



Press Release

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ACLU Calls for Voting Registration Sites on Reservations Limiting late registration to county seats violates Voting Rights Act

MISSOULA, MT — The ACLU of Montana and the national ACLU Voting Rights Project support a lawsuit filed by members of three Montana tribes seeking satellite offices on three reservations for late voter registration and in-person absentee voting, and are seeking to file a friend of the court brief in the case. A U.S. District Court judge in Billings will hold a hearing today on that case, *Mark Wandering, et al v. McCulloch*.

Tribal members living on the Crow, Northern Cheyenne and Fort Belknap Reservations are at a voting disadvantage compared to white voters in Rosebud, Blaine and Big Horn Counties because the only late registration and early voting available from now until the election is at county courthouses. These courthouses are in the white population centers and are in some cases more than 100 miles roundtrip from where most tribal members live, preventing them from registering and voting after the regular registration deadline, and diluting Indian voting strength.

This diminishing and dilution of the American Indian vote violates Section 2 of the federal Voting Rights Act, which protects the right of racial minorities to participate in the political process and elect representatives of their choice.

"The administrative convenience, asserted as a justification for having late registration and early voting only at the courthouses in these counties, does not justify denying Indians the equal opportunity to register and vote," said Laughlin McDonald, director of the ACLU's National Voting Rights Project. "We support the plaintiffs' lawsuit seeking immediate implementation of satellite registration and voting offices on these three reservations."

The substantial distance many tribal members would have to travel to register and vote, and the time and expense to do so, are significant barriers to them voting in this and future elections. Satellite offices on the Crow, Fort Belknap and Northern Cheyenne Reservations would enable many of these voters to exercise their right to vote.

One of the factors that must be considered under the Voting Rights Act is the history of efforts to deny minority populations the right and ability to vote. Montana and these counties have a long and troubled history of discriminating against Indian voters, including officially denying them the vote in the past and creating representational district boundaries that deliberately diluted their voting strength and spurred federal cases that resulted in Indian victories and new boundaries.

"In 1982, Congress amended the Voting Rights Act to make it clear that minorities don't have to prove purposeful discrimination," said ACLU of Montana Legal Director Jon Ellingson. "They simply have to prove that as a result of the challenged practice – in this case having late registration and early voting only at county seats – they do not have an equal opportunity to participate in elections and elect representatives of their choice up to and through Election Day. That is clearly the case for tribal members on these three reservations. Satellite registration and in-person absentee voting locations on the reservations are required."