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Indians Win Voting Rights Case in Minnesota Filed by National Congress of American Indians and the MN ACLU

On Friday, October 29th Judge James Rosenbaum in the U.S. District Court in Minneapolis ordered Minnesota's Secretary of State Mary Kiffmeyer to accept tribal government issued identification cards for voting in the November 2nd election. The National Congress of American Indians and the Minnesota ACLU combined with American Indian plaintiffs to file this lawsuit against the state for discriminating against American Indian voters by denying them the right to vote using tribal ID cards.

The federal court ordered that:

- 1) Tribal identification cards that contain name, address, signature and photo will have the same status as a Minnesota drivers license as sufficient proof of identity and residency and can be used to register to vote on election day.
- 2) Photographic tribal identification cards that do not contain an address (or a current address) can be used in combination with a current utility bill to register to vote on election day.
- 3) Tribal identification cards can be used to register to vote on election day as described above for tribal members living on or off reservation.

As many as 32,000 American Indians in Minnesota live off-reservation in the greater St. Paul/Minneapolis area, and many have only a tribal identification card for government-issued ID. The Secretary of State had ruled that Minnesota law required her to accept tribal ID cards only if the person lives on an Indian reservation.

"This is the right decision," said NCAI President Tex G. Hall in response to the federal court order. "Requiring more stringent rules for one group of people and limiting their ability to vote violates the United States Constitution. We teamed up with the American Civil Liberties Union, and we greatly appreciate their support of Indian voting rights.

Hall continued. "Politicians pay attention to voters. Now it is time to take your tribal ID card and go vote. The election is on Tuesday, so forget about everything else – it is time to get our tribal members out to vote. Radio, phone calls, and door to door canvassing -- get the word out that we have to vote. We can provide drivers and vans. We can give time off to go vote. It is time to celebrate our right to vote."

NCAI and the MN ACLU were represented by a team of lawyers from Dorsey & Whitney LLP, an international law firm headquartered in Minneapolis. According to Dorsey attorney Skip Durocher "The Secretary of State drew an arbitrary line between tribal members who live on the reservations and those who live elsewhere. We are very pleased with the decision and glad to have this opportunity to help protect the fundamental voting rights of American Indians."