

Subcommittee on Elections of the Committee on House Administration
Voting in America: Access to the Ballot in New Mexico
April 11, 2022
Andrea J. Serrano, Executive Director, OLÉ
Written statement

Good morning Chair and members of the Subcommittee

My name is Andrea Serrano and I am the Executive Director of OLÉ as well as one of three co-chairs of the Working Families Party National Committee. OLÉ is a member-based, multi-issue organization focused on workers' rights; early education for all; raising professional wages for early educators; assisting permanent residents to gain their citizenship and building an inclusive democracy. I am honored to be testifying before you today about voting in New Mexico, particularly about Chicano, Latino and Hispanic voters.

The importance of voting and community action is something that was instilled in me early on. My grandmother, Aurora Chavez, was born before New Mexico gained statehood and before some women were given the right to vote. She served as a ward chair in her district in the 1940s. My mom, Senaida, was an active union member and my father, Anselmo, was a former state representative. When I turned 18, the first thing my parents did was make sure I was registered to vote, and I cast my first vote in the 1996 presidential election. As a Chicana, I know that my vote carries the weight of my community and the decisions that affect us.

People of color are 63% of New Mexico's population. We are years ahead of what the US Census projects will be the majority population of the United States by 2045. People of color have a long history in this state. Indigenous tribes have been on this land since time immemorial, and present day Latinos span time - some families have been here centuries before the Southwest was part of the United States; others are first generation citizens and others are Immigrants and Refugees who have made New Mexico their home. New Mexico is not a tri-cultural state; Black, Asian and Pacific Islander communities have also called New Mexico home for generations.

Despite being a people of color majority state, voter turnout in 2018 was only 36% of people of color, and 38% in 2020. This is cause for alarm, given that the electorate does not match the population of the state, and voters of color are underrepresented in democracy.

In the 2020 state primary, In Bernalillo County, the overall turnout rate of 29 percent masks striking gaps between Black and Brown voters and white voters. Forty percent of non-Hispanic white voters voted in the June primary, a rate twice that of Hispanic voters (21 percent), more than 3 times the rate of Black voters (12 percent), 8 times the rate of Asian American voters (5 percent), and a staggering 40 times the rate of Native American voters, only 1 percent of whom were able to turn out to vote. These turnout rates are significantly disproportionate to each community's share of the population: Hispanic people are 50 percent of the Bernalillo population

but were only 30 percent of voters; non-Hispanic white people make up 38 percent of the Bernalillo population but accounted for 62 percent of the vote share.

The gaps were somewhat smaller but still significant in neighboring Cibola and Valencia Counties. In Cibola, where non-Hispanic white voters make up only 19 percent of the population, these voters made up 33 percent of the vote share and turned out at a rate 9-34 percentage points higher than Hispanic, Native American, Black, and Asian American voters. While Native Americans represent 44 percent of the population of Cibola, they made up only 7 percent of the vote share. Black and Brown voters in Valencia make up two-thirds of the population but represented just half the vote share and turned out to vote at rates 13-34 percentage points lower than white voters.

STUDY: Serrano, Andrea J., Tokunow, Miles, Williamson, Laura, Jayaram, Amshula K. Democracy Means All of Us: How to End the Chronic Silencing of Black and Brown Voters in New Mexico, Study conducted by Demos (October 28, 2020)

In New Mexico, structural racism and economic inequality have limited participation in the formal system of democracy. The question of who has the structural power to change, participate in, and benefit from our economy, social norms, and electoral system are the key indicators of whether or not our democracy is inclusive. While there are many factors that contribute to low voter turnout, it is important that we do not pigeon hole voters as apathetic or uninformed. It is imperative that we take steps, like the John Lewis Voting Rights Advancement Act and the New Mexico Voting Rights Act, to address underrepresentation in our democracy.

The social justice movement in New Mexico has been building relationships across sectors, identity and issues for many years now. With key leadership and direction from several high profile social justice and grassroots organizations we believe that we are poised to build power and impact change to a higher degree than previously believed possible.

The New Mexico Inclusive Democracy project serves to catalyze some urgently needed interventions in the democracy reform field. the purpose of the project is to further racial, gender and economic justice using democracy accelerators as tools for building independent political power for people of color, working class people and women.

The New Mexico Voting Rights Act, introduced in the state legislature in 2022, includes many of the tools needed to increase the participation of people of color in democracy. OLÉ supported every part of the omnibus bill, with particular emphasis on: Back-end Automatic Voter Registration (AVR), Restoration of Rights (upon release) and lowering the voting age (16 for school board elections and 17 in statewide) are ways in which larger swaths of people of color can be registered to vote, as well as making voting a habit by instilling it in people while they are still in high school.

Back-end AVR:

- Analysis from an October 2021 peer-reviewed academic study has shown that back-end AVR increased registration by 8.1% and eligible turnout by 3.3% compared to states with New Mexico's current MVD registration system
- For states that used front end, opt in (like NM): "The reform appears to increase registration only slightly (0.5%), but **it is difficult to statistically distinguish this effect from zero**"
- Anyone who has had to deal with the various amounts of paperwork and wait in long lines at MVD can understand that the last thing a person wants to do is deal with additional paperwork or questions that are unrelated to why they're there. Not only is this logical for any of us that's been to the MVD there is research that shows
 - "A customer who is at the DMV for a driver's license might skip over the questions about voter registration to save time, or because the issue seems unrelated to the original reason they came to the DMV"

STUDY: McGhee, Eric and Hill, Charlotte and Romero, Mindy, The Registration and Turnout Effects of Automatic Voter Registration (September 29, 2021)

Voting Rights Restoration:

Voting Rights Restoration for formerly incarcerated individuals does exist in New Mexico, however, people must have completed their parole, obtain their clearance paperwork, and then register with their County Clerk. Under the new law, voting rights will automatically be restored upon release, along with 20 states who already do this. More than 11,000 people were barred from voting in the 2020 election because they were released from prison but not off probation or parole.

SOURCE: Nichanian, Daniel, Voting Rights Package Derails in New Mexico, Bolts Magazine (February 18, 2022)

Lowering the Voting Age in NM:

Youth and advocates have cited many reasons for lowering the voting age in New Mexico. Among the many reasons:

The COVID-19 pandemic has robbed every child in this generation of at least one of their formative years. Recovery of their year of education and socialization, and the long-term impacts to this generation's educational development are still yet to be seen.

Gun violence **plagues** communities and schools and active shooter drills at schools are **traumatizing** a generation. "Old enough to die, old enough to vote?"

Young people are taking on **three times** the amount of student debt as their parents, as college is more than **seven times** the cost it was thirty years ago.

As they enter adulthood, housing costs are **50% higher** than their parents at this age, and healthcare costs have **tripled**. Meanwhile, **wages have stagnated** over the last 40 years.

Climate change is already wreaking havoc with sea level rise, more intense storms and fires, droughts and mass migrations. **Scientists predict** it will get much worse without “rapid, far-reaching, and unprecedented changes in all aspects of society.”

These challenges are being kicked down the road for the next generation to solve. The impacts to their lives are immeasurable, so young people deserve power in the decision-making processes to address these issues as soon as possible.

Waiting for the franchise is no longer an option for teens of this generation, so they have taken to the streets, the airwaves, legislative hearings and the internet to advocate for their futures.

SOURCE: inclusivedemocracynm.org/16votenm

Building an Inclusive Democracy that centers race, gender and class is imperative for addressing issues faced by voters of color. We believe that the NM IDP is distinct from other approaches in 3 ways:

1. The leadership of the project are grassroots community organizations, led by and rooted in communities of color.
2. The particular focus of the project’s priority policy reforms are exclusively structural reforms. These priority structural reforms will transform our electoral system and move us closer to a true democracy. In other words, we seek to change the rules of the game, not just win the game as it’s currently played.
3. The message will be about racial, gender and economic justice, not democracy reform.

Our vision for an Inclusive Democracy is grounded in the values and the belief that a true democracy is centered on inclusiveness and participation, not only in the formal process, but in the impact, substance, quality of life, and agency that the economic, election and social systems produce. The question of who has the structural power to change, participate in, and benefit from our economy, social norms, and electoral system are the key indicators of whether or not our democracy is inclusive – if it is, in fact, a real democracy.

In 2021, the People’s Power/People’s Maps Coalition (PPPM) worked to ensure that race equity was at the center of the New Mexico redistricting process. The coalition, convened by the Center for Civic Policy, was made up of several community partners, focused on ensuring that the voices of people of color across the state were heard. The PPPM:

- Held over 50 meetings held across the state with community members to provide trainings on the redistricting process, and to develop community-informed principles to inform the map-making process.
- Organized public testimony at all Citizens Redistricting Committee (CRC) hearings across the state.
- Organized community members to get more than 238 on-the-record comments and testimonials at CRC meetings.
- Successfully got 3 concept maps (2 Congressional and 1 Legislative House map) approved by the CRC to send to the state legislature for adoption.
- Coordinated a legislative advocacy campaign to get the PPPM coalition maps approved by the state legislature.
- Got a congressional and state House map adopted by the state legislator and signed by the Governor that embodied the principles and objectives of the PPPM coalition.

This map ensures greater representation of communities of color in all three congressional districts and encourages participation in our democracy. The Hispanic Voting Age Population in New Mexico increased by 2% since 2010, and the redrawing of district lines resulted in a significant redistribution of HVAP between districts, as seen here:

HVAP +/- 2010 to 2020

CD1 -5.9%

CD2 +9.2%

CD3 +3.3%

NM's 2020 redistricting process was the first one in the state's history to produce a map with an HVAP majority district.

Source: Aranda, Melanie, Cuna, Elizabeth, Daniel, John, Sandoval, Oriana, People's Power/ People's Maps Report, (December 2021)

Citizenship

Since we opened in 2009, OLÉ has assisted over 1000 permanent US residents in their process of becoming US citizens. Many of our members came to the United States and have raised families and have been active members of their communities. Taking the step of citizenship is not an easy one; the bureaucracy can be overwhelming and confusing. OLÉ is a space where people can study for their exam, meet with an Immigration attorney and be celebrated when they take their oath. One of the best parts of our program is helping our members register to vote for the first time and sometimes even going to cast our votes together. As one member once said, he never dreamed he would be able to vote since he left Mexico as a young man and never voted there.

Conclusion

The ruling class and other reactionary forces have used structural power to increase their ability to dominate government and society, creating and reinforcing practices and policies that exclude others from participating in or benefiting from New Mexico's "democracy." Structural racism, sexism and class structures – both examples of structural power – are major barriers to achieving an Inclusive Democracy. Therefore, a successful strategy requires winning a series of structural reforms that will increase our own structural power. Our task is not simply to win improvements or fight back – our long-term task and strategy for Inclusive Democracy has to be focused on transferring structural power to people of color, working-class people and women. Ensuring we simultaneously build new structures where we practice new concepts of accountability and support for this transition of power. In New Mexico, the super majority are people of color, women and working class people, so we are well positioned to be able to capture the imagination of this majority in these structural reforms that will directly benefit them and in turn, grow the base of the movement.

SOURCE: New Mexico Inclusive Democracy Project Concept Paper

The experiences of Latinos in New Mexico are varied, as we are not a monolith. Democracy means all of us, and as New Mexico continues to be a leader in democracy reform, we continue to place a priority on building an inclusive democracy where all voices are heard and all New Mexicans thrive.

Thank you.