

Despite obstacles, Native Americans fight for their voting rights

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Delaney After Buffalo (right) registers Leonard Holiday to vote in Oljato, Utah. Many Native Americans say they face extreme barriers when trying to vote. Photo by: The Pew Charitable Trusts/TNS

SAN JUAN COUNTY, Utah — Tara Benally and her son Delaney After Buffalo prepare to start a rare voter registration drive for local Native Americans.

Navajo and Utes communities living here finally have the chance to be fully represented when they vote in November. Even though Native Americans are the majority in the county, voting district lines were gerrymandered to give white voters unbalanced power for more than three decades. Gerrymandering is the dividing of a state, county or city into election districts to give one political party a majority in many districts. At the same time, this concentrates the voting strength of the other party into as few districts as possible.

"Appalling" Amount Of Discrimination

Many Native Americans deal with challenges when trying to vote. They are beginning to fight back, though. They are running for local, state and national offices. They are also suing jurisdictions that try to limit their political participation. This could even have a significant impact on some key midterm elections.

In 2012, Democrat Heidi Heitkamp won her U.S. Senate race in Republican-majority North Dakota because of high turnout among Native American voters. They tend to favor Democratic candidates.

Native Americans still vote despite discrimination, said Jacqueline De Leon, an attorney at the Native American Rights Fund. The group works to protect the rights of Native Americans.

De Leon is a member of the Isleta Pueblo tribe. She says some counties limit the number of registration forms for reservations, put voting locations in sheriff's offices to scare voters, deny polling locations on reservations and shut down tribal polling locations.

"Racism and discrimination exists to a degree that would be appalling to most Americans," she said. "The disenfranchisement is familiar and the tools are familiar." Disenfranchisement is the when people are deprived of a right or privilege, especially the right to vote.

For Native Americans in San Juan County, the lack of political power has meant no voting areas, no new high schools or roads, no language assistance and no running water. People are rarely picked to serve on juries as well.

A federal judge recently redrew the voting lines.

Benally said, "If we get those two county commissioners in office, it changes everything."

Since Mormon settlers arrived in 1880, Navajo and Ute residents have had their lives, land and votes taken from them. Native Americans were given the right to vote in Utah in 1957. However, that same year, the Bureau of Land Management forced many Native Americans from their homes, pushing them away from the white population, wrote Daniel McCool, a professor of political science at the University of Utah.

Pushback Against Native American Political Power

In 1984, the Department of Justice forced the county to make three districts for county commissioner. Native Americans are the biggest group in the county, but most of those voters were in one district.

Mark Maryboy became the first Navajo elected to the county commission in 1986. Maryboy has frequently been the only person voting for projects on the reservation.

Politics in San Juan County has often turned ugly. County Commission Chairman Bruce Adams claimed that "nobody really had settled here" before the Mormons arrived. Phil Lyman, another Republican county commissioner who is now running for the state House, has said Navajos "lost the war" and should have no role in local land management.

In the last two years, the Navajo Nation has successfully sued the county over Voting Rights Act violations. The Voting Rights Act of 1965 prohibits racial discrimination in voting.

This forced the county to redraw district lines, provide translations for Navajo voters, and open two new voting locations on the Navajo Nation.

These court cases attempt to correct a history of "intentional discrimination" in the county, wrote McCool.

Lyman said this is a "false narrative." He said he and other white officials are the real victims.

"People are trying to destroy San Juan County," Lyman said. "The issues that are being highlighted in San Juan County are being highlighted by people who aren't in San Juan County."

Utah will send officials to a county to make sure it follows the voting laws.

Voter Registration Process An Uphill Battle

The history of discrimination only adds to a deep sense of hopelessness among Native voters here.

Since February, Benally and her son and the rest of the Rural Utah Project have registered more than 1,400 Navajo voters in San Juan County. They also update voters' registration to match the new district lines.

In 2014, the county adopted a vote-by-mail system. However, that's come with its own challenges. Children often translated for elders who don't understand English, Benally said.

Many other Navajo thought ballots were junk mail or missed the filing deadline. As a result, voter turnout among Native Americans dipped in the 2014 election.

Only one-quarter of county residents have street addresses, so they rely on coordinates to place their homes on voter forms. Many registrations are now outdated.

Nelson Yellowman has come to update his registration. Workers have been busy correcting locations of voters' addresses.

"I might be in a lake," Yellowman joked.

Yellowman is running for his fifth term on the school board. He said he is constantly fighting to allow Native children to use facilities.

Benally and After Buffalo leave their table and head down the bumpy, unpaved roads to Oljato to register more voters at their homes.

Leonard Holiday fills out a registration form after learning about the new districts.

"Oh wow, that would really help us," he told After Buffalo. "Though the last time I tried voting they ran out of ballots. The voting machine broke another time. It's disappointing."

Maryboy's biggest frustration is people's hopelessness after years of discrimination.

Voter turnout among Native Americans is far less than other racial groups. American Indian and Alaska Native turnout is 5 to 14 percentage points lower than registered voters from other groups, according to a study from Demos, a think tank. One-third of Native Americans over 18 — or 1 million people — are not registered to vote.

The Native American Voting Rights Coalition did a survey of Native American voters in a few states. The survey found that isolating geographic conditions, a lack of registration drives and language assistance, non-traditional mailing addresses and distrust of government were just some of the barriers.

As the Native American population continues to grow across the country so too has their political representation. Now, 64 Native Americans serve as state legislators in 15 states. And there are two Native American U.S. congressmen.

Democrat Deb Haaland is favored to become the first female Native American elected to Congress. She is a member of the Laguna Pueblo tribe.