

March 6, 2024

Common Cause MN is a nonpartisan grassroots organization working to create open, honest, and accountable government, more information about our work at www.commoncause.org. Minnesota is home to over 18,000 statewide Common Cause MN multipartisan members and despite belonging to various MN party affiliations, or not being affiliated, the one thing they've come together to do is support our work ensuring our Republic's democracy is safeguarded, and everyone's vote counts.

Members of this committee have received several written statements from Minnesotans across the state, approximately 168 letters have been sent to you.

We are grateful to Sen. Champion for introducing SF3994 creating space for robust debate around what key components of a state voting rights act should be included to address BIPOC specific voting needs and create a structure to give teeth to already moved voting rights laws. As drafted, the bill is a good national model for a needed legal structure to recognize the voting rights of Minnesotans of color and Native Nations beyond what the MN Human Rights Act already provides. What it currently does not have is Minnesota specific provisions of preclearance and a statewide database to serve as a clearinghouse of coordinated best practices and reported violations of already standing laws.

Minnesota is home to about 114,350 Indigenous Minnesotans — 2% of the state population — who identify as American Indian or Alaska Native. It is also home to 11 stateside federally recognized tribes. Voter turnout among Indigenous peoples has historically been some 10% lower than other groups and in 2020 about 1/3rd were not registered to vote. According to a recent study by the Legislature, just 20% of the state's Native American residents live on reservations. More than a quarter live in Hennepin and Ramsey counties, and the rest are spread across rural and urban areas around the state. According to data from the nonpartisan Native Vote project, voting-age Indigenous community members make up 3.6% of the electorate in the Seventh Congressional District alone, covering the western third of the state. Unique barriers are faced by those living on Native Nation lands because 1) no polling places are routinely set up for the voting period, and 2) many Native peoples living on Native Nation lands use PO Boxes and cannot be used for purposes of requesting absentee ballots. Though locating a temporary polling place for 1-day in reservations is better than having none available, it is conditioned on the County Auditor's agreement. What happens if they don't agree? In effect, this "relief" to voting barriers is not enforceable.

Not all states need a preclearance provision specifically creating protections against discriminatory practices. **However, our history, and current practices, toward Native Nations, warrants consideration of this missing component to the proposed MN VRA.** 2024, not being a funding year, should not be the basis for keeping key components of state voting rights acts out of SF3994. Many nonbonding bills tied to significant money are being moved this session.

If we value the co-creation of an inclusive democracy where all Minnesotans are heard, valued, and considered in policymaking, then we recommend the minimal inclusion of provisions in SF3994 that address the voting rights of Native Nations in Minnesota, and a statewide database increasing accountability and transparency in the

implementation of so many great pro-democracy laws passed in 2023 and those being considered during this session.

Leveraging of national best practices and partners is a great tool to finetune what is needed in MN. However, the voting experience and needs of impacted BIPOC Minnesotans and other disenfranchised Minnesotans should take center stage in proposed solutions. After engaging the ethnic councils and some grassroots partners, we found no one knew about this important reform. Key input from impacted communities should be invited and included in the parameters of the proposed MN VRA.

Some key factors we consider when assessing a proposed bill's policy impact on disenfranchised Minnesotans and other impacted communities are:

- **Who is most impacted?** Were those specific communities engaged in the analysis and solutions identified/proposed.
- **What disparity is being addressed?** Identify any current disparity and state the racial equity purpose of the policy, if any.
- **Are there potential negative impacts?** If so, did they adjust the policy to achieve a more equitable outcome?
- **How would the proposed policy change the situation?** Did it explain what the proposal/bill seeks to accomplish and assess whether the policy can achieve any identified equity goals.
- **Can the policy be sustainably successful?** Is adequate funding, implementation strategies, and accountability mechanisms in place.

SF3994 is a good bill that provides for needed legal structure to those savvy enough to think of litigation when experiencing voting rights violations. Most BIPOC voters simply walk away discouraged.

Sen. Champion has been a champion and true ally on civil/human rights and pro-democracy reforms. We have communicated these concerns and continue to respectfully ask that he allows for the inclusion of preclearance language that addresses long overdue voting rights for Native Nations, and other disenfranchised voters, in Minnesota and a statewide database increasing accountability and transparency in the implementation of so many great pro-democracy laws passed in 2023 and those being considered during this session. 2024 not being a funding year should not be the basis for keeping key components of state voting rights acts out of HF3527. Many nonbonding bills tied to significant money are being moved this session.

Thank you for your dedication to all Minnesotans as you work in committee.

Anastacia Belladonna-Carrera

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