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**ALASKA NATIVES SUE OVER VOTING RIGHTS
VIOLATIONS IN DILLINGHAM
AND WADE HAMPTON REGIONS**

FOR IMMEDIATE RELEASE

July 19, 2013

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ANCHORAGE—The Native American Rights Fund (NARF) and national law firm Wilson Elser, acting on behalf of two tribal councils and two Alaska Native voters, filed suit in federal court today charging state elections officials with ongoing violations of the federal Voting Rights Act and the United States Constitution. The suit claims state officials have failed to provide oral language assistance to citizens whose first language is Yup'ik, the primary language of many Alaska Natives in the Dillingham and Wade Hampton regions.

Lead plaintiff Mike Toyukuk of Manokotak Village explained through a translator that he needed to receive voting information in Yup'ik so “[he] would be able to understand what [he’s] voting for.”

Plaintiff Fred Augustine of the Village of Alakanuk elaborated, saying through a translator, “Sometimes I wonder if my votes count. Poll workers speak to me in English, but I don’t understand. I didn’t understand any of the ballots but I still voted. We go to vote and vote, but we don’t know what to do and how to vote.”

In the complaint, filed today in federal district court in Anchorage, Mr. Toyukuk of Manokotak, Mr. Augustine of Alakanuk, the Native Village of Hooper Bay, and the Traditional Village of Togiak asked the court to order state election officials to comply with the language assistance provisions of the Voting Rights Act and the voting guarantees of the Fourteenth and Fifteenth Amendments to the United States Constitution.

The relief they requested includes implementing procedures in the Dillingham and Wade Hampton areas similar to those secured by Alaska Natives in the Bethel area in the *Nick, et al. v. Bethel, et al.* litigation, requiring state election officials to obtain approval from the federal court or the Attorney General of the United States for any changes in those procedures, and to appoint federal observers to oversee future elections in the two regions.

“Language assistance” requires translating ballots and other election materials and information into Yup’ik and providing trained bilingual staff to register voters and to help voters at the polls through complete, accurate, and uniform translations.

Natalie Landreth, Senior Staff Attorney with the Native American Rights Fund, said: “The law requires state elections officials to provide oral language assistance to voters in Yup’ik and all of its dialects in all covered regions of Alaska, including Dillingham and Wade Hampton. Without complete, accurate, and uniform translations, the right to register and to vote is rendered meaningless for many Native voters.”

“State election officials continue to ignore their responsibilities to Alaska Natives,” said James Tucker, co-counsel at Wilson Elser. “That indifference has contributed to depressed voter participation in the neglected Native communities, including some with turnout 20 to 30 percent lower than turnout in non-Native communities. It is unfortunate that Native voters have had to turn to the federal court to secure their fundamental right to vote.”

Seven regions of Alaska, including the Dillingham and Wade Hampton regions, are required to provide language assistance for Alaska Natives under Section 203, the language assistance provision of the Voting Rights Act. Section 203 applies to states and localities that meet certain threshold requirements for the numbers of citizens with limited English proficiency. Two additional regions of Alaska have to provide language assistance in non-Native languages.

The voting guarantees of the Fourteenth and Fifteenth Amendments to the United States Constitution prohibit state officials from denying the right to vote on account of race or color, which federal courts have found includes Native voters.

Defendants in the suit filed today include Lt. Governor Mead Treadwell, Division of Elections Director Gail Fenumiai, and Regional Elections Supervisors Becka Baker and Michelle Speegle.

Attorneys for the Alaska Native voters and tribal councils are Ms. Landreth and Erin Dougherty of NARF, and Mr. Tucker and Sylvia Semper of Wilson Elser.

A copy of the complaint is enclosed with this release.