



Inspiring Native Leadership So Our Communities Flourish

Barriers to election services and voting for Native Americans

Native Americans living on tribal nations are the most disenfranchised population in our great state. Western Native Voice has identified six key barriers for Montana citizens living within the boundaries of our seven tribal nations. They include: residential addressing, mail delivery, distance to county election services, the process of requesting satellite election services, tribal identification and the newly-passed Ballot Interference Prevention Act. This list is not inclusive of all barriers Native Americans face when attempting to participate in the electoral process.

1. Physical addressing

All of Montana's tribal nations lack a uniform and consistent addressing system that is used by all entities within a community. For example it is not uncommon for 911 emergency systems, tribal housing, and counties to each have a different process for addressing their community members, which means one house may have multiple residential addresses or a person not knowing what their address is. The lack of a uniform addressing system creates additional barriers to voting because the current practice of accepting physical description of a home or dwelling on voter registration forms varies from county to county. During our years of outreach we have had hundreds of voter registrations rejected by county offices, many of which are due to inconsistencies on what is acceptable for the physical address requirement on the voter registration form.

One recent example of a rejected voter registration form happened when two voter registration forms were rejected for inadequate information in Section 6. One form listed the physical address as "East Side" the other form was " West Side". Both were in a town that has only one precinct for the entire town. Therefore, regardless of physical description of the home, that voter could easily be identified into their correct precinct. These two people did not get to vote in the 2019 election because their forms were rejected even though the forms were turned in before the deadline.

Solution 1:

Western Native Voice is exploring how to create a uniform addressing system on tribal nations, as has been done in other parts of the country, namely on the Navajo Nation in San Juan County, Utah. The Rural Utah Project worked with Google to

assign each home a “google plus code”, which are short codes with numbers and letters for places that don’t have street addresses to precisely locate homes in remote locations and assign it an address. “Plus codes” are free, accessible even offline, and are easily identified by Google Search and Google Maps. (see attachment).

Solution 2:

A clear, uniform, statewide code for acceptance of residential physical descriptions in section 6 of the Montana voter registration forms.

2. Mail delivery and voting by mail

On Montana’s tribal nations, there is limited opportunity for residential mail delivery, therefore most residents of tribal nations receive their mail at a post office. Often times more than one family occupies one dwelling, and together these circumstances create additional barriers to participating in democracy. In some tribal nation areas people are required to pay for a post office box while in other areas they are able to open one per residence at no cost. However, in all cases only one post office box can be assigned per residence and it is not uncommon for multiple families to share one post office box. In addition, receiving retrieving mail at a post office box requires travel regardless if a person lives in a town or in an outlying area, creating a financial and resource barrier to receiving their ballot in the mail.

During our outreach to register voters we inform citizens of the option to sign up for absentee voting and the process of voting from home. In the past two election cycles the number of absentee voters has increased on tribal nations (by 16%), and conversely the return rate for absentee ballots has decreased (by 18%, see fig. 1). This is in part due to the obstacles of not having residential mail delivery, and the lack of accessible election services, including stamps to mail a ballot and/or drop boxes in tribal communities.

Figure 1.

Election	% of votes cast absentee	Return rate
2012 General Election	31% (5231)	91% (4760)
2014 General Election	33% (4205)	83% (3490)
2016 General Election	46% (8359)	89% (7348)
2017 Special Election	54% (7967)	65% (5183)
2018 General Election	47% (12,893)	73% (9446)

Solution 1:

Google plus code addresses can also serve as residential mailing addresses in order for tribal nations to receive home mail delivery and receive emergency services. (see attachment)

Solution 2:

All members of a community have equal access to post office boxes, including in instances where more than one family shares one dwelling.

Solution 3:

Secure drop boxes located on tribal nations, preventing the need for a stamp(s) to cast a ballot.

3. Distance to County Election Services

For all seven of the tribal nations, the county election office is located at least 18 miles and as far as 176 miles round trip from the tribal communities (*see attached maps*). Among all tribal nation communities identified on the attached maps, community members have to travel on average 85 miles round trip to their county elections office to conduct business such as: register to vote, vote early, drop of an absentee ballot, request a replacement ballot at their county elections office, and register to vote and cast a ballot on election day. Satellite election offices with some of these services are available to some tribal members, but the days and hours of operation are limited and still require traveling long distances to access.

Solution 1:

Create a state law that requires truly equitable satellite election services during Montana's early in person and late registration period. Truly equitable services will include offering the same services, providing said services concurrently at both locations, and offering services for equal amounts of time.

Solution 2:

Same day voter registration offered at all polling locations.

4. Requirement for Tribal government to request and accommodate satellite election offices

Every year each tribal government is required to submit a written request for satellite election services, as well as secure a space that meets ADA requirements and has secure internet. The written request is due by January 31st of a federal election year for federal election services.

In 2016 and 2018, Western Native Voice invested a considerable amount of time working with tribal governments to ensure a request was submitted the request

for satellite election services in their communities correctly and by the deadline. Due to the timing of tribal elections and turnover of government officials the knowledge of process to request fully equitable satellite election services is sometimes lost.

Solution 1:

Create laws which require counties to provide equitable election services during all federal elections without an annual request letter from tribal governments.

5. Tribal identification and section 5 of the Montana voter registration form

The current Montana voter registration form does not list tribal identification as one of the accepted forms for proof of identity. We suggest adding tribal identification to the statement, "I have attached a copy of a photo ID that shows my name or acceptable ID that shows my name and current address (paycheck stub, utility bill, bank statement or government document)".

Solution 1:

Edit the voter registration form to say: "I have attached a copy of a photo ID that shows my name or acceptable ID that shows my name and current address (paycheck stub, utility bill, bank statement, tribal ID or other government document)". This would provide explicit clarification that tribal ID's are accepted when registering to vote. In our experience, this is not commonly known among tribal community members, and without it, voters may think tribal IDs are not accepted

6. Ballot Interference Prevention Act (BIPA)

BIPA, passed in 2018, bans the collection of completed ballots except by an acquaintance, family member, caregiver, household member, postal service worker, or election official. In addition, there is a limit of six ballots for all collectors, except postal service workers and election officials. All people who are engaging in ballot delivery now have to pre-print and fill out a registration form for all ballots they intend to deliver. On the form they must include their name, address, and phone number, along with all the names, addresses and phone numbers for the voters' ballots they have collected, and their association with each voter. Any violation of this law is punishable by \$500 per ballot collected.

This measure places an additional barrier on tribal communities who are already disenfranchised. In our tribal communities it is not uncommon for one community member to pick up and deliver ten to twenty ballots. Since 2012, Western Native Voice has consistently been providing ballot drop off services on each tribal nation. In 2018, our ten local community organizers securely collected and dropped off 853 ballots. Under the new BIPA requirements, we will no longer be able to provide these services for Native American voters who are unable to travel to the post

office to mail their ballot, travel to a county elections office or a satellite elections office to return their ballot, purchase a stamp to return their ballot, or leave their home to mail their ballot.

Solution 1:

Reverse BIPA to allow secure collection of completed ballots.

Solution 2:

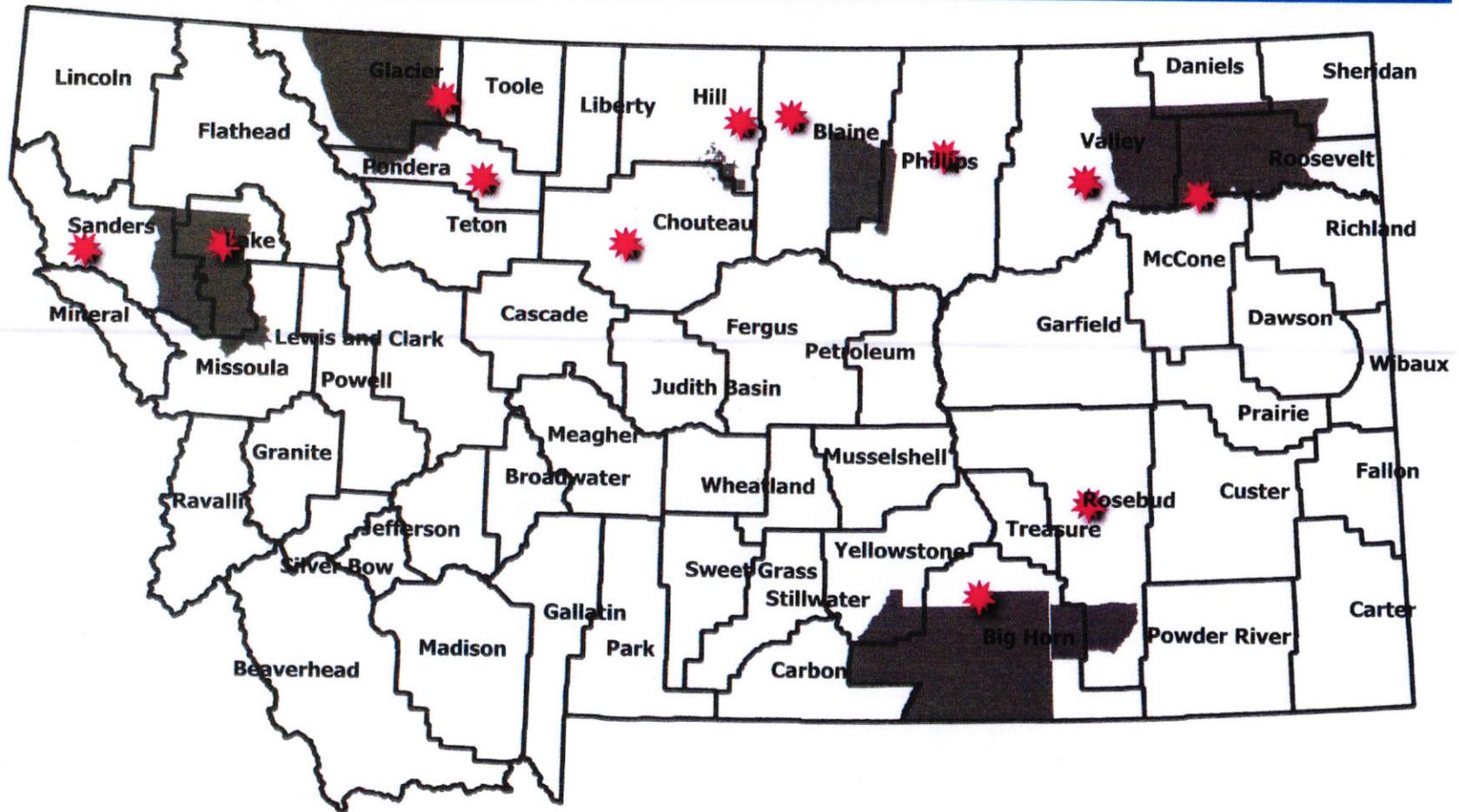
Remove the requirement of a stamp to return an absentee ballot by mail.

Conclusion

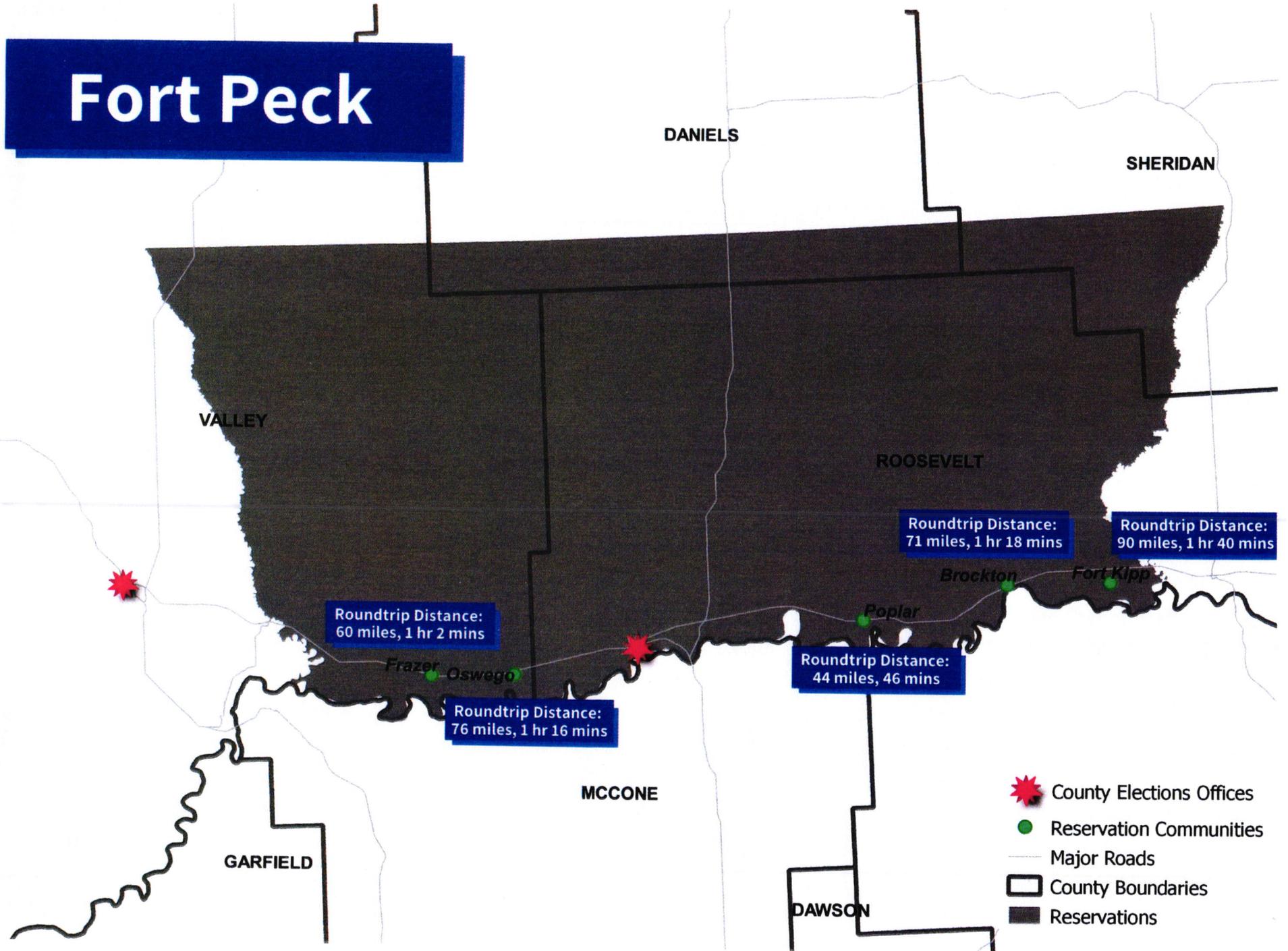
Montana has made progress towards advancing voting rights and accessibility for tribal nations, however in addition to the obstacles and solutions explained above, we continue to experience other issues with election services on tribal nations. In past elections we have seen issues with satellite offices not having adequate materials, such as ballots, ballot envelopes and ballot replacement forms available when requested. This prevents community members from being able to cast a ballot, as we have witnessed in our outreach. Also, satellite offices rarely have sufficient signage to notify community members of the available services. Western Native Voice works to help address these issues by advertising in local newspapers, on local radio, and posting “vote here signs” outside satellite election offices.

As we are all working together to provide accessible election services in Indian Country it is vital that we are providing counties with the necessary resources to properly train, staff, and advertise their satellite elections offices. Other states with a significant Native population, like New Mexico, have created a full time Native American liaison position within the Secretary of State’s office. We believe that creating this position in Montana would result in a better working relationship between tribal nations and Montana state government officials as we work to dissolve barriers to voting in Indian Country.

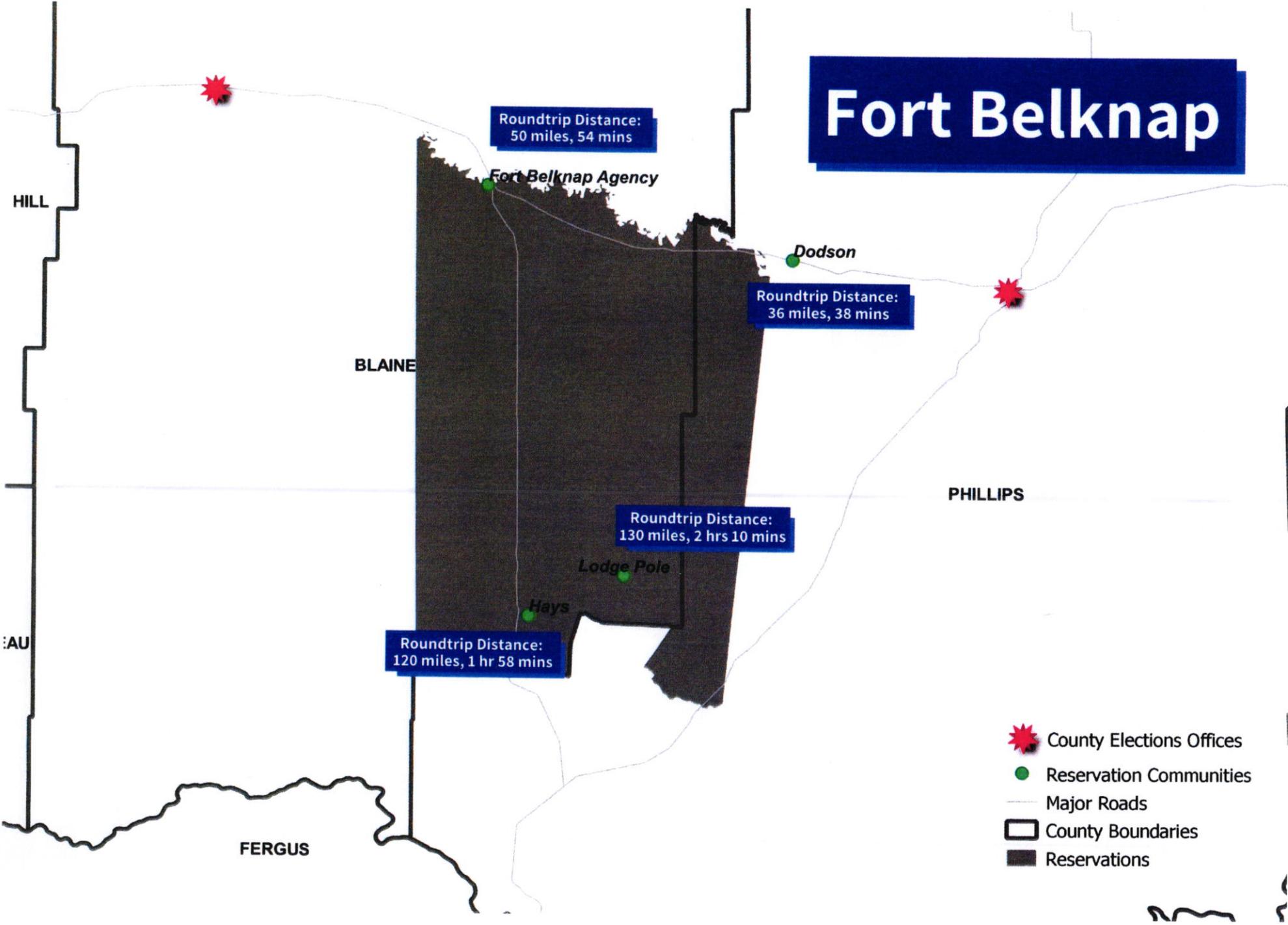
County Elections Offices Serving Tribal Nations



Fort Peck

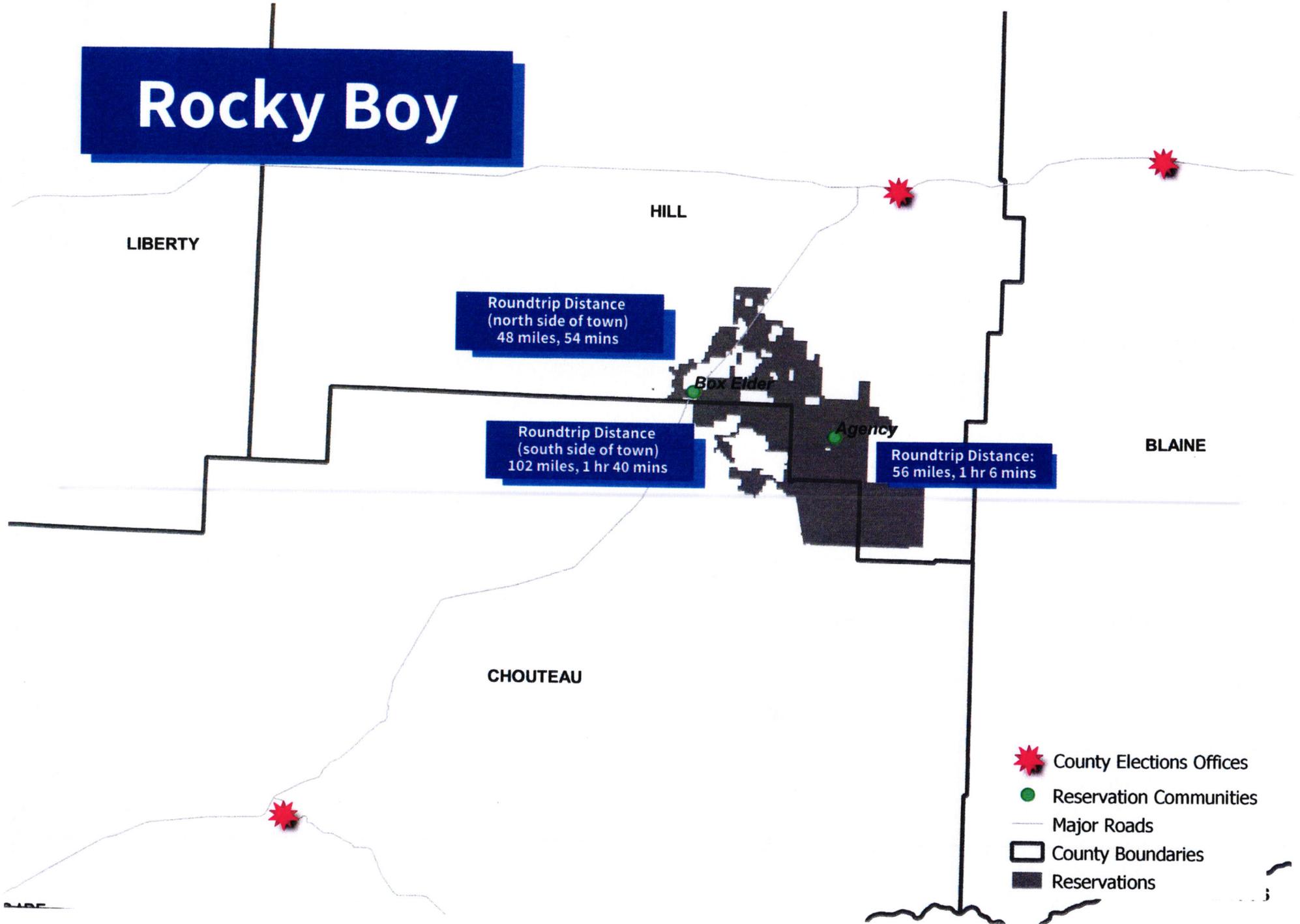


Fort Belknap

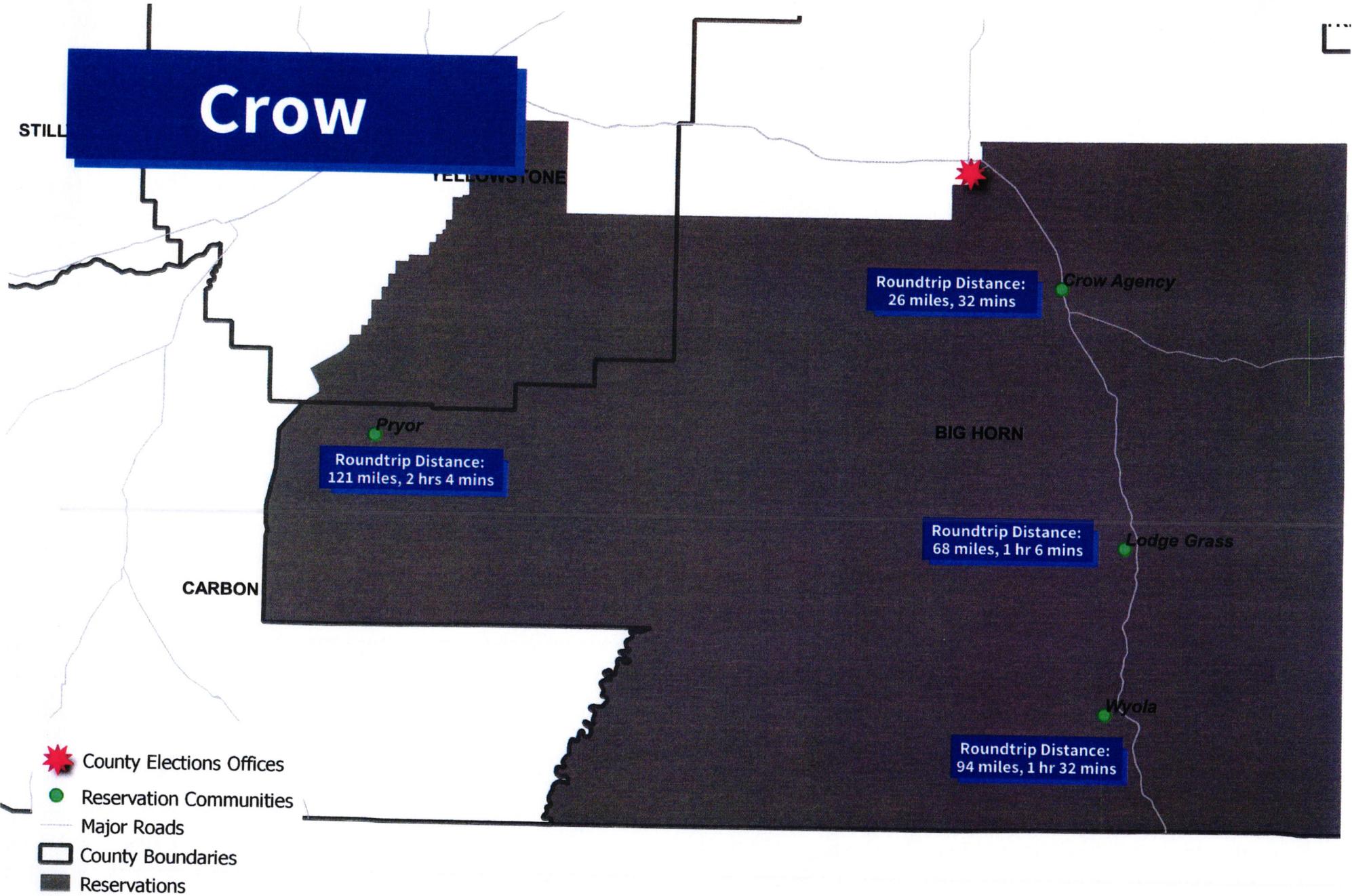


-  County Elections Offices
-  Reservation Communities
-  Major Roads
-  County Boundaries
-  Reservations

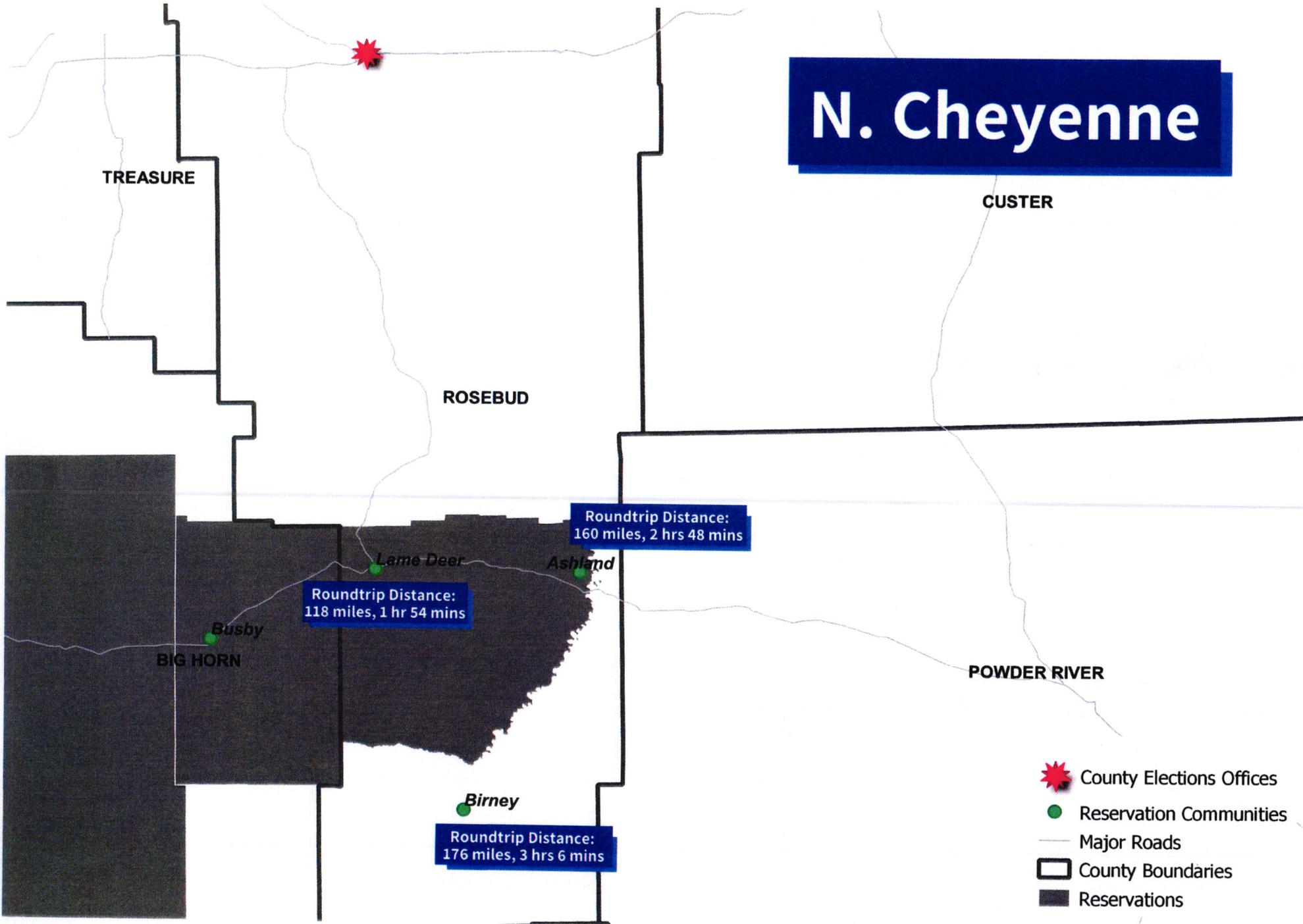
Rocky Boy



Crow

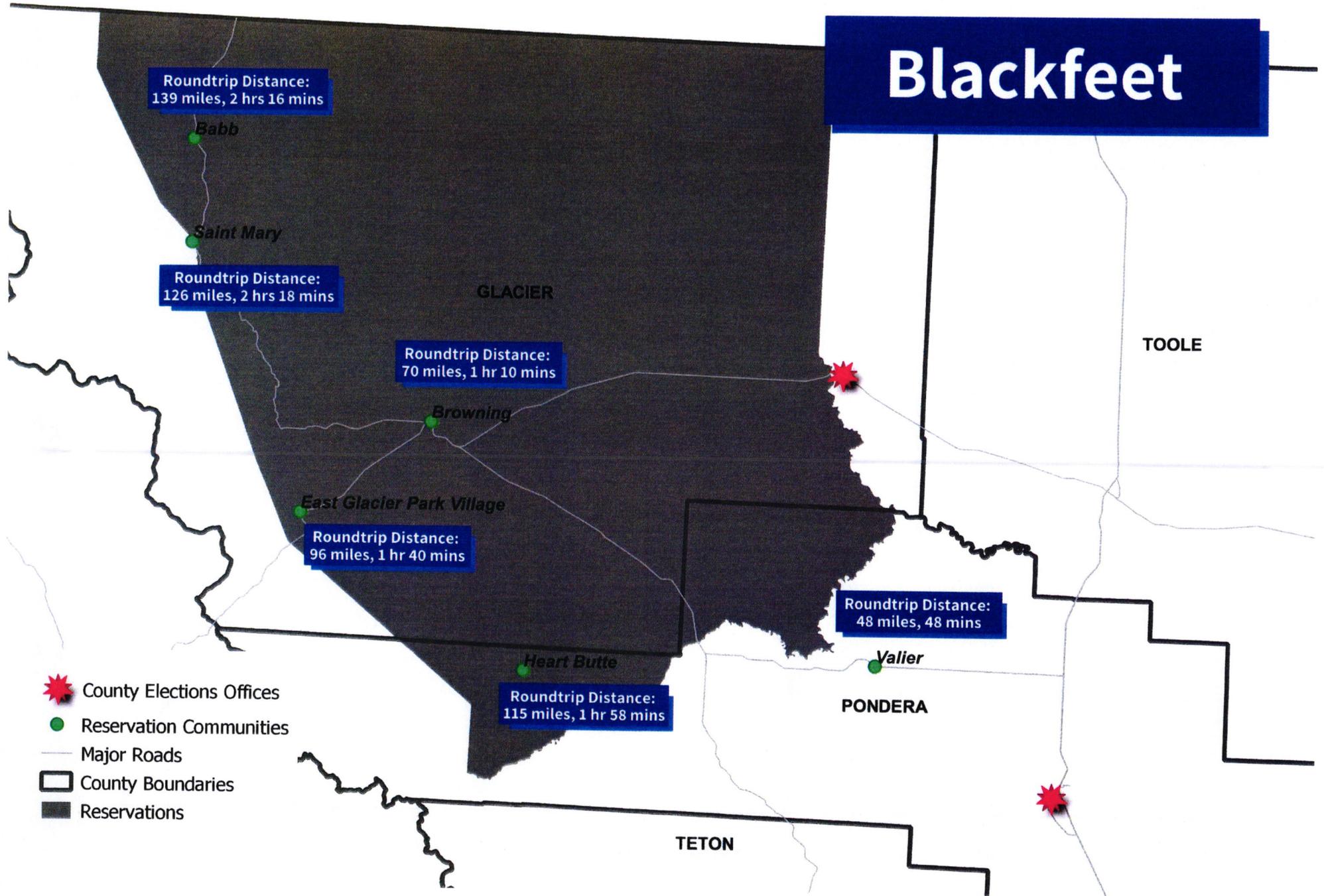


N. Cheyenne



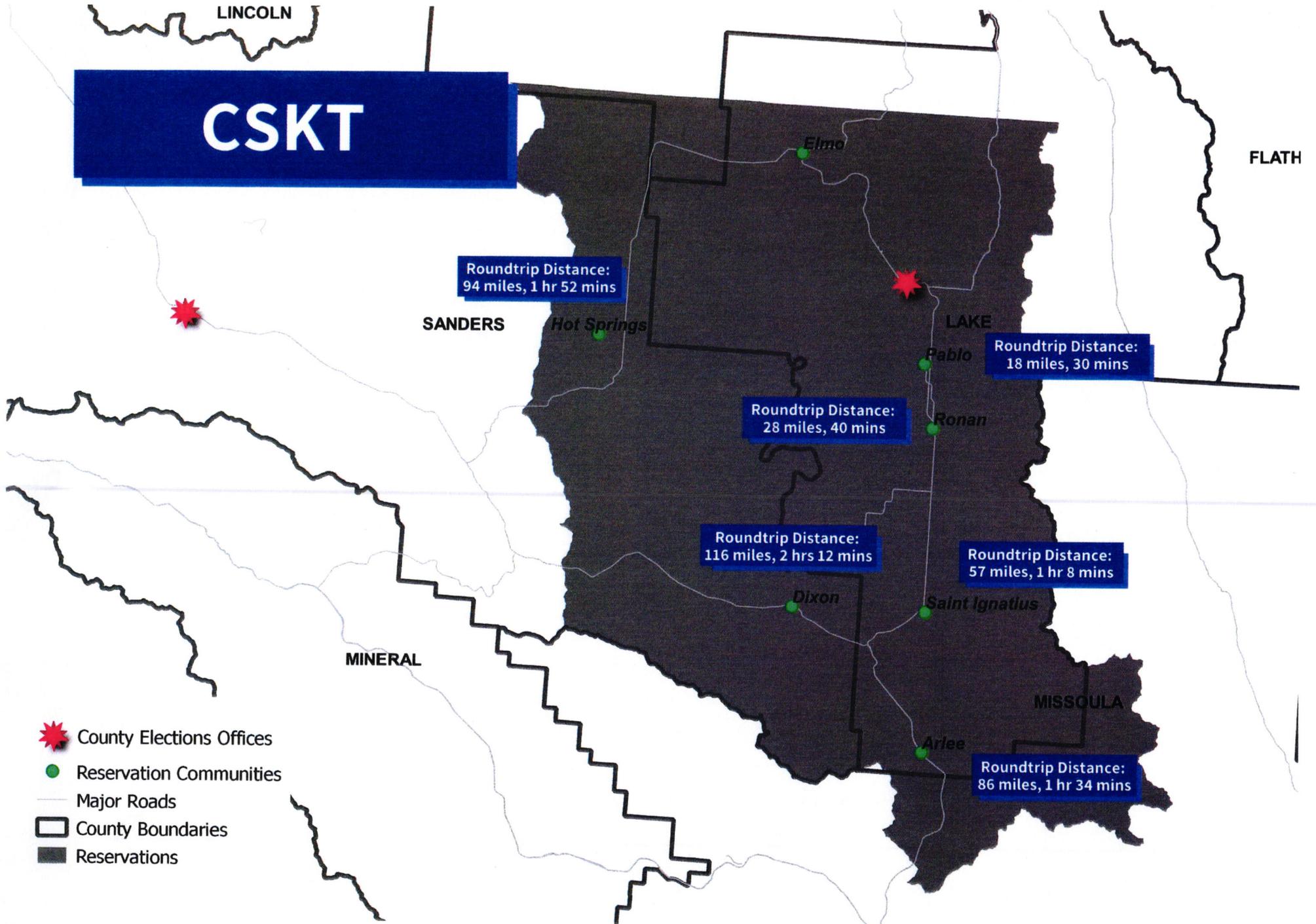
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Blackfeet



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CSKT



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