

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

**Opposing the San Juan County Utah Commission Ordinance that Replaced the San Juan County School District's Redistricting Plan with the Substitute "Plan B Modified"**

**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; and
3. By Resolution NNHRCNOV-16-21, the Commission recommended that the 2021 school board and commission election districts be based upon the 2017 United States Federal District Court case, in the matter of *Navajo Nation vs. San Juan County*, Case No. 2:12-CV-00039-RJS. On November 16, 2021, the Commission submitted to the San Juan County Utah Commission (herein referred to as the "County") proposed school board and commission proposed election districts; and
4. The Commission's school board election district plan addressed several points that conform with the Voting Rights Act of 1965:
  - a. Unpacked Districts 4 and 5. The County's mapper consistently packed Native American Voting Age Population (NAVAP) into District 4 and 5 so that the potential for the 4<sup>th</sup> school board district to increase NAVAP was reduced. The plan unpacked Districts 4 and 5 by lowering the NAVAP percentages for District 4 and 5 to 78.25% and 79.79% respectively;
  - b. Increased the NAVAP for District 2. There are five school board districts in the county; three of the districts have significant NAVAP. The redistricting plan provided the opportunity to share NAVAP from Districts 3, 4 and 5 with District 2 in order to increase the NAVAP percentage in District 2 to 27%; and
5. While the County commission did not adopt the redistricting district plan for the county commission that was submitted by the Commission, the County commission adopted the Commission's school board election districts on December 21, 2021. However, the County commission reconsidered the school board election district on January 4, 2022, by adopting a plan identified as "Plan B Modified" election districts. "Plan B Modified" plan was never

put out for public comments while the Commission's plan was posted on the County's website and was presented during public meetings for comments from the public for approximately a month long; and

6. The Commission finds that the County commission adopting the "Plan B Modified" not only disregards the public's participation in the County redistricting activities but also packs Districts 4 and 5 election districts by having more than 80% NAVAP in each district. In addition, the newly adopted school board redistricting plan maintains a status quo for District 2 by repressing Native American voters in the district.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Navajo Nation Human Rights Commission hereby opposes the "Plan B Modified" for the San Juan County School Board and recommends that San Juan County Utah commission withdraw the county school board redistricting plan (identified as Plan B Modified) it adopted on January 4, 2022. This plan did not receive adequate public input. Additionally, the school board redistricting plan adopted on December 21, 2021 received adequate public review and input.
2. 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, Office of the President & Vice President, Navajo chapters in San Juan County Utah and Utah San Juan County Commission.

**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 7<sup>th</sup> day of January 2022.

DocuSigned by:

*Jennifer Denetdale*

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