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The State of Alaska and Alaska Native Voters and Tribal Councils Reach Settlement in Historic Language Assistance Case for Gwich'in and Yup'ik-speaking Voters

September 10, JUNEAU - Alaska state officials and the Native American Rights Fund (NARF) today jointly announced a settlement of a historic Voting Rights case relating to language assistance for voters with limited proficiency in English. Under the terms of the agreement, the State will provide increased language assistance for Yup'ik-speaking voters in the Dillingham and the Kusilvak Census Area (formerly Wade Hampton Census Area) and for Gwich'in-speaking voters in the Yukon-Koyukok Census Area. For the first time, the State will translate the entire Official Election Pamphlet, which provides information in advance of the election about candidates and ballot measures, not simply in English, Spanish, and Tagalog, but also in Gwich'in and up to six different dialects of Yup'ik.

The resolution of the case, originally filed in June 2013 on behalf of Alaska Native elders Mike Toyukak of Manokotak, Fred Augustine of Alakanuk, and the tribal governments of Arctic Village, Hooper Bay, Togiak, and Venetie, was hailed by the parties, Alaska state officials, and Alaska Native groups throughout the state.

"I'm so pleased that this case has finally been settled and we can move forwards," said Lt. Governor Byron Mallott, who inherited the case originally filed against Lt. Governor Mead Treadwell during the previous administration. "This settlement will strengthen our election process so that voters can have the opportunity to understand fully all voting information before they vote."

Pending final review and order by Federal Judge Sharon Gleason, the State has agreed to provide the following language assistance services:

- Pre-election dissemination of information in the Official Election Pamphlet to Alaska Native voters in their language and dialect;
- Translation of election information into Gwich'in and several Yup'ik dialects in addition to the translations already made in the Central Yup'ik dialect;
- Increased collaboration with tribal councils to meet the needs of Alaska Native voters who need to receive election information in their native languages and dialects;
- A full-time employee responsible for administrating and coordinating all of the Division's language assistance activities;
- Providing sample ballots in Gwich'in and Yup'ik that voters can bring into the voting booth with them;
- Making Gwich'in and Yup'ik dialects available on touch-screen voting machines when it is technologically feasible;
- Increased pre-election outreach by bilingual election workers;
- Preparation of glossaries of election terms and phrases in Gwich'in and several Yup'ik dialects to guide bilingual poll workers providing language assistance;
- Mandatory bilingual poll worker training on how to provide language assistance to voters;
- Providing Gwich'in and Yup'ik-speaking voters with a toll-free number through which they can make inquiries in their native languages and dialects;
- Relying on Yup'ik and Gwich'in language experts to translate election materials, including information on ballot measures, candidates, absentee and special-needs voting and voter registration;
- Pre-election publicity in Gwich'in and Yup'ik through radio ads, public service announcements and announcements over VHF radios in villages that do not receive local radio stations.

Lead Plaintiff Mike Toyukak of Manokotak said "We would like to thank the lawyers and the Lieutenant Governor for working so hard. This is a very big deal and we are very happy that those who could not understand before will now be able to understand the voting ballots. Thank you to everyone involved."

Plaintiff Arctic Village representative in the case Allan Hayton said "Niizhit dai' gwats'an dzaa Alaska nahkat gwizhit diiginjik k'yaa geeriinkhe', ts'a' yuk gweendaa tth'aii nihk'it jyaa t'igwii'in. Diitsii, diitsuu naii gwizhii gwiintsii diinint'eegeiyin'aii, ts'a' diikhwan aii yeendaa gootr'iinin naii goots'an gwarahahtsyaa goo'aii. Diiginjik K'yaa it'ee tyaa chil'ee ts'a' gwiint'oo riheel'ee, aii eenjit jii deht'yaa kat gaayii gwiriltasii shoo tr'inlii ts'a' hai' tr'indhan." Translation: "We have spoken our language here in Alaska from ancient times, and we are still speaking it today. We have been given great knowledge by our grandfathers and grandmothers, and it is our duty to pass this on to future generations. We treasure our language and hold it in high respect, and so we are happy and grateful for this important victory."

NARF counsel Natalie Landreth said "The plaintiffs and NARF are very grateful to the Division of Elections employees, the Assistant Attorneys General and the Lieutenant Governor for

spending so much time to work out this settlement. The Lieutenant Governor in particular inherited a very difficult issue, but he was key to resolving it and opening the door for Alaska Native access to the polls in a way that we have not seen before.”

Attorneys for the state of Alaska are Attorney General Craig W. Richards, Assistant Attorneys General Elizabeth M. Bakalar, Margaret A. Paton-Walsh, and Aesha R. Pallesen. Attorneys for the Plaintiffs are Natalie Landreth of the Native American Rights Fund; Dr. James T. Tucker of Armstrong Teasdale, LLP; and Richard de Bodo of Morgan, Lewis & Bockius LLP.

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