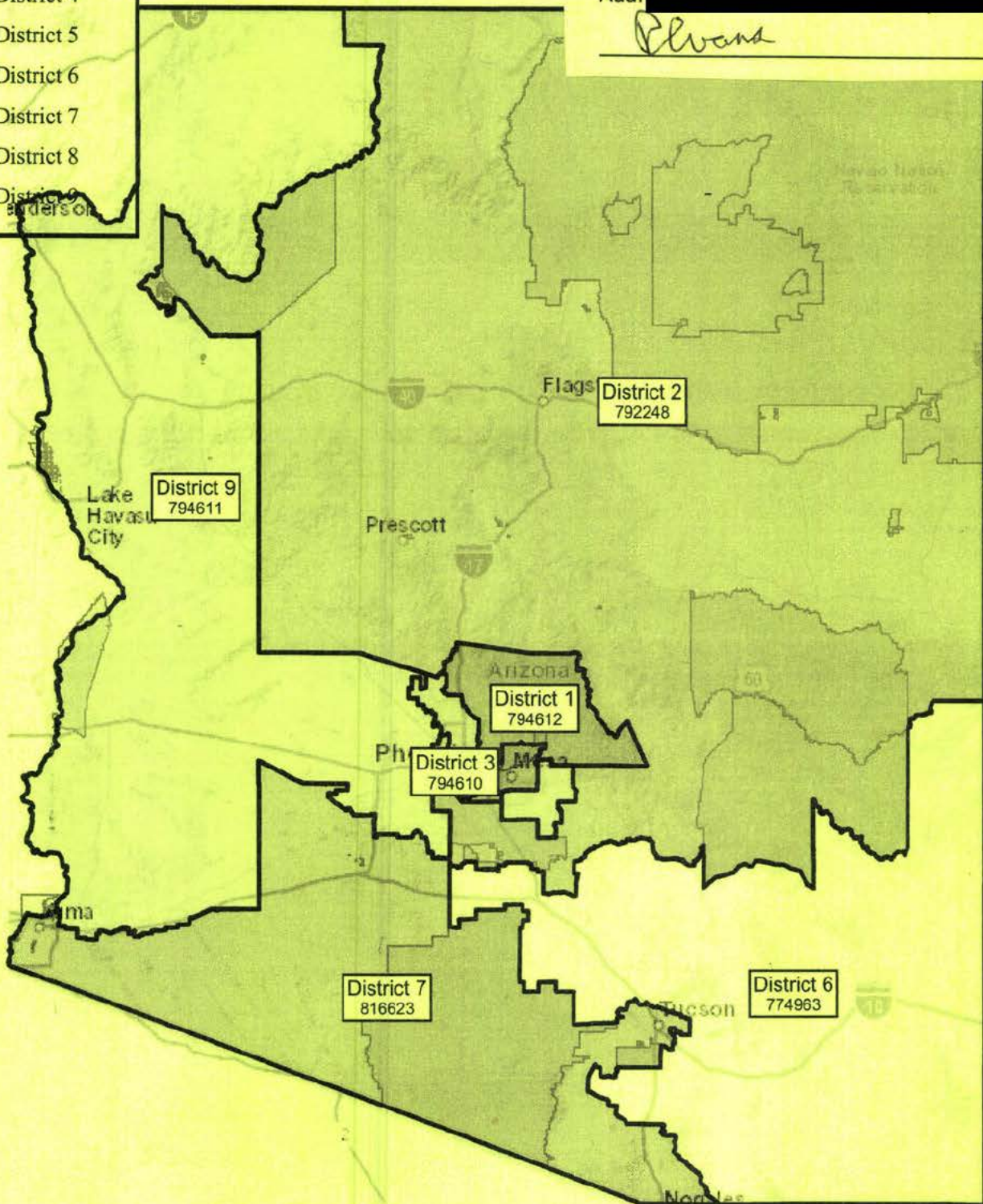
Name R Evans

Address

Evans

LEGEND

-  District 1
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Fair CD6 and CD7.plan

Please approve CD 6 map (#774963)

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Name Janet A. Evans

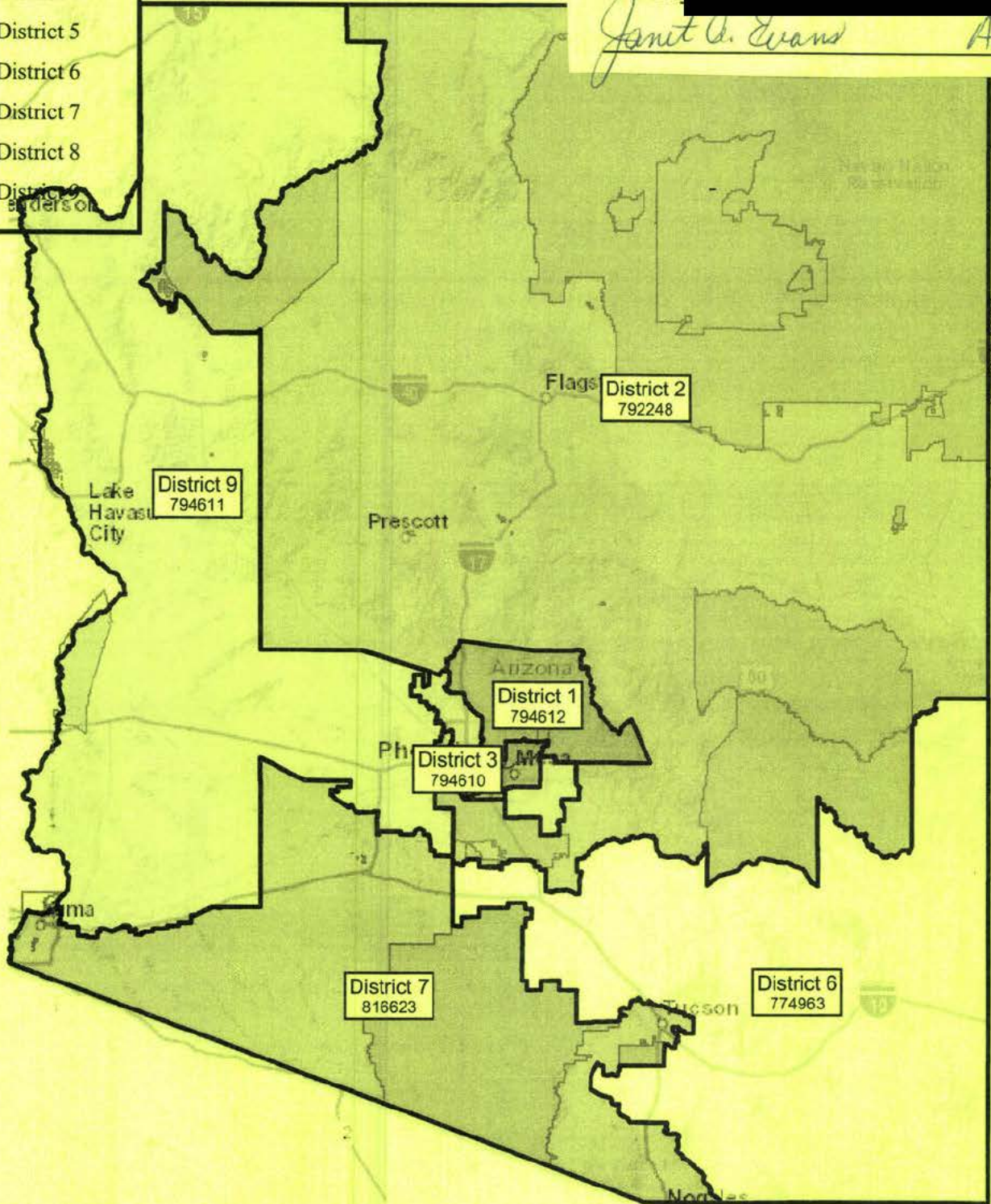
Address

Janet A. Evans

AZ-85615

LEGEND

-  District 1
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Fair CD6 and CD7.plan

Sonia M Gusho
Please approve CD 6 map (#774963)

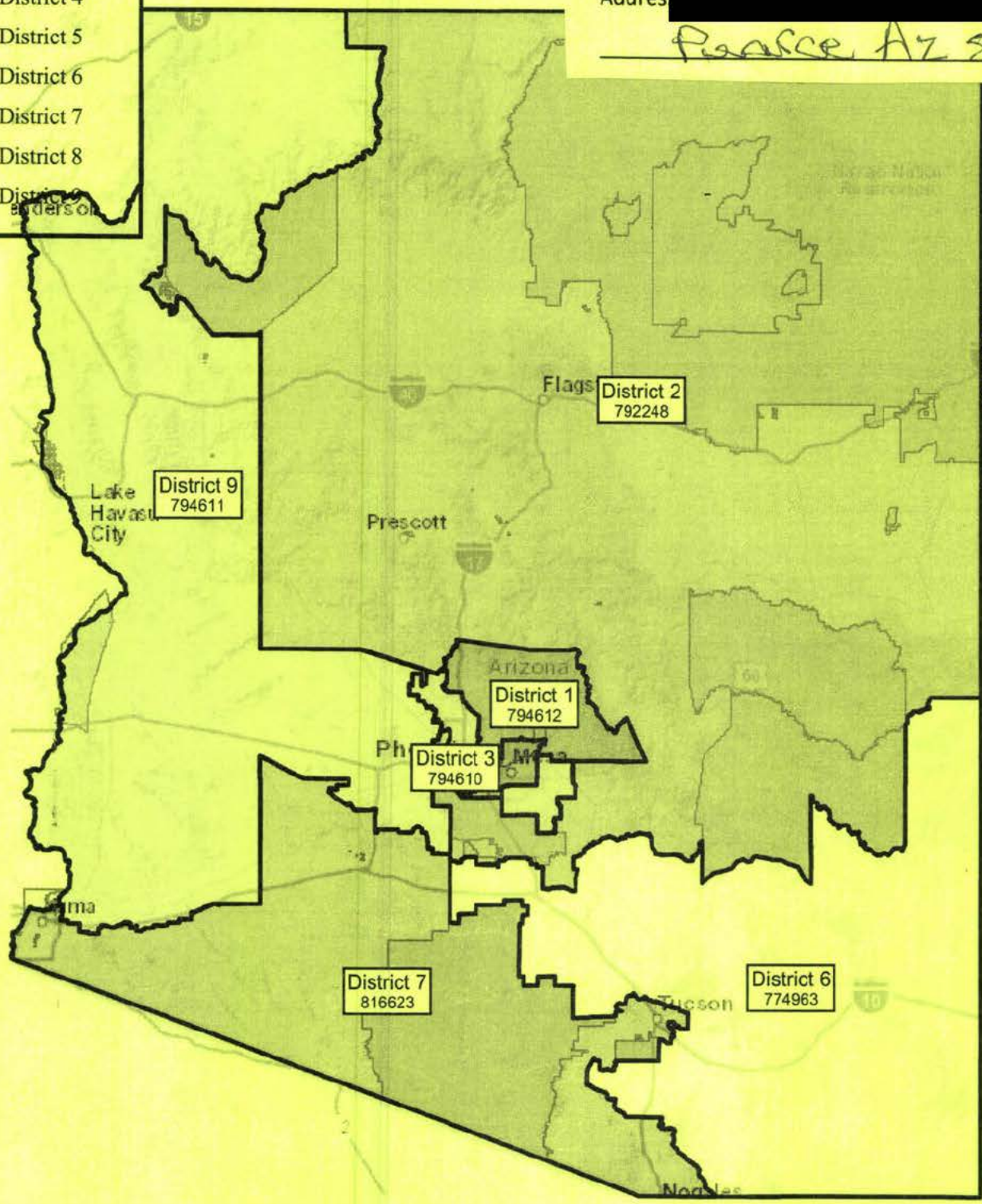
It represents our communities of interest and
the people in this district. Thank you!

Name: *Sonia Gusho*

Address: [REDACTED]
Pearce AZ 85625

LEGEND

- District 1
- District 2
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Fair CD6 and CD7.plan










Please approve CD 6 map (#774963)

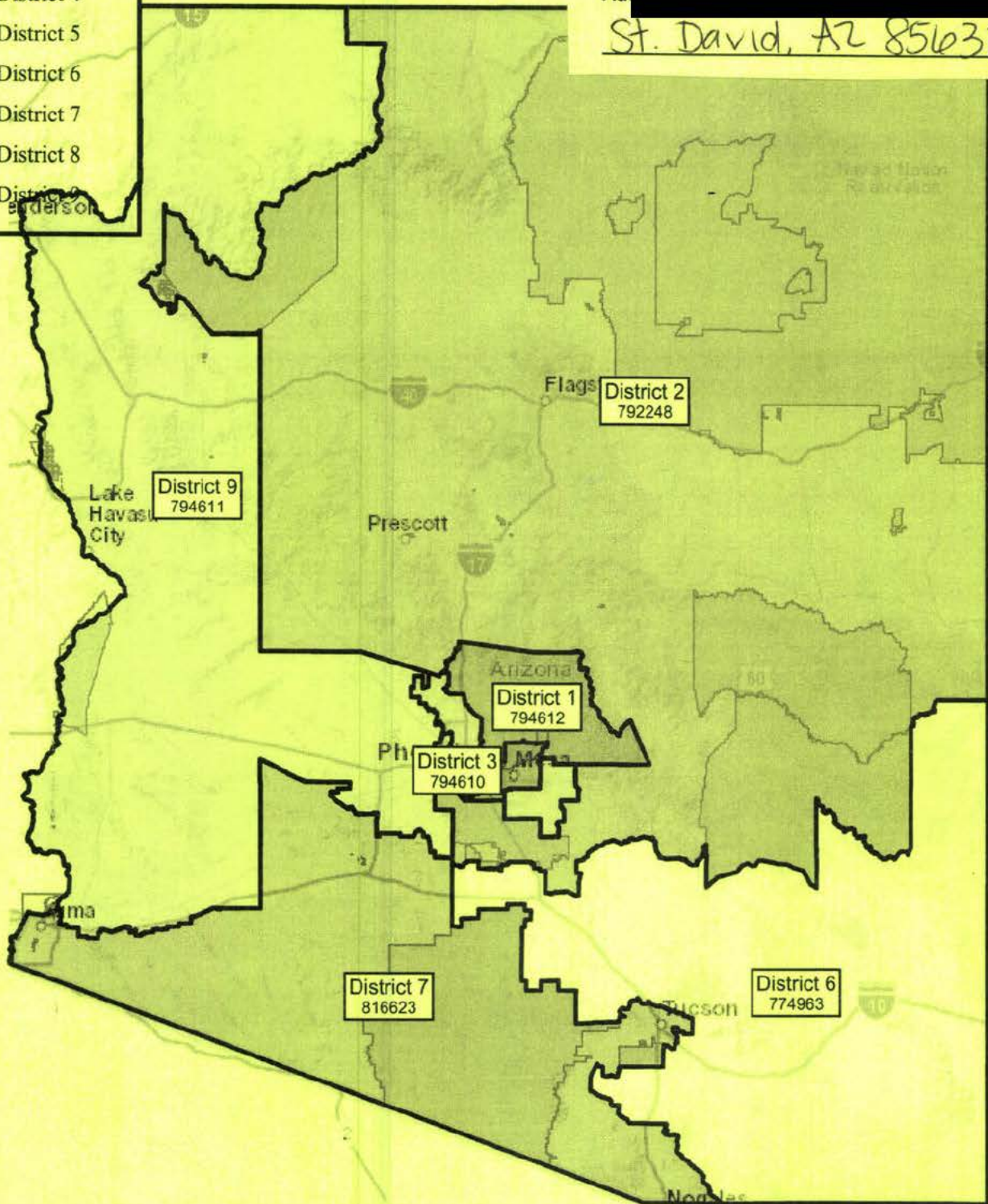
It represents our communities of interest and the people in this district. Thank you!

Name Terisha Driiggs

Ad [REDACTED]
St. David, AZ 85630

LEGEND

-  District 1
-  District 2
-  District 3
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Fair CD6 and CD7.plan

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Name Lowenid B. Reinhardt

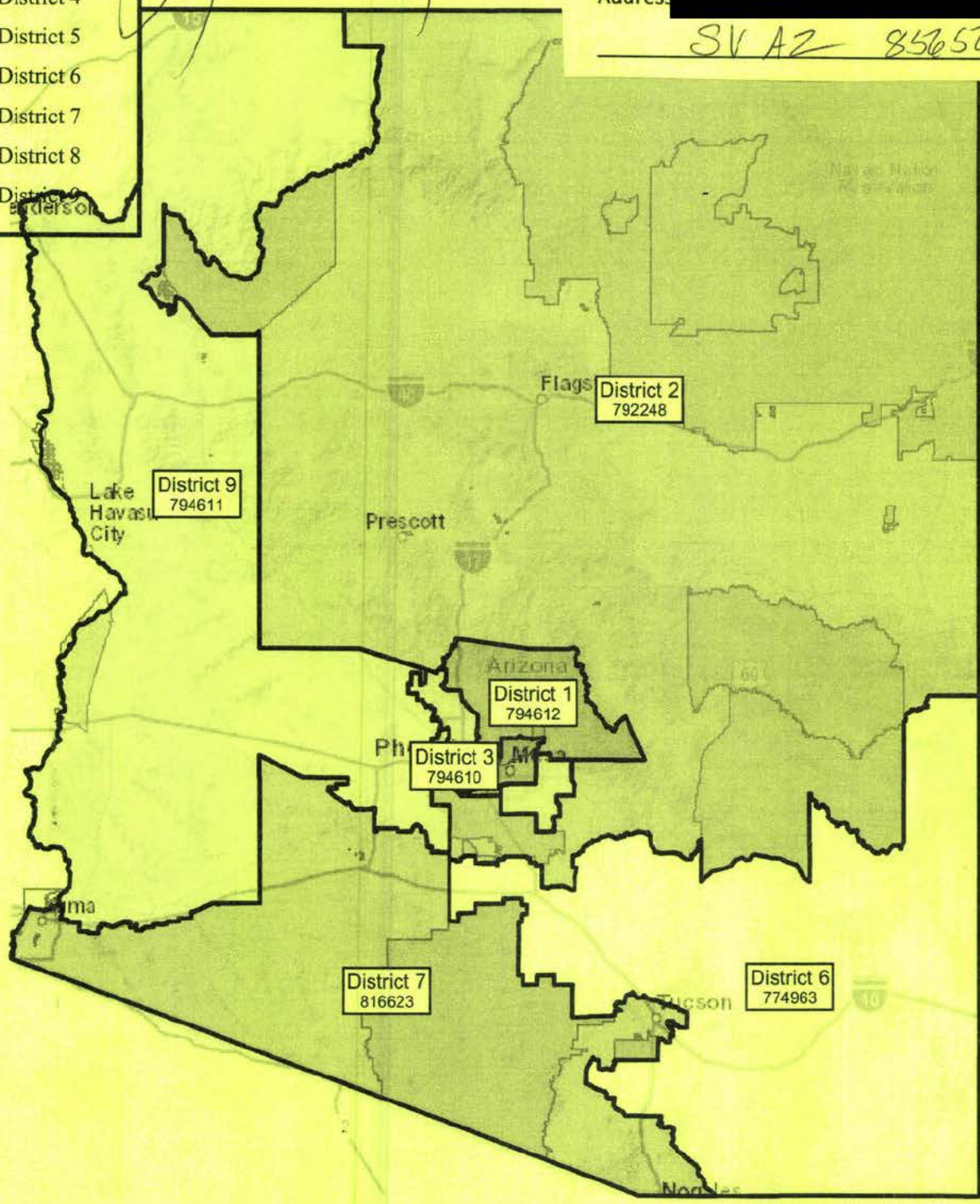
Address [REDACTED]

SV AZ 85650

Lowenid B. Reinhardt

LEGEND

- District 1
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Fair CD6 and CD7.plan

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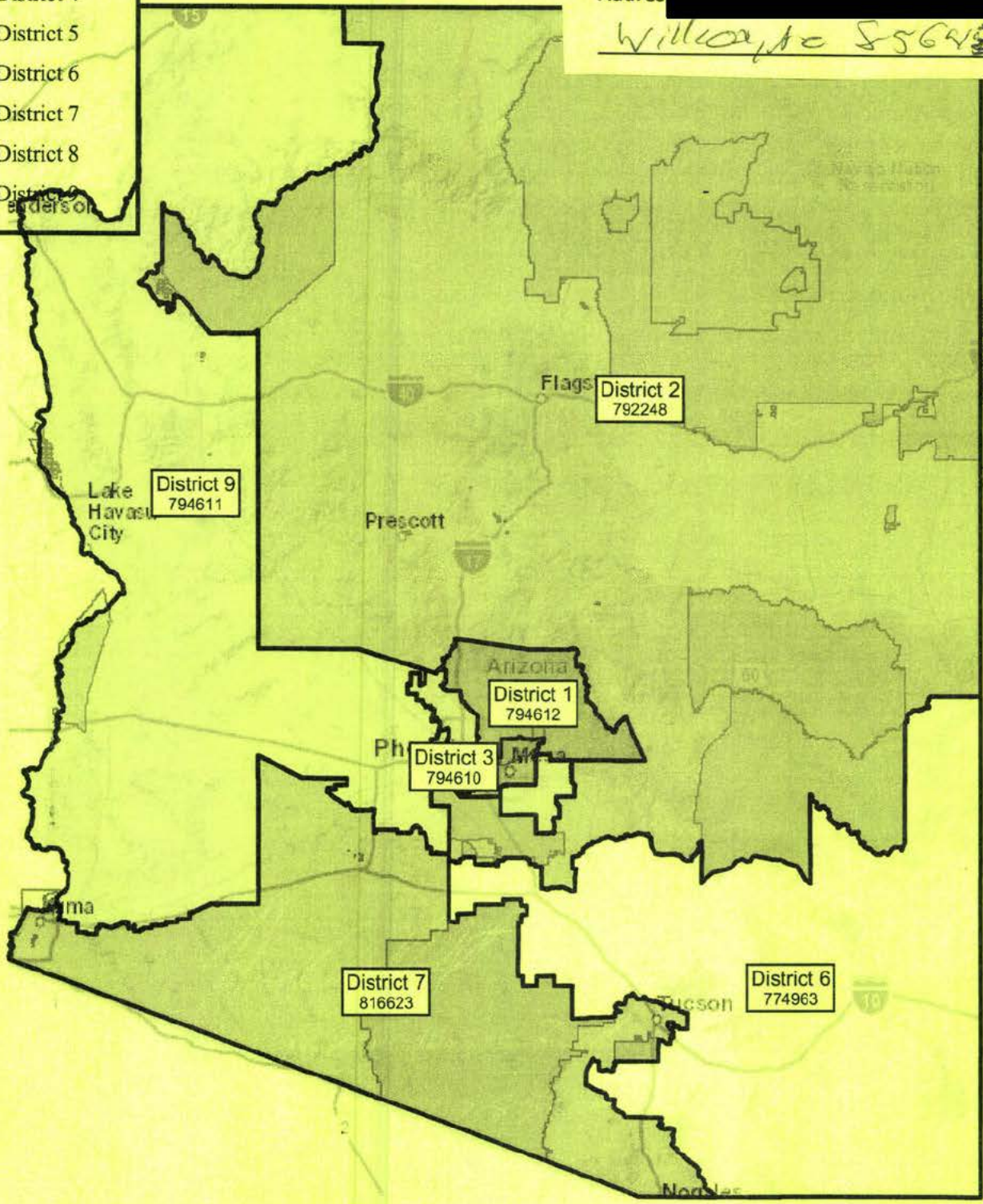
Name *[Signature]*

Address *[Redacted]*

Willcox, AZ 85643

LEGEND

-  District 1
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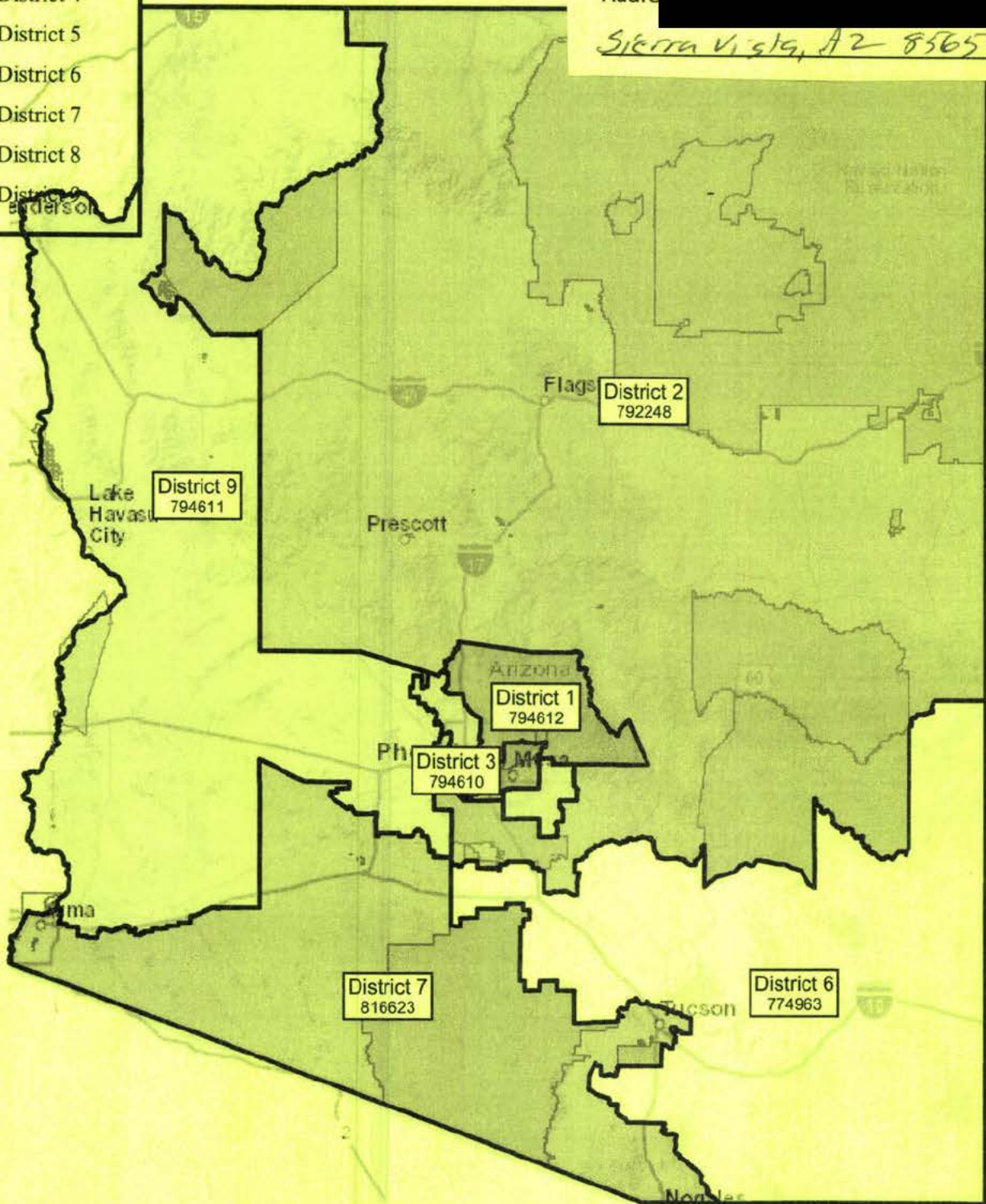
Name *Adrian A. Gonzalez*

Address

Sierra Vista, AZ 85650

LEGEND

-  District 1
-  District 2
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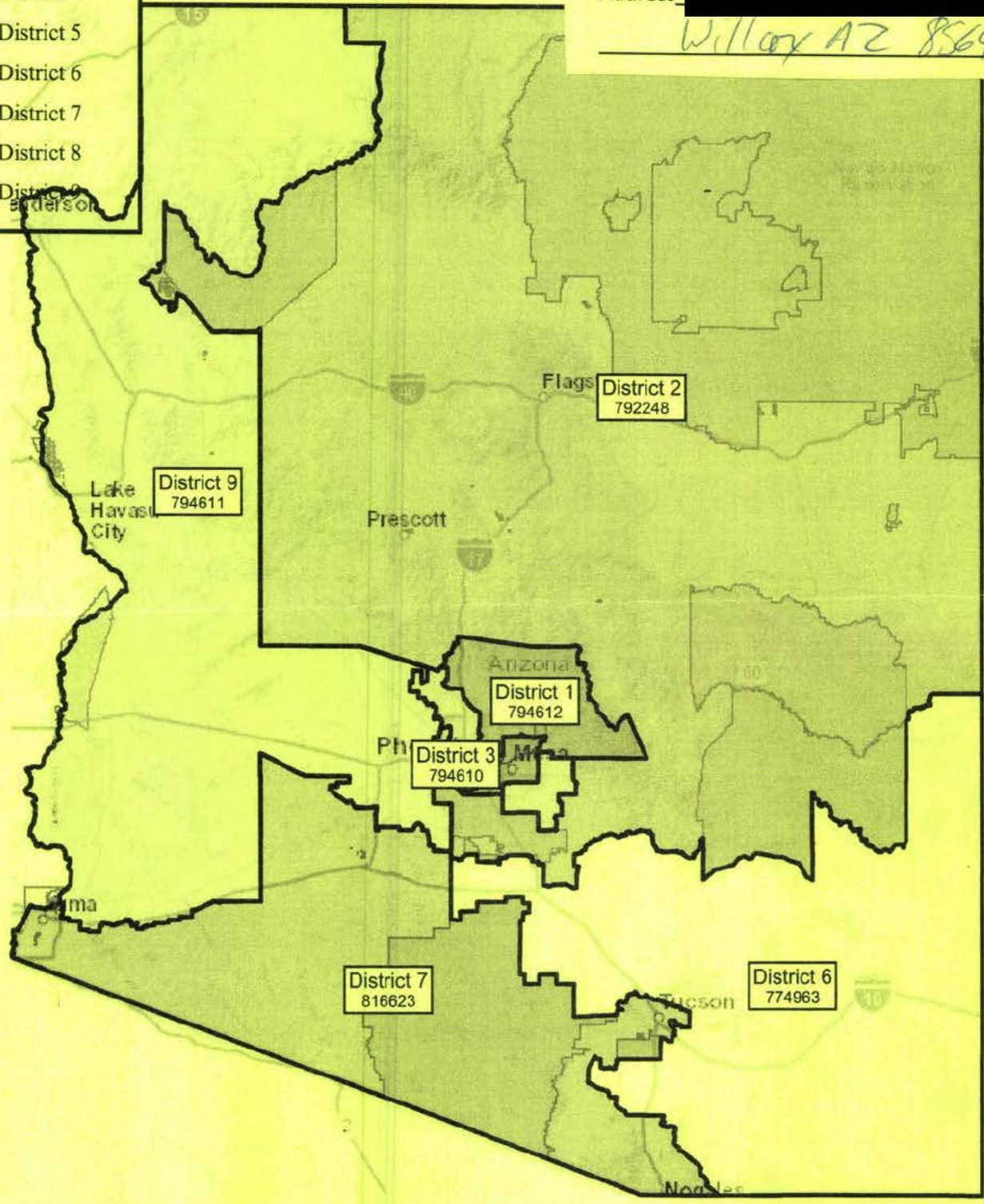
Name Trina Sue Rigas

Address [REDACTED]

Willcox AZ 85643

LEGEND

- District 1
- District 2
- District 3
- District 4
- District 5
- District 6
- District 7
- District 8
- District 9



Fair CD6 and CD7.plan

Please approve CD 6 map (#774963)










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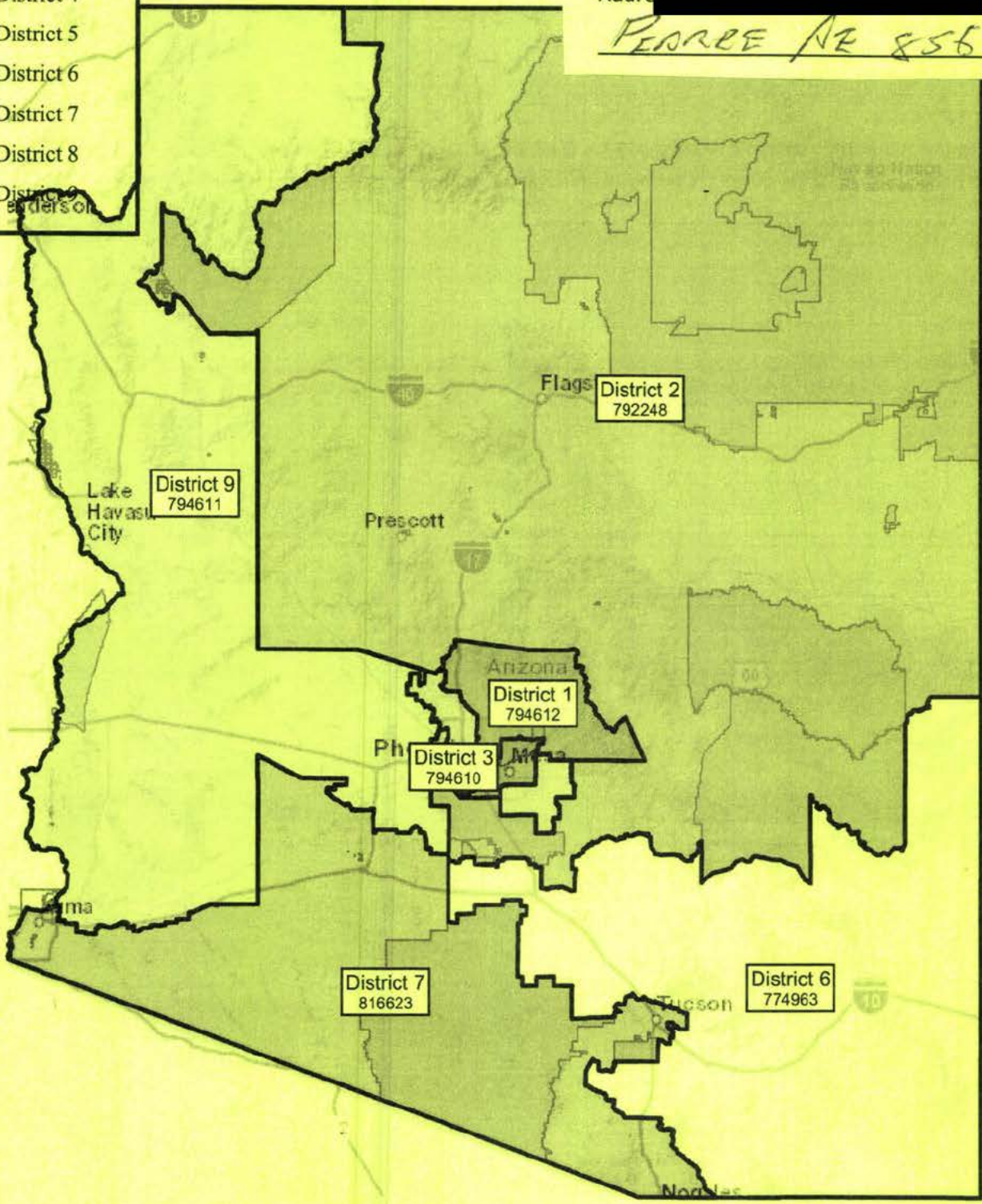
Name *David Casillo*

Address [Redacted]

PEARBE NE 85622

LEGEND

-  District 1
-  District 2
-  District 3
-  District 4
-  District 5
-  District 6
-  District 7
-  District 8
-  District 9



Fair CD6 and CD7.plan

Please approve CD 6 map (#774963)

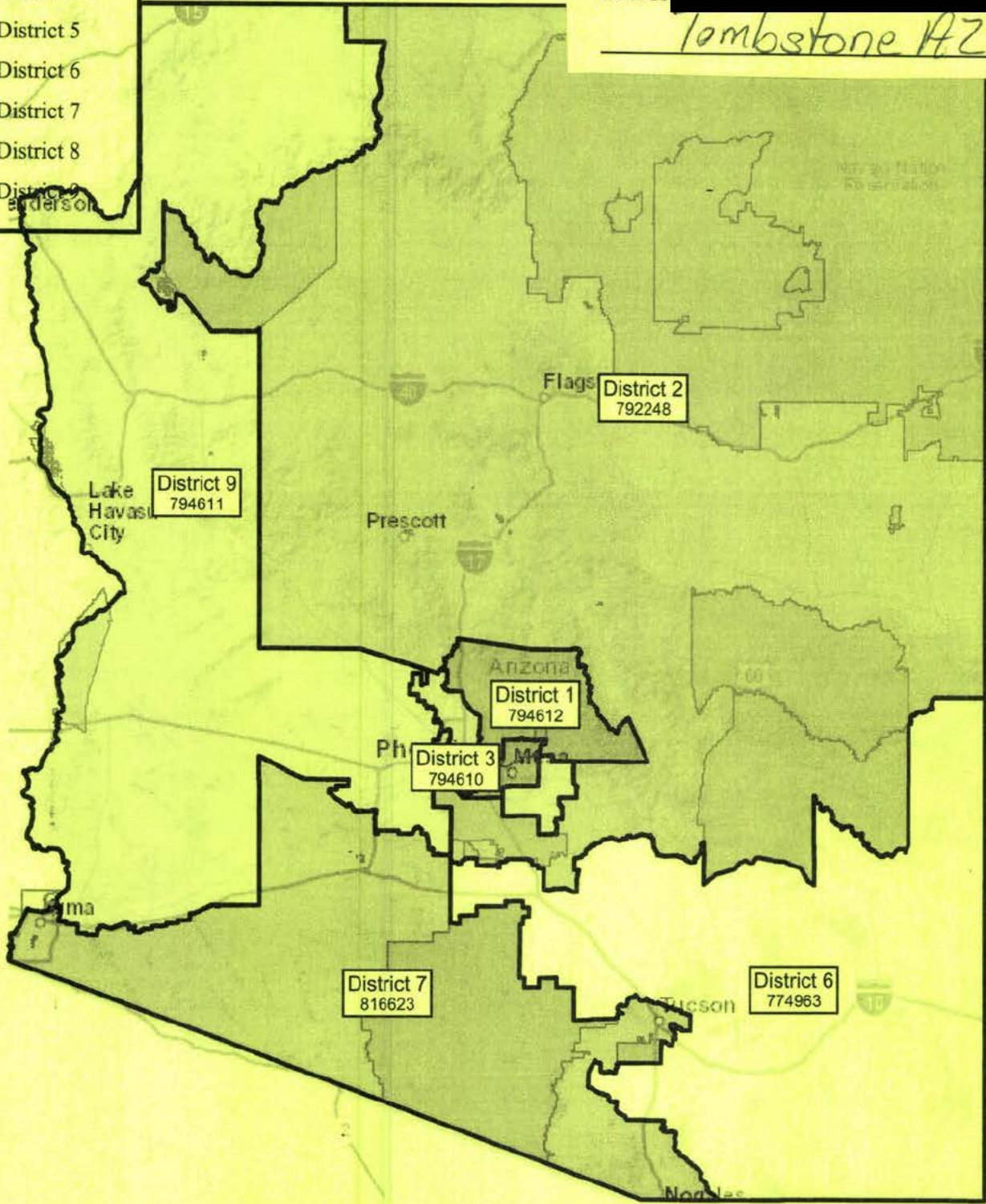
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the people in this district. Thank you!

Name Lillian Hritz

Address [REDACTED]
Lombstone AZ 85638

LEGEND

- District 1
- District 2
- District 3
- District 4
- District 5
- District 6
- District 7
- District 8
- District 9



Fair CD6 and CD7.plan

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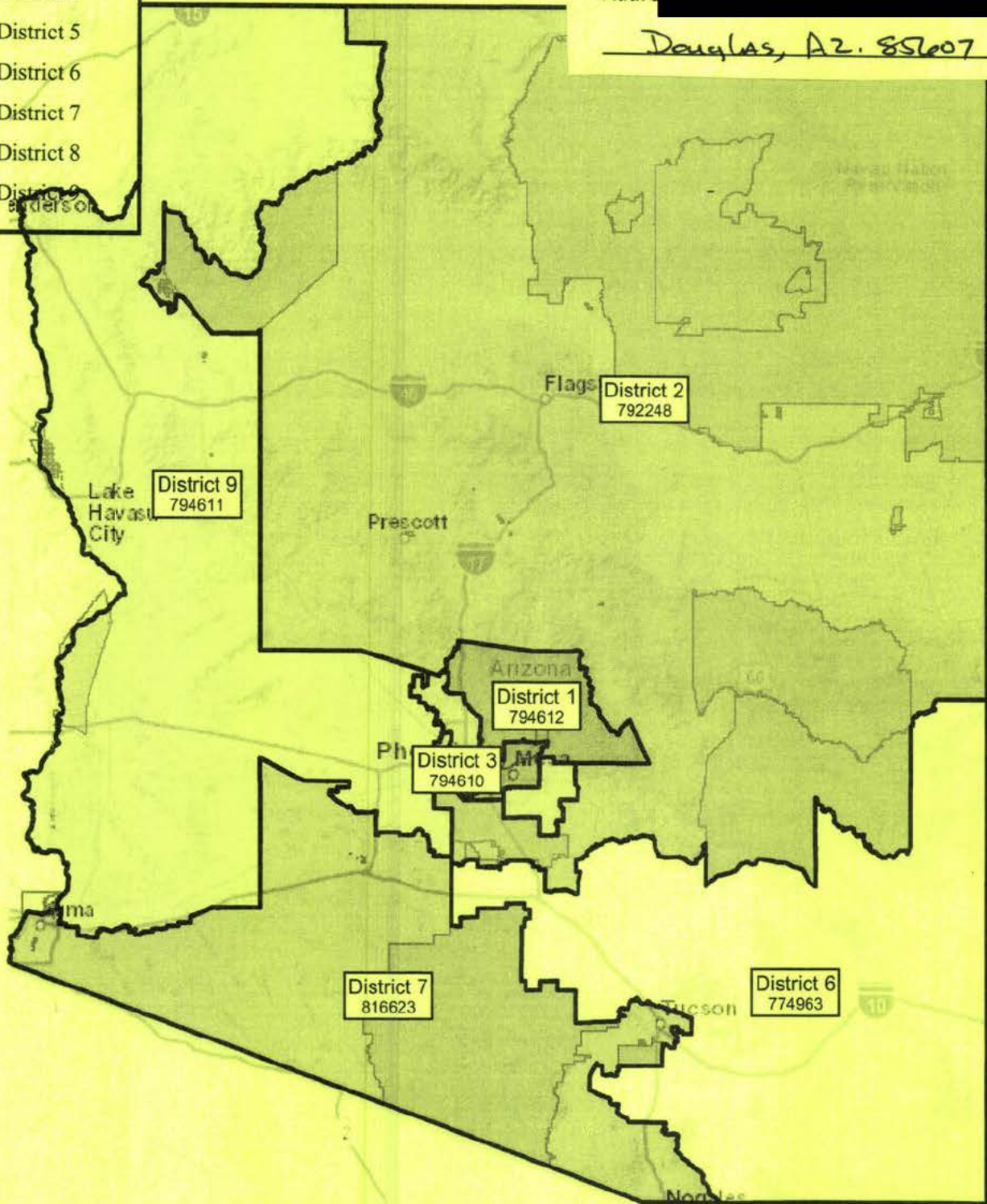
Name William Wendt

Address

Douglas, AZ. 85607

LEGEND

-  District 1
-  District 2
-  District 3
-  District 4
-  District 5
-  District 6
-  District 7
-  District 8
-  District 9



Fair CD6 and CD7.plan










Please approve CD 6 map (#774963)

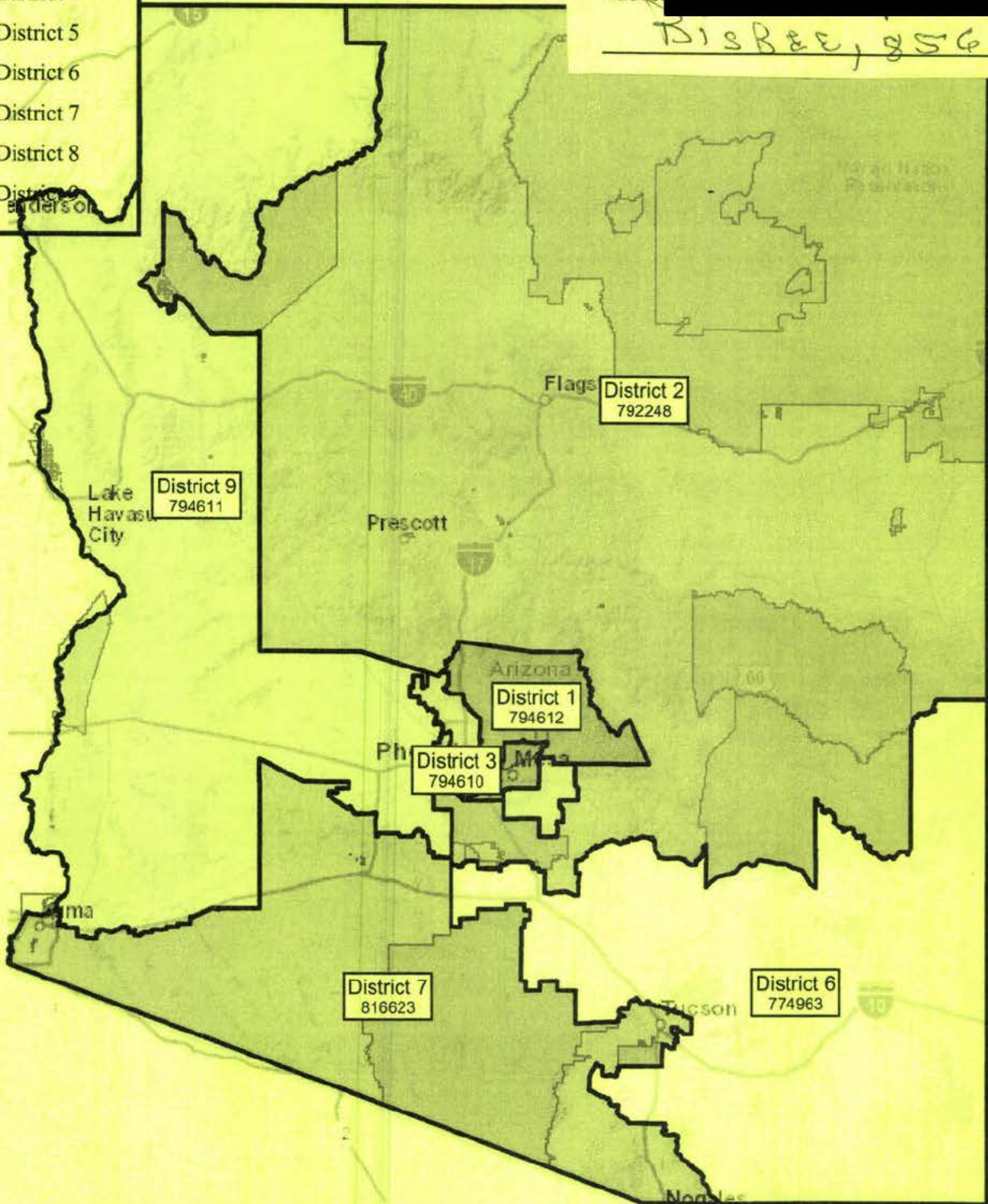
It represents our communities of interest and
the people in this district. Thank you!

Name Pat Ross

Address [REDACTED]
Bisbee, 85602

LEGEND

-  District 1
-  District 2
-  District 3
-  District 4
-  District 5
-  District 6
-  District 7
-  District 8
-  District 9



Fair CD6 and CD7.plan

Please approve CD 6 map (#774963)










It represents our communities of interest and

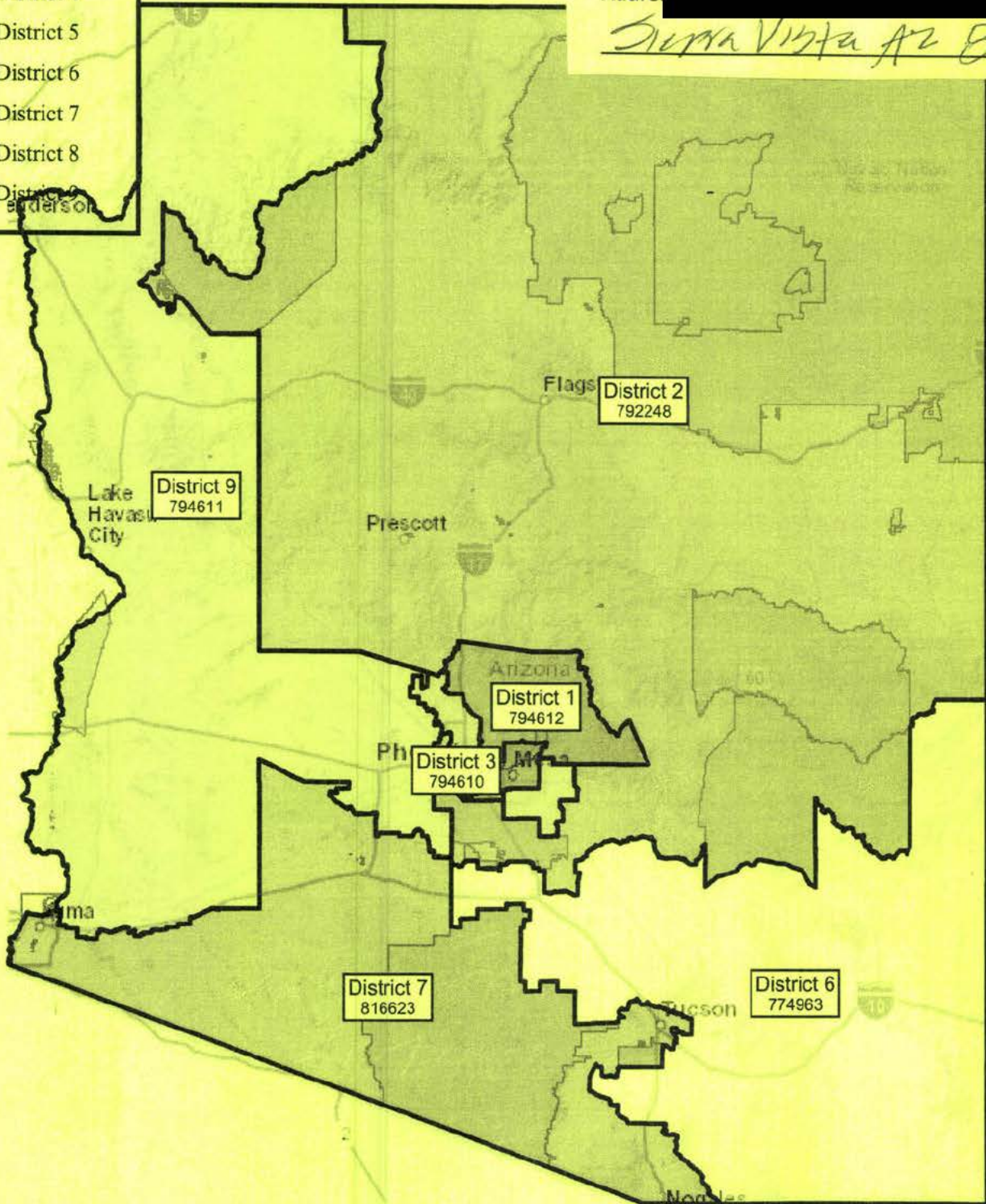
the people in this district. Thank you!

Name *David Fredenburgh*

Address *Sierra Vista AZ 85630*

LEGEND

-  District 1
-  District 2
-  District 3
-  District 4
-  District 5
-  District 6
-  District 7
-  District 8
-  District 9



Fair CD6 and CD7.plan

Please approve CD 6 map (#774963)










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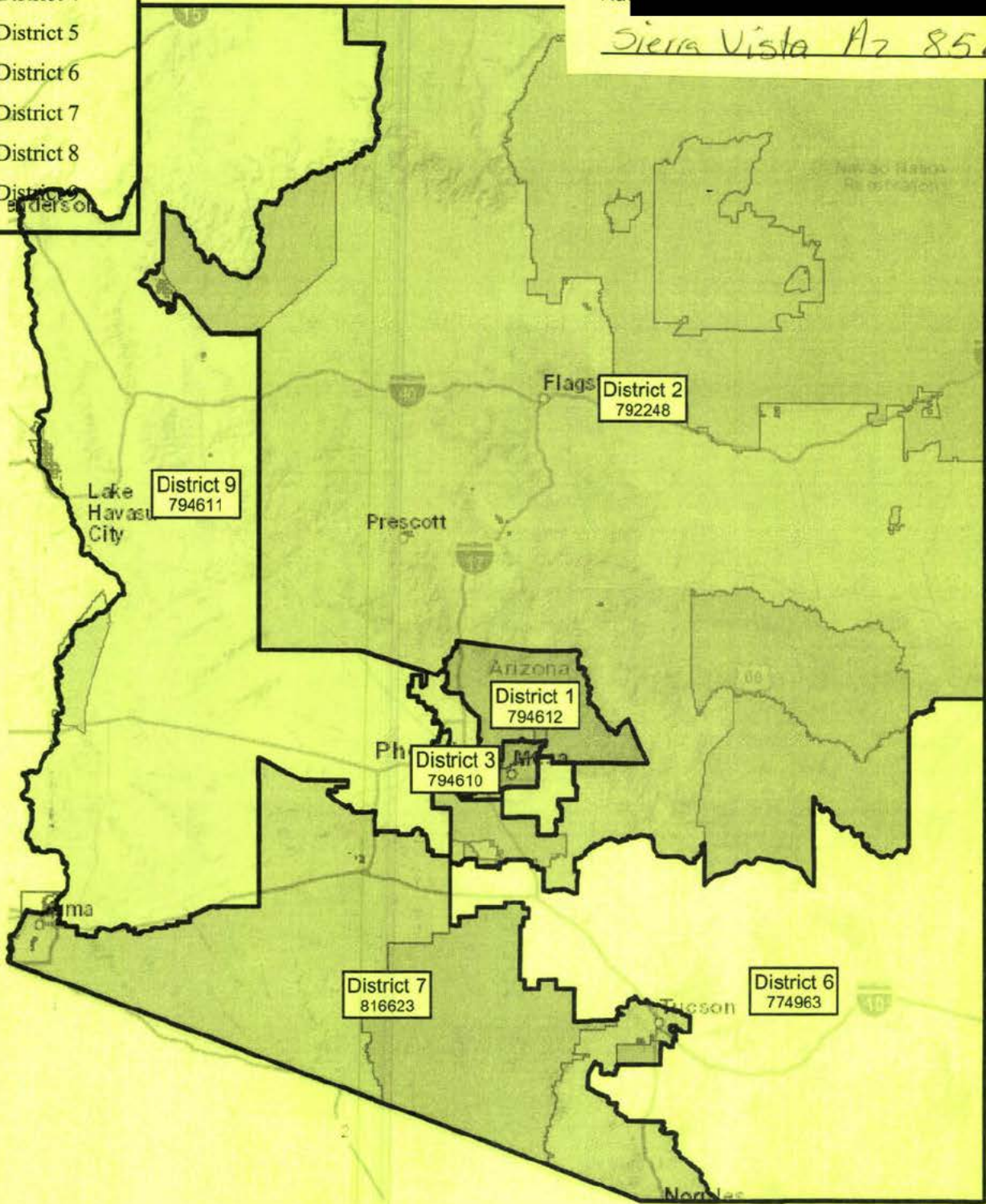
Name Daissy Gonzalez

Ad

Sierra Vista Az 85659










LEGEND

-  District 1
-  District 2
-  District 3
-  District 4
-  District 5
-  District 6
-  District 7
-  District 8
-  District 9



Fair CD6 and CD7.plan

LEGEND

-  District 1
-  District 2
-  District 3
-  District 4
-  District 5
-  District 6
-  District 7
-  District 8
-  District 9

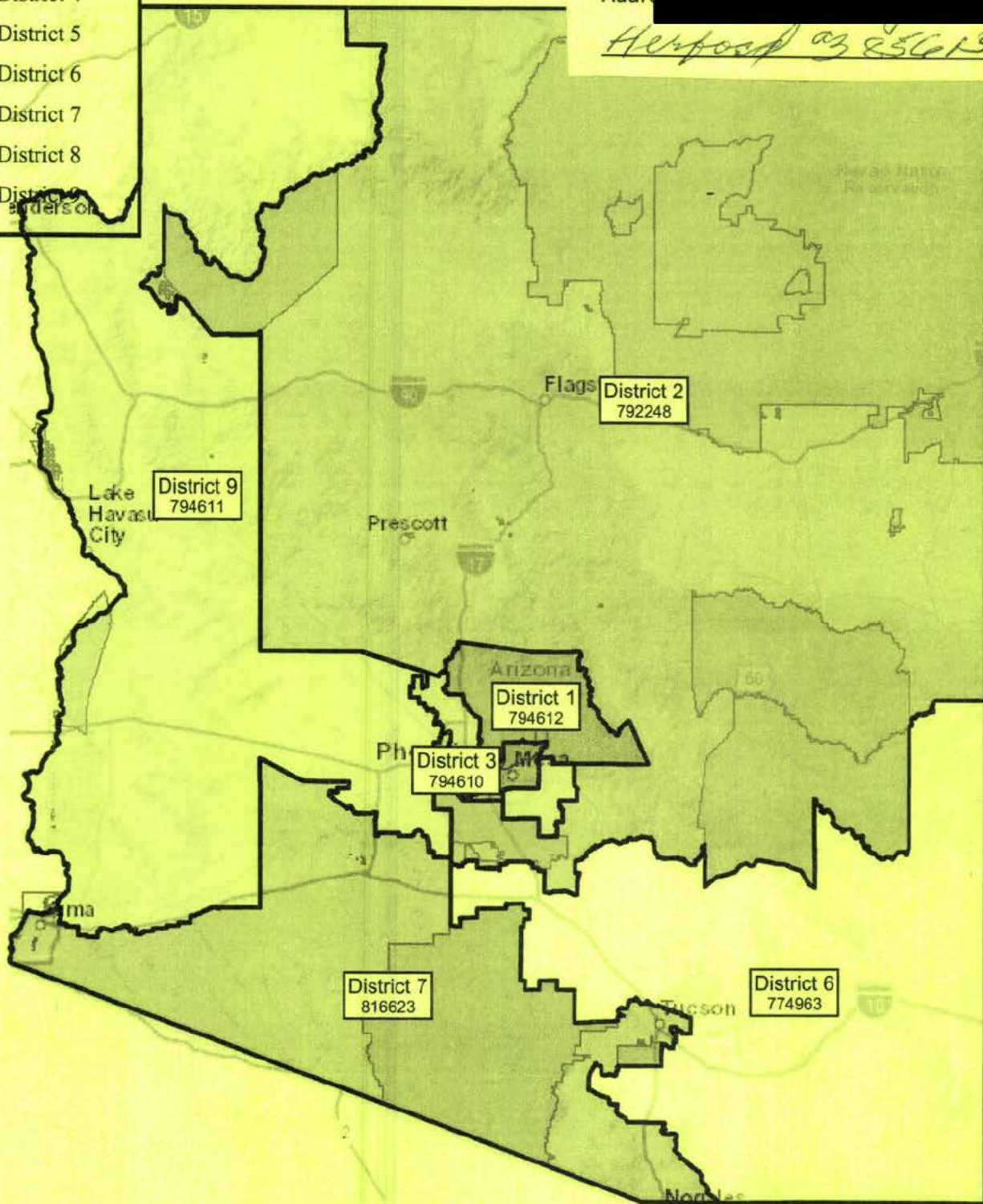
Please approve CD 6 map (#774963)

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Name *Carol J. Taylor*

Address [Redacted]

Herford az 85615



Fair CD6 and CD7.plan

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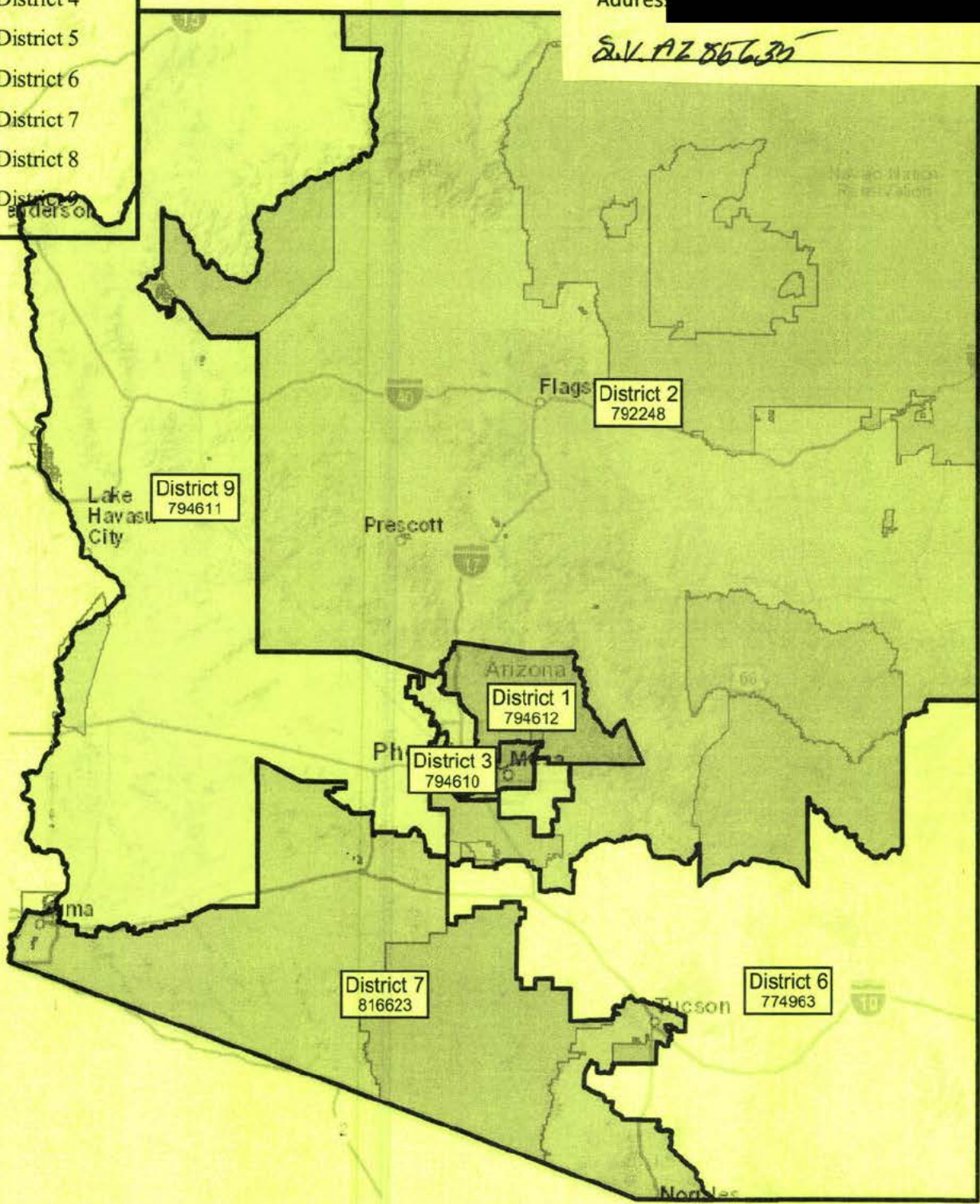
Name Nancy James

Address [REDACTED]

S.V. AZ 86635










LEGEND

- District 1
- District 2
- District 3
- District 4
- District 5
- District 6
- District 7
- District 8
- District 9



Fair CD6 and CD7.plan

LEGEND

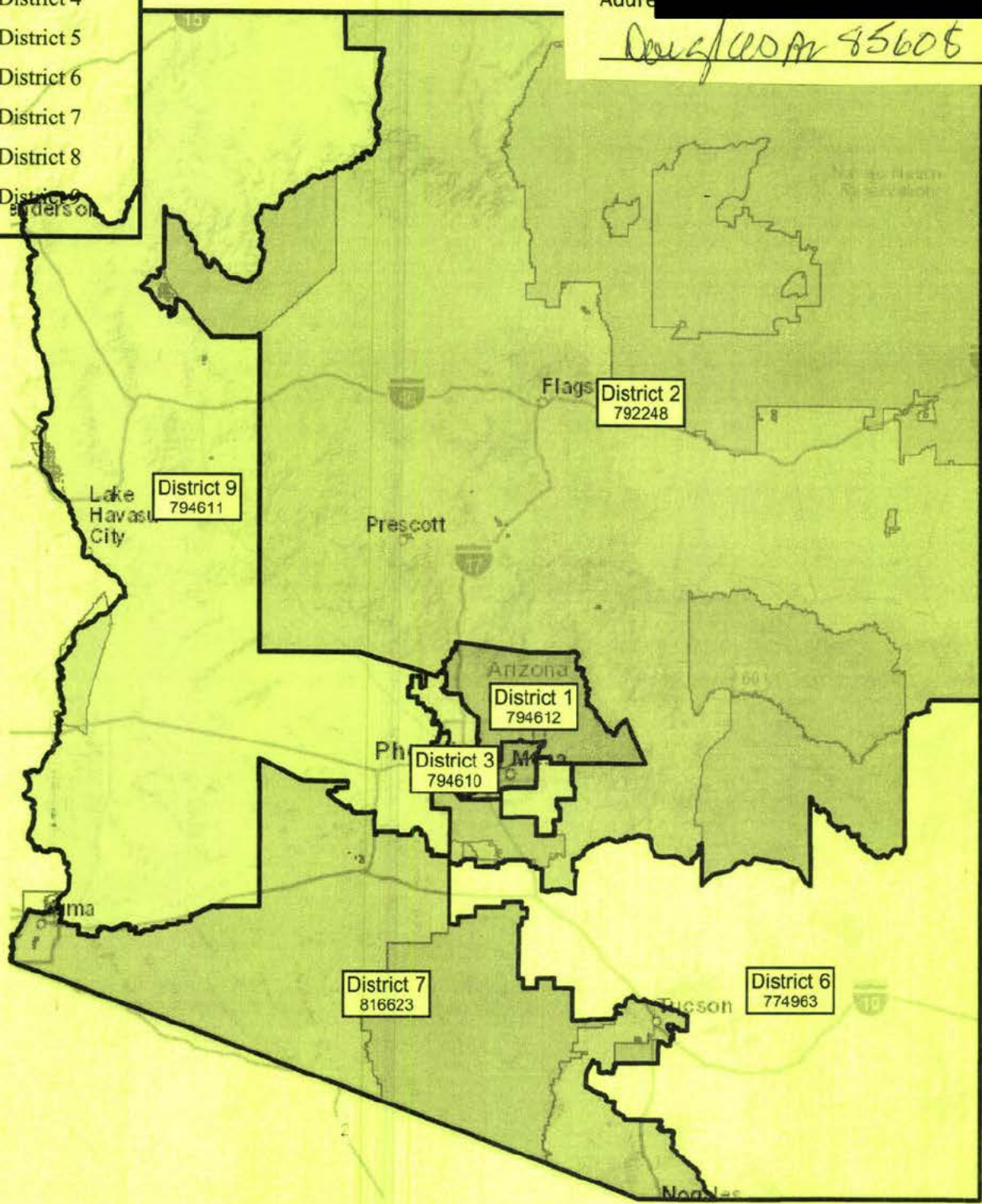
-  District 1
-  District 2
-  District 3
-  District 4
-  District 5
-  District 6
-  District 7
-  District 8
-  District 9

Douglas, AZ 8561

the people in this district. Thank you!

Name Miriam Susan Hunt B

Address Douglas AZ 85606



Fair CD6 and CD7.plan

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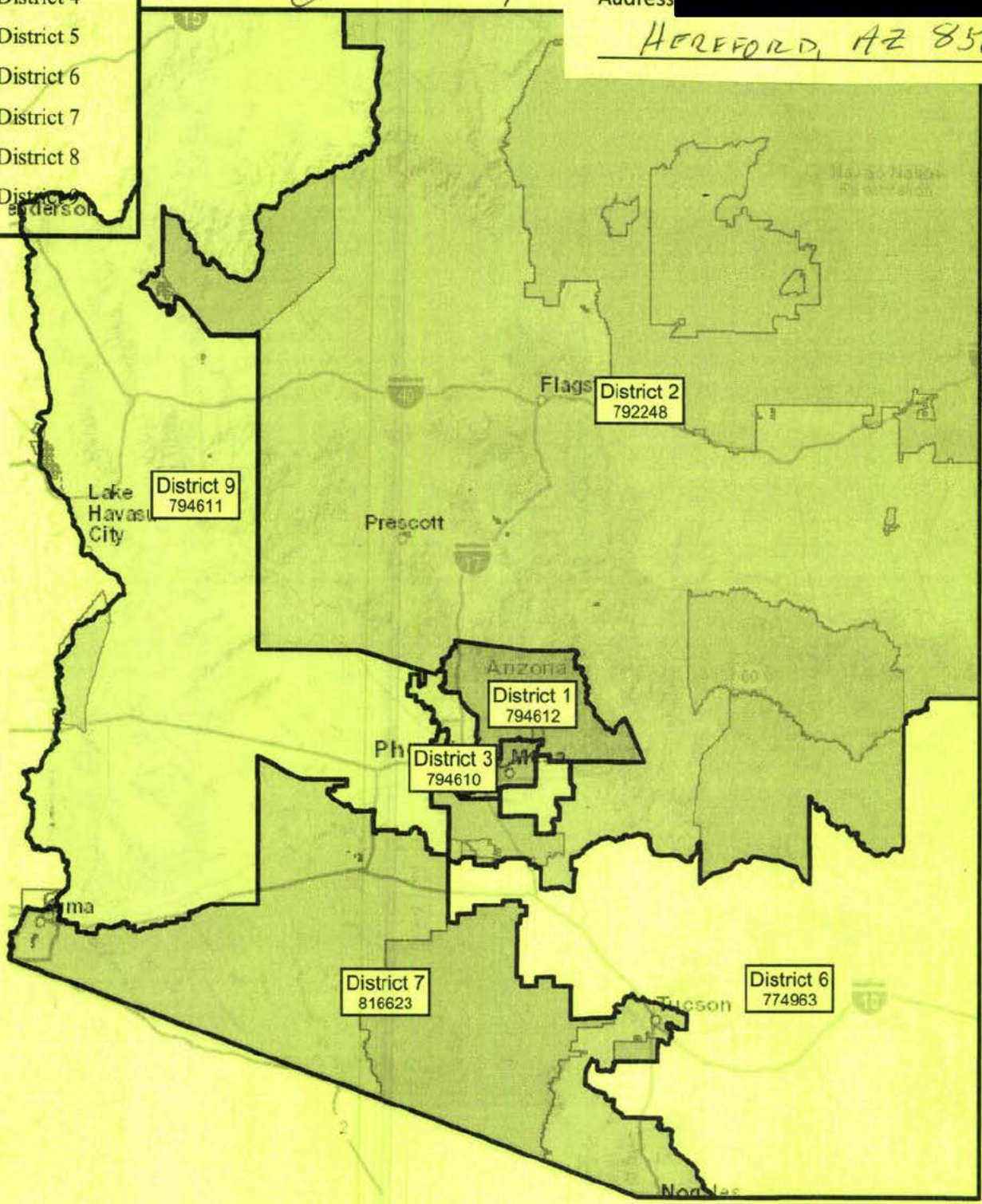
Name LOUIS C CASPER

Address HEREFORD, AZ 85615

Louis Casper

LEGEND

- District 1
- District 2
- District 3
- District 4
- District 5
- District 6
- District 7
- District 8
- District 9



Fair CD6 and CD7.plan

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Name

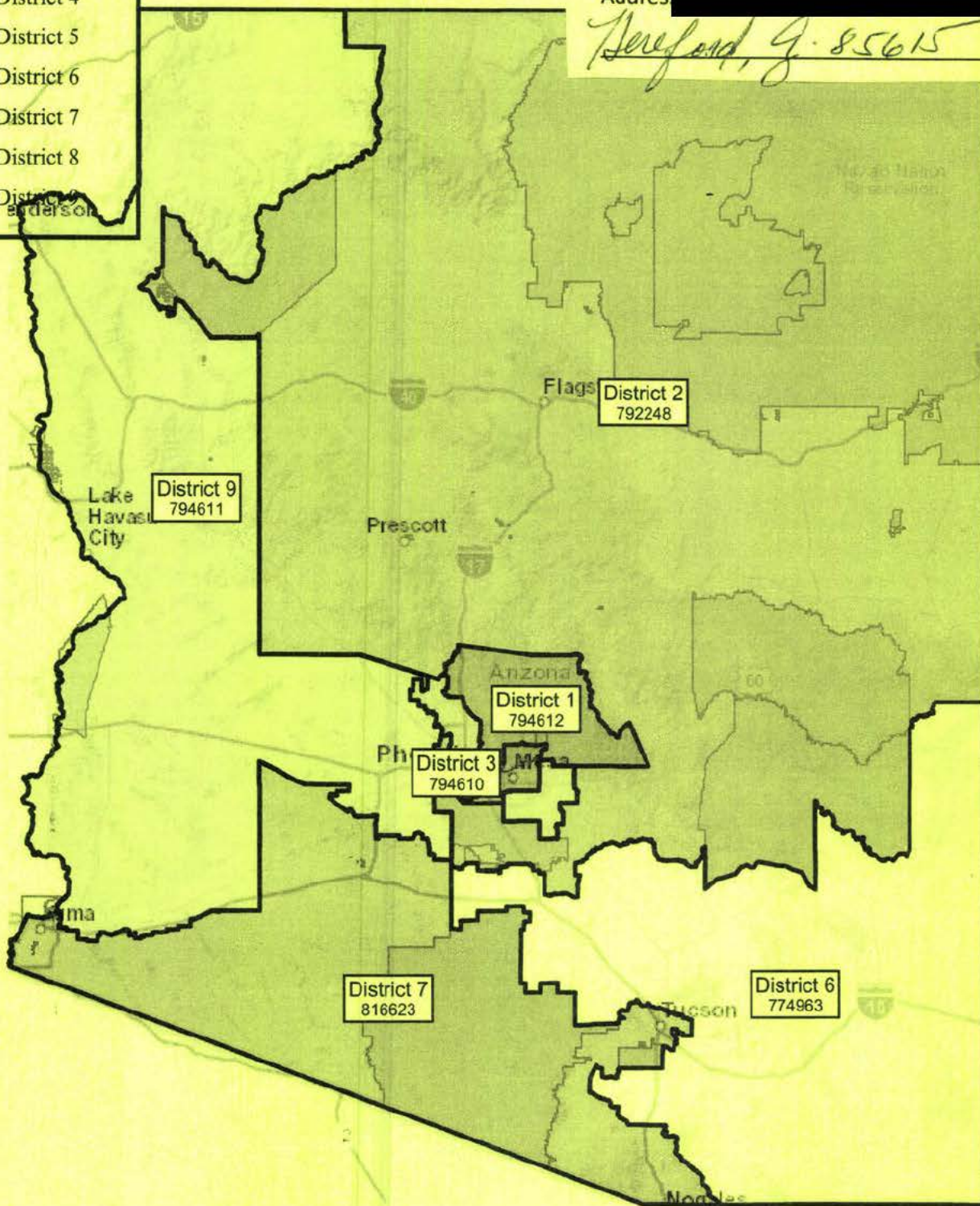
Michelle Morrison-Leland

Address

Prescott, AZ 85615

LEGEND

-  District 1
-  District 2
-  District 3
-  District 4
-  District 5
-  District 6
-  District 7
-  District 8
-  District 9



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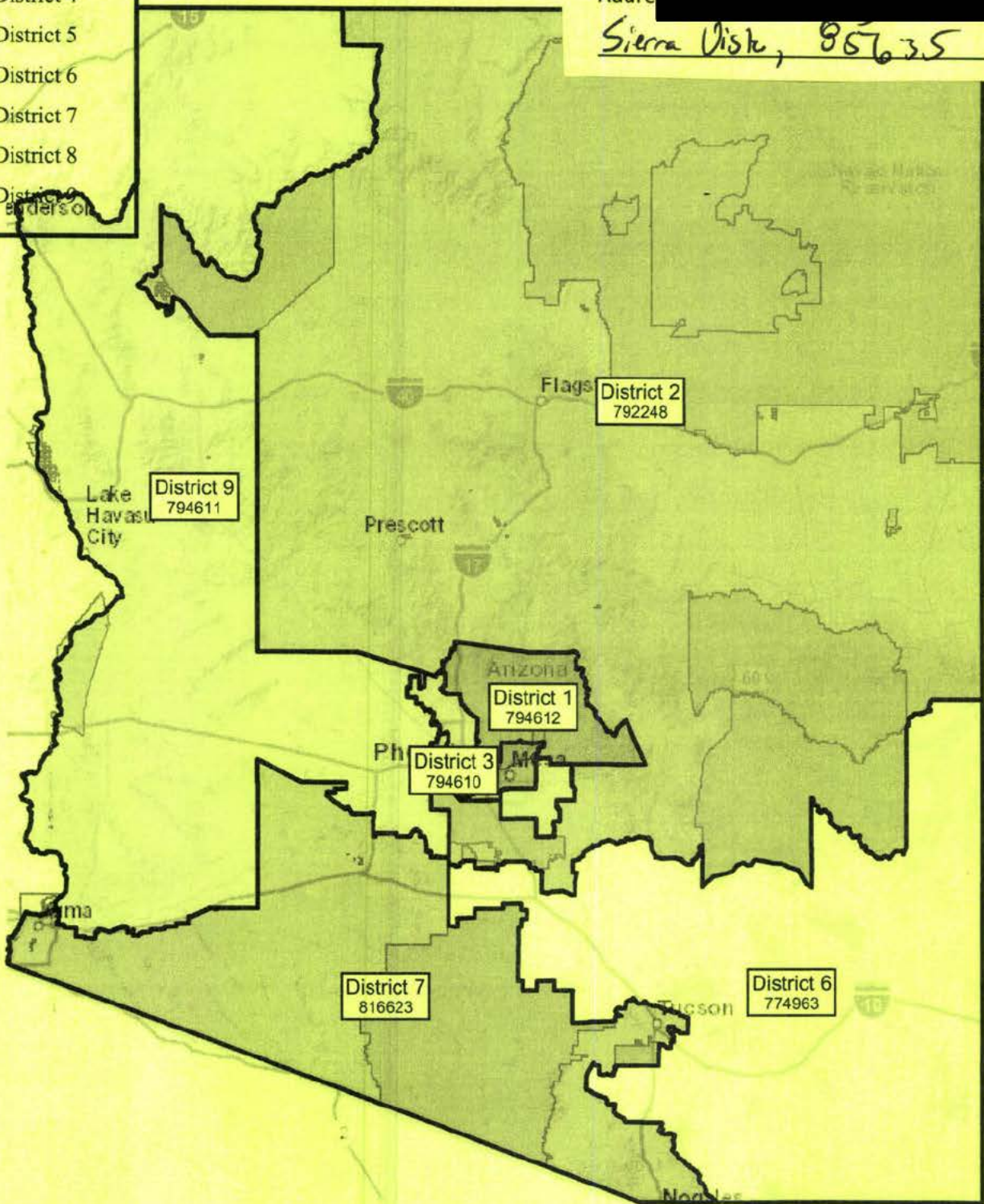
Name *Chris Sedlach*

Address

Sierra Vista, 85635

LEGEND

-  District 1
-  District 2
-  District 3
-  District 4
-  District 5
-  District 6
-  District 7
-  District 8
-  District 9



Fair CD6 and CD7.plan










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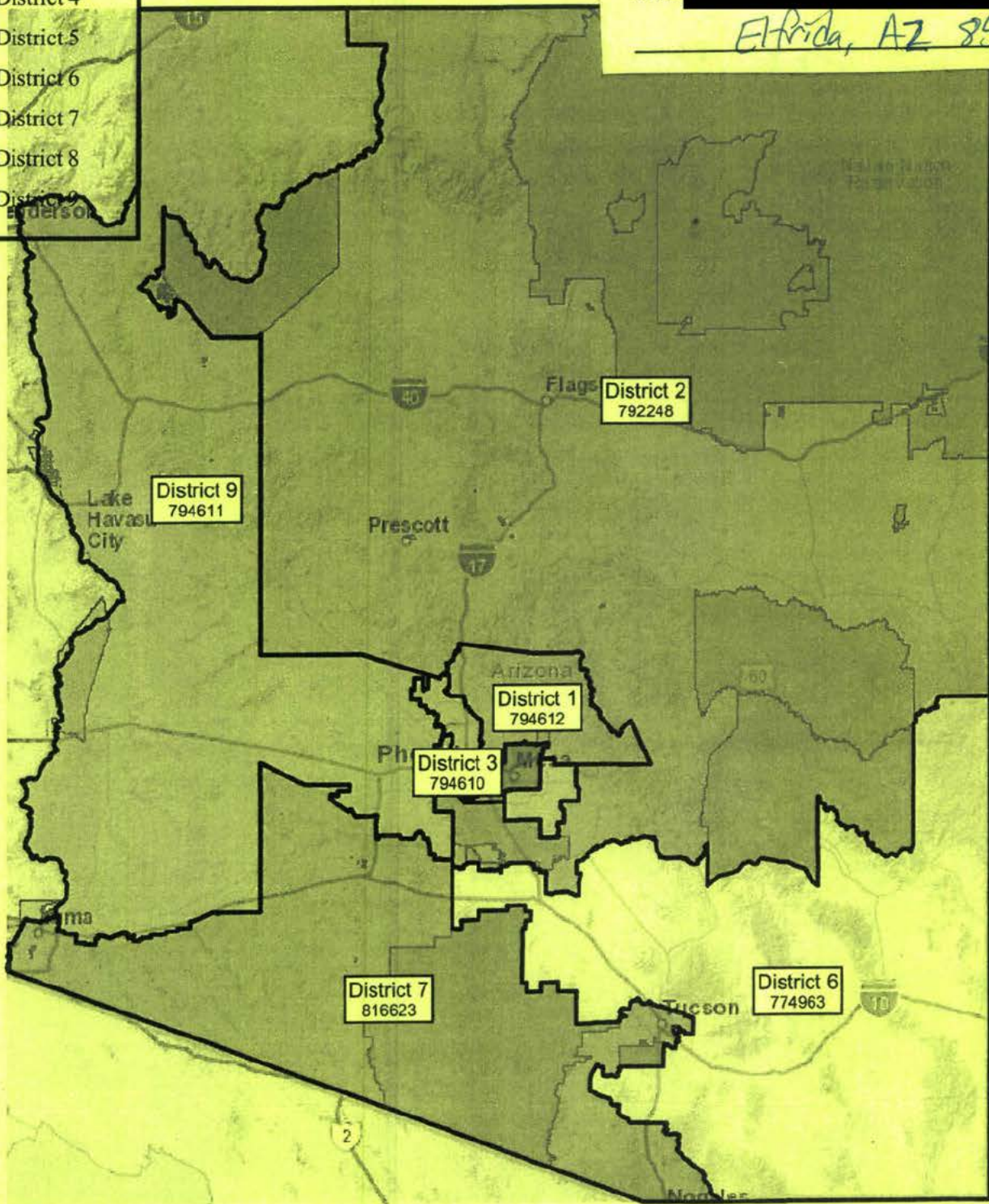
It represents our communities of interest and the people in this district. Thank you!

Name Cynthia M. Brown

Address Elfrida, AZ 85610

LEGEND

-  District 1
-  District 2
-  District 3
-  District 4
-  District 5
-  District 6
-  District 7
-  District 8
-  District 9



Fair CD6 and CD7.plan

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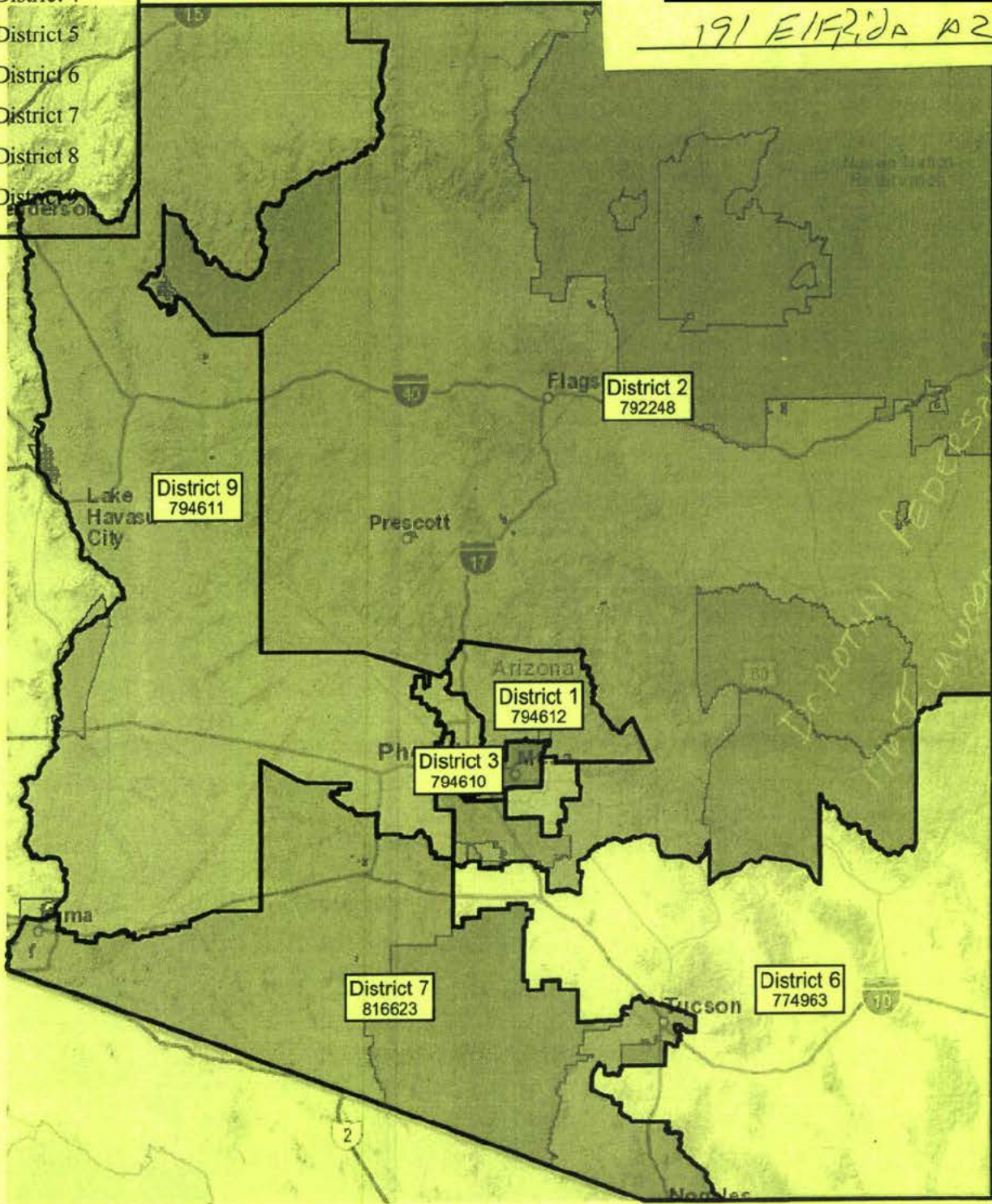
Name Gwen Brown

Ad

191 E/FRIDA A2

LEGEND

-  District 1
-  District 2
-  District 3
-  District 4
-  District 5
-  District 6
-  District 7
-  District 8
-  District 9



Fair CD6 and CD7.plan

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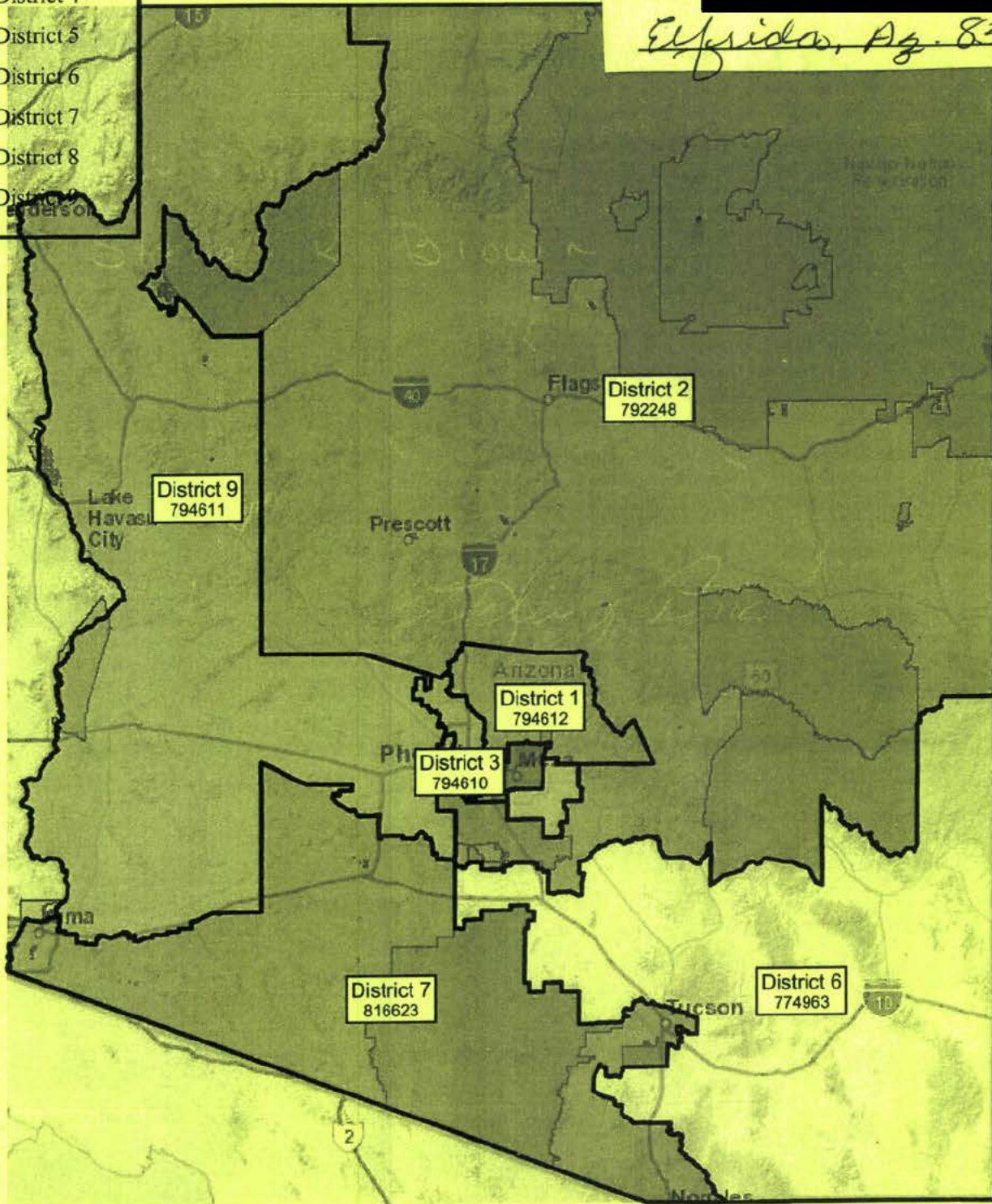
It represents our communities of interest and the people in this district. Thank you!

Name *Larlie & Rena*

Address [Redacted]
Elfrida, Az. 85610

LEGEND

- District 1
- District 2
- District 3
- District 4
- District 5
- District 6
- District 7
- District 8
- District 9



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Name Delane McJanagan

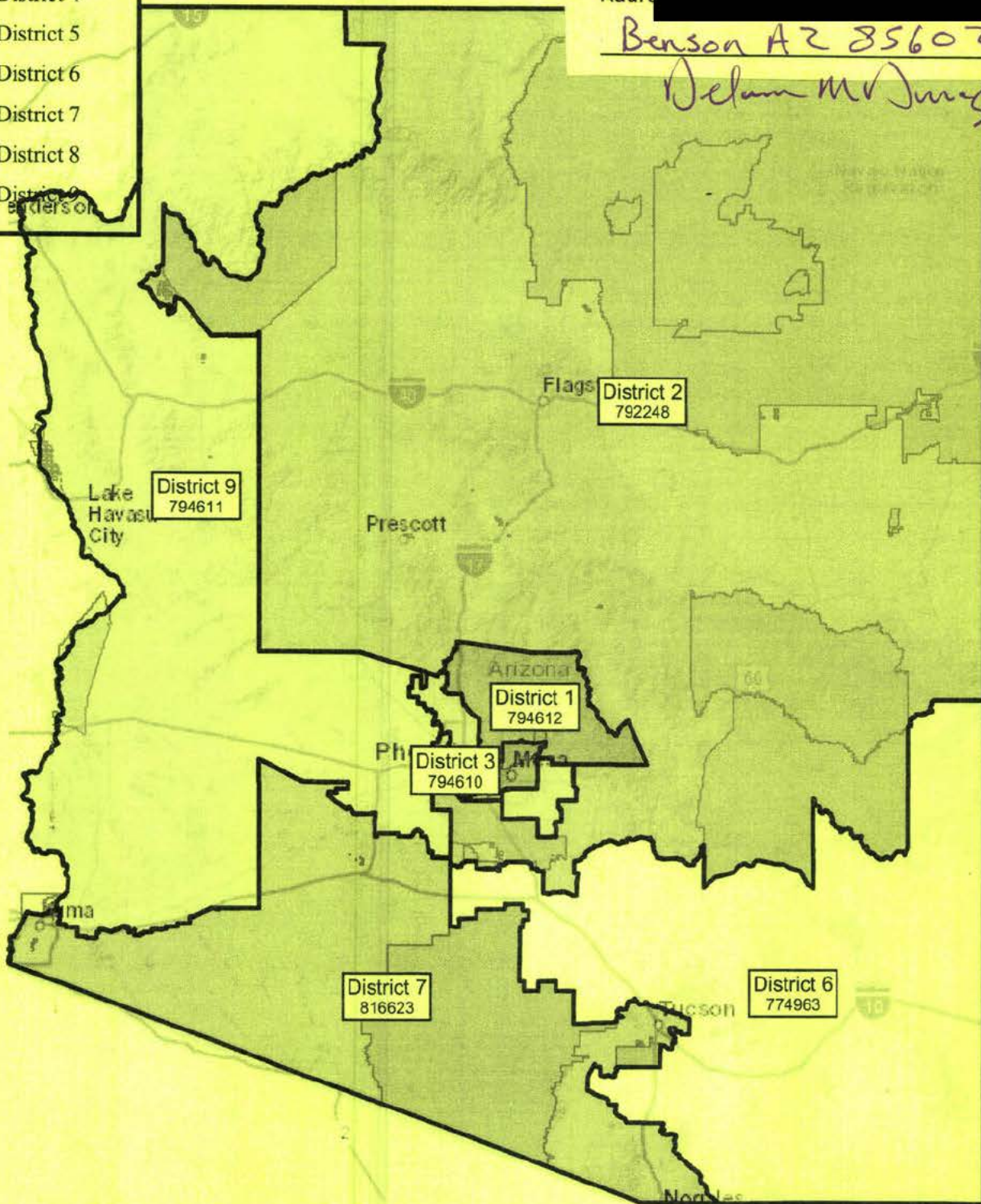
Address [REDACTED]

Benson AZ 85602

Delane McJanagan

LEGEND

-  District 1
-  District 2
-  District 3
-  District 4
-  District 5
-  District 6
-  District 7
-  District 8
-  District 9



Fair CD6 and CD7.plan