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**Mobilizing Nonwhite Voters in the Upper Midwest:  
Progressive Organizing in the 1980s and 1990s, from Inner City to Reservation**

Together, in just two election cycles, a pair of aggressive voter registration drives enrolled over 15,000 new voters—particularly minority and/or low-income voters—and, that fall, helped flip a state legislature and defeat a three-term incumbent Republican senator. Part of a Democratic resurgence in the Midwest in the 1980s, those drives launched the Senate careers of two Midwestern Democrats, Paul Wellstone of Minnesota and Tim Johnson of South Dakota. Both efforts faced tremendous obstacles from the political establishment: injunctions filed by the USDA, investigations launched by repressive secretaries of State, and endemic racism and classism held toward low-income voters and voters of color.

This paper will explore the trajectory of two voter registration initiatives: the 1986 Minnesota 33% Campaign, and the 1996 Lakota Dakota Vote Project in South Dakota. Looking at these voter registration drives through the eyes of those who carried them out, we can better understand the need for allied legal and philanthropic arms in racialized voter turnout gaps, characterize extralegal forms of vote suppression, and grasp the truly transformative potential of well-organized, non-White GOTV efforts even in lily-white Midwestern states.

**Minnesota 33% [*I will only provide a cursory overview to stay on schedule*]**

One particularly prominent voter registration drive in 1980s Minnesota revealed the potential of the grassroots left to transform state politics. But “even in Minnesota, with the most progressive voter registration laws in the nation,” including same-day and no-ID voter registration, Carleton College professor Paul Wellstone wrote in October 1986, “33% of the electorate does not register and vote... This hole in the electorate,” Wellstone concluded, citing a Minnesota State Planning Agency study following the 1984 elections, “is disproportionately comprised of rural and urban low income citizens.”<sup>1</sup>

As the Farm Crisis devastated American agriculture in the 1980s, the Reagan administration adopted an emergency food aid program, allocating surplus commodities to community organizations like food banks and regional food warehouses to be distributed by the US Department of Agriculture (USDA).<sup>2</sup>

Wellstone developed a faith in voter-registration efforts with a deep-seated belief that the Minnesota Democratic-Farmer-Labor Party (DFL) needed to proactively court a progressive voter base. After the 1984 election, Wellstone drafted a paper concluding the economic recovery under Reagan was “a very unequal recovery. It was not a recovery for the poor or those who work for hourly wages, for those who

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<sup>1</sup> “Affidavit of Paul David Wellstone,” October 7, 1986, 1.; “Characteristics of Minnesota Voters in the 1984 Election,” *Population Notes* (Minnesota State Planning Agency, July 1986): 1. Both attached to “Motion for Temporary Restraining Order and For Other Relief” dated October 8, 1986, United States District Court, District of Minnesota, Third Division, Civil No. EV-3-86-0865”. Box 10., Kenneth E. Tilsen Papers, Minnesota Historical Society, St. Paul, Minnesota. Hereafter referred to as “Tilsen Papers”.

<sup>2</sup> Congressional Research Service, “The Emergency Food Assistance Program (TEFAP): Background and Funding,” January 8, 2020. Accessed May 31, 2022, at <https://sgp.fas.org/crs/misc/R45408.pdf>.

live in our steel and farm producing communities. Indeed, the real income for the bottom half of the population dropped...and unemployed remained (remains) at an intolerably high level.” So, Wellstone asked, “if people voted their pocketbook, why the landslide election?”<sup>3</sup>

He concluded voter registration was the solution. With a devotion to Saul Alinsky’s *Rules for Radicals*, Wellstone drew ideas from Project VOTE and the Minnesota chapter of Human SERVE (Service Employees Registration and Voter Registration) to register low-income voters, noting that in 1984, SERVE registered 9,000 people in eight counties.<sup>4</sup>

That struggle informed the June 1986 foundation of the Minnesota 33% Campaign. A non-partisan organization “with the sole purpose of registering and encouraging low-income individuals to participate in the electoral process by exercising their fundamental right to vote,” the 33% Campaign asked “Imagine how different it would be if everyone registered and voted,” including “low and moderate income people,” “farmers,” “unemployment and low wage workers,” “women,” “hard pressed rural and urban citizens,” and “minorities.”<sup>5</sup>

Wellstone trained volunteers how to register voters at commodity distribution sites in Anoka County, just north of Minneapolis. He hoped they would reach “3,000 low income people,” but the night before one September event, Wellstone received a call informing him the director of the Anoka County Community Action Program (ACCAP) had received an order to stop from the USDA because a 33% Campaign flier was “too ‘political’” and they “could not register or encourage people to vote at the commodity lines.”<sup>6</sup>

Wellstone agreed to cancel the September 20 effort. But similar concerns derailed another event at a majority-Black community center in Minneapolis.<sup>7</sup> Workers for 33% were told they could only register voters on their way *out*, rather than their way *in*, which made it difficult because, recalled one organizer, “their arms were full of commodities and they were anxious to get to their cars and go home...these people are elderly or in very poor health and will not expend the effort to set down these commodities and sign a voter registration card.”<sup>8</sup>

Wellstone and the 33% Campaign, with the aid of activist lawyer Kenneth Tilsen, then sued the USDA, Minnesota Department of Jobs and Training, and the local agencies for violating their First and

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<sup>3</sup> Draft of paper, Paul Wellstone, c. 1984-85, 1-2. Wellstone Papers, Box 1, Folder “Loose Papers [3]”.

<sup>4</sup> Minnesota Human Serve, “Proposed Steering Committee Agenda for Friday, June 8<sup>th</sup>,” June 1986; Wellstone’s papers also included a copy of Frances Fox Piven and Richard A. Cloward, “Prospects for Voter Registration Reform: A Report on the Experiences of the Human SERVE Campaign,” *PS* (Summer 1985), 582-593. Wellstone Papers, Box 1, Folder “Political Papers”.

<sup>5</sup> Flyer, The Minnesota 33%, “We Are Struggling for Our Economic Survival!”, n.d. Tilsen Papers, Box 10.

<sup>6</sup> “Affidavit of Paul David Wellstone,” 1-2; “Affidavit of Lois Roderick,” October 7, 1986, 1-2. Both attached to “Motion for Temporary Restraining Order and For Other Relief” dated October 8, 1986, United States District Court, District of Minnesota, Third Division, Civil No. CV-3-86-0865”. Tilsen Papers, Box 10; interview with Patrick McFarland, May 23, 2022. Notes in author’s possession.

<sup>7</sup> “Affidavit of Boyd Shepherd Lebow,” October 3, 1986, attached to “Motion for Temporary Restraining Order and For Other Relief” dated October 8, 1986, United States District Court, District of Minnesota, Third Division, Civil No. CV-3-86-0865”. Tilsen Papers, Box 10.

<sup>8</sup> “Affidavit of Boyd Shepherd Lebow,” October 3, 1986, 2.

Fourteenth Amendment rights, citing cases brought by Project VOTE and other GOTV initiatives.<sup>9</sup> After Tilsen served a USDA Food and Nutrition Service field officer with the papers, the officer responded “I thought we cleared this up months ago. Who said they wouldn’t do it anyway?” When Tilsen replied “Someone from Washington,” the officer noted “They can’t stop people from talking to other people and passing out literature. Don’t they know that?”<sup>10</sup>

The lawsuit, filed on October 8, 1986, argued immediate relief was required approaching the 1986 midterms. Tilsen requested a temporary restraining order against the state and USDA, who he alleged were “interfering or permitting interference with voter registration, voting promotion or get-out-the-vote campaigns and other proper First Amendment activities in public areas...”<sup>11</sup>

A U.S. District Court Judge sided with 33%, noting that the head of the Minnesota Department of Jobs and Training could determine 33%’s registration abilities, but that there was nothing in their approach that suggested they had violated any state or federal law. Within a week, the two sides reached an agreement that 33% could conduct its efforts, including in common areas inside the community center, as long as it did not present the impression that registering to vote was a precondition to receive food.<sup>12</sup>

The 33% Campaign won. While the focus of the lawsuit had been voter registration in Minneapolis and a suburb, campaign’s efforts were not isolated to the Twin Cities: as part of its goal to reach 20,000 Minnesotans before the 1986 midterm elections, 33% planned to reach citizens at commodity lines across the state between October 17 and November 3, 1986. As Minnesota law allowed same-day voter registration, all these events were intentionally designed to motivate low-income citizens to vote.<sup>13</sup>

The effort paid off, in no small part thanks to the organizing of Wellstone, the 33% Campaign, and other grassroots groups across Minnesota: the DFL flipped 31 state legislative seats, retaking the House while reelecting DFL Gov. Rudy Perpich.<sup>14</sup> Nowhere was this more apparent than rural southwestern Minnesota where DFL victories, the “firestorm of 1986,” drew on a massive grassroots voter education project.<sup>15</sup>

When Wellstone ran for Senate in 1990, upsetting two-term Independent-Republican incumbent and independently wealthy businessman Rudy Boschwitz with a low-budget, folksy, grassroots campaign, the 33% Campaign informed his strategy and victory. When running for the nomination in 1989, Wellstone’s camp highlighted how “Wellstone’s pioneering voter with the Minnesota 33% Campaign suggests that a

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<sup>9</sup> “Memorandum In Support of Plaintiffs’ Motion for a Restraining Order,” United States District Court, District of Minnesota, Third Division, Civil No. CV-3-86-0865, October 8, 1986, 5-7. Tilsen Papers, Box 10.

<sup>10</sup> Memo, Kenneth E. Tilsen, “Re: Minnesota 33%, File T86-0148,” October 13, 1986, 1. Tilsen Papers, Box 10.

<sup>11</sup> “Motion for Temporary Restraining Order and for Other Relief,” October 8, 1986, Civil Case No. CV-3-86-0865, United States District Court, District of Minnesota, Third Division, 2. Tilsen Papers, Box 10.

<sup>12</sup> Paul Magnuson, “Order”, *Minnesota 33%, et al. v. U.S. Department of Agriculture et al.* Civil No. 3-86-0865, October 16, 1986, 1-2. Tilsen Papers, Box 10.

<sup>13</sup> “Agreement clears way for food-line voter sign-up,” *Star Tribune*, October 19, 1986; “Affadavit of Paul David Wellstone,” 2.

<sup>14</sup> Jim Parsons, “Analysts blame leadership, laziness for IR Party casualties,” *Star Tribune*, November 6, 1986, 3B.

<sup>15</sup> “Citizen Action 1986 Electoral Agenda,” c. January 1986, 1. Midwest Academy Papers, Box 122, Folder 10; Minutes, DFL Executive Committee, August 23, 1986, 2; Grant Moos, “Flashback,” *Session Weekly* (Minnesota House of Representatives) vol. 9, no. 8 (March 27, 1992), 2. Accessed at <https://www.leg.state.mn.us/docs/pre2003/other/P615/1992/v9n8.pdf>.

5% enlargement of the electorate from this segment of the population is not an unreasonable goal in 1990 and...could tip the balance to him in the Senate race.”<sup>16</sup>

Barnstorming the state in a green school bus with a now-experienced—if still outsider—team, Wellstone not only won independents, but voters who felt left out of politics in Minnesota. The efforts of groups like the 33% Campaign were rewarded on Election Day 1990, as DFLers scored an upset when Wellstone, on the strength of his appeal to blue-collar miners and farmers, beat Boschwitz, 50.5-47.9.<sup>17</sup>

### **Lakota Dakota Vote Project**

In South Dakota, 1996 represented what today is unfathomable—a chance for Democrats to flip a Senate seat. Voters had tired of media-savvy Republican Larry Pressler as the Farm Crisis devastated local communities. For Native voters, though, Pressler was particularly out of touch with their concerns: he supported Senate bills that would require tribal businesses to pay state and local taxes for gas and sales. The outgoing chairman of the Crow Creek Sioux, Duane Big Eagle, blamed Pressler as well as Republican Gov. Bill Janklow and Secretary of State Mark Barnett for inflammatory statements targeting Native communities.<sup>18</sup>

“I have had to endure this man for six years,” said Cheyenne River Sioux Tribal chairman Gregg Bourland. “If enough people make an X in the right places we can make things happen.” Others cited how, six years prior, Pressler won by just two percent because both candidates were largely the same.<sup>19</sup> South Dakota Natives had good reason to believe they could change South Dakota politics: in 1982, Democratic congressman Tom Daschle faced a Republican incumbent who had floated termination of South Dakota’s reservations. The publisher of *Indian Country Today* (then called *Lakota Times*), Tim Giago, encouraged Natives to go to the polls for Daschle, who returned the favor by sending attorneys to reservation counties to answer questions and watch polls. Following Daschle’s victory, Giago pointed out that Daschle won by 11,000 votes and that 15,000 Natives voted at a 90% clip for the Democrat. Why? “Daschle cared! He came out to our reservations, visited with the people and the tribal officials, danced at our pow wows, broke bread with us, and listened. The speeches he gave were never condescending or paternal. They conveyed the message of genuine concern...and they offered messages of hope on an issue to issue, person to person basis. We believed him!”<sup>20</sup> It was in that spirit, an *Indian Country Today* op-ed proclaimed in 1996, that “Anti-Indian lawmakers need to be clubbed with Indian vote.”<sup>21</sup>

As it happened, Native organizers in 1996 had a plan to club not just Pressler, but anti-Native legislators across the country with their votes. A national project, Native Vote ‘96 hoped to register 50,000 new

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<sup>16</sup> “Paul David Wellstone: Candidate for United States Senate from Minnesota,” c. 1989, 4.

<sup>17</sup> For a full account of the 1990 Wellstone campaign, see McGrath and Smith, *Professor Wellstone Went to Washington*; Lofy, *Wellstone*; Wellstone, *The Conscience of a Liberal*.

<sup>18</sup> “Legislation would cost tribes in taxes,” *Rapid City Journal*, July 14, 1996; David Melmer, “Tribal voting clout could impact election,” *Indian Country Today*, Week of October 26, 1995, B1.

<sup>19</sup> David Melmer, “DTCC calls Pressler ‘anti-Indian’,” *Indian Country Today*, July 29-August 5, 1996, B8.

<sup>20</sup> “Get-Out-The-Vote,” c. 1982, 17-18, 21. DA 12: Bill Nibbelink Collection, Box 1, Folder 8. Tom Daschle Papers, South Dakota State University Archives and Special Collections, Brookings, SD. Hereafter “Daschle Papers”; Editorial, “Daschle Wins on Indian Vote,” *Lakota Times*, November 11, 1982, 4.

<sup>21</sup> “Anti-Indian lawmakers need to be clubbed with Indian vote,” *Indian Country Today*, September 16-23, 1996, A4.

voters by fall 1996.<sup>22</sup> In South Dakota, one Native organizer estimated, the Native vote in South Dakota's eight most Native-populated counties was on average 18% before the statewide average, spiking to 37% below on Pine Ridge.<sup>23</sup> While the two projects originally operated independently, by summer 1996 the Lakota-Dakota Vote Project (LDVP) had become a subsidiary of Native Vote '96.

Native Americans did not receive a full guarantee of federal citizenship until the 1924 Snyder Act. After the 1965 Voting Rights Act expanded the power of the federal government to enforce the 15th Amendment—the right to vote irrespective of the color of your skin—particularly through Section 5, which forced jurisdictions trying to change voting qualifications or procedures to first clear it with the U.S. Attorney General. But it was not until a 1975 amendment protecting “language minorities” that regions with large proportions of Native Americans could be subject to federal intervention.<sup>24</sup> That specifically included several counties in South Dakota, specifically ones home to the Pine Ridge and Rosebud reservations, as well as eight more required to conduct bilingual elections due to their significant Native population.<sup>25</sup>

The problem? South Dakota had a *long* history of refusing to comply with Section 5. Attorney General-turned-Governor Bill Janklow, an eccentric Republican in the model of Donald Trump, called the 1975 law a “facial absurdity”; over the next 25 years, as Laughlin McDonald of the Voting Rights Project of the ACLU detailed in 2006, South Dakota enacted over 600 laws and regulations on voting in reservation counties, submitting under ten for preclearance. Small wonder that, as late as 1985, only 9.9% of Natives in South Dakota were registered to vote. Similar numbers plagued Native organizers, as my panelists will detail, in the Southwest and Pacific Northwest.<sup>26</sup> But national Democrats hoped to fill this void: in 1992 the Democratic Party set up its first organizing committee for Native voters. By 1996 they had hired their first outreach worker for Native communities and helped fund what would become Native Vote '96, an aggressive Native voter registration drive.<sup>27</sup> Efforts at Native voter drives, scholars like Eileen Luna have detailed in locales from Idaho to North Carolina, have succeeded.<sup>28</sup>

By 2000, members of the Sisseton-Wahpeton Sioux, Cheyenne River Sioux, Oglala Sioux, and Lake Traverse Sioux had successfully sued various city, county, and state authorities in South Dakota. But, in 1991, the South Dakota legislature had adopted a compliant redistricting plan that normally elected two state representatives at-large from each district, but created specific districts, 28A and 28B, to ensure

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<sup>22</sup> “Voter registration drive to kick off,” *ICT*, June 4, 1996, A3. See also “Self-Governance and Politics,” *Sovereign Nations* (Aug/Sept 1996), 1-2. Accessed at <https://www.tribalselfgov.org/wp-content/uploads/2015/03/Issue-2-1996-Self-Governance-and-Politics-Hillary-Clinton.pdf>.

<sup>23</sup> “The Lakota-Dakota Vote Project,” a proposal by The Association on American Indian Affairs, c. 1996, 3. Box 470, Lakota Dakota Vote Project, Association on American Indian Affairs Records, MC147, Public Policy Papers, Department of Special Collections, Princeton University. Hereafter “AAIA Records”.

<sup>24</sup> Jeanette Wolfley, “Jim Crow, Indian Style: The Disenfranchisement of Native Americans.” *American Indian Law Review* 16, no. 1 (1991): 167–202. <https://doi.org/10.2307/20068694>.

<sup>25</sup> Laughlin McDonald, Janine Pease, and Richard Guest, “Voting Rights in South Dakota.” *Review of Law and Social Justice* vol. 17, no. 1 (2007): 195-196. Accessed at [https://gould.usc.edu/students/journals/rlsj/issues/assets/docs/issue\\_17/09\\_South%20Dakota\\_Macro.pdf](https://gould.usc.edu/students/journals/rlsj/issues/assets/docs/issue_17/09_South%20Dakota_Macro.pdf).

<sup>26</sup> McDonald et al, 196-197, 204. For details on South Dakota's refusal to grant Natives voting rights, see 201-203.

<sup>27</sup> Luna, Eileen M. “Mobilizing the Unrepresented: Indian Voting Patterns and the Implications for Tribal Sovereignty.” *Wicazo Sa Review* 15, no. 1 (2000): 97. <http://www.jstor.org/stable/1409590>.

<sup>28</sup> *Ibid.*, 104-105.

Native representation. In violation of both the VRA and state constitution, in 1995 South Dakota repealed those House districts and redrew the maps.<sup>29</sup> Small wonder that, by 1996, the Lakota Dakota Vote Project saw voter registration as a necessity.

Democrats had particular reason to be motivated: “*Democrats could see an increase of well over 6,000 votes in 1996,*” one early proposal promised, with an eye toward sustaining these trends into the 2000s. That February 1996 plan proposed a Steering Committee of tribal governments, tribal colleges, Native activists, and the South Dakota Democratic Party (SDDP)—the latter of which would hire a Native American GOTV Coordinator and two field staff by September 1996.<sup>30</sup> The SDDP chair announced that he had authorized Duane Big Eagle to begin working on their effort and had hired Jane Murphy, a former campaign staffer for Montana Democratic Senator Max Baucus with experience in tribal voting.<sup>31</sup>

While the South Dakota Democratic Party’s efforts were well-intentioned, the historic weakness of the party itself led Big Eagle and other South Dakota Native leaders to seek their own funding.<sup>32</sup> The executive director of the South Dakota-based Association on American Indian Affairs, a Sisseton-Wahpeton Dakota man named Jerry Flute, wrote to the Vote Now ‘96 program that May to request a \$50,000 grant. AAIA promised to take a two-pronged approach to increased Native involvement in the political process: grassroots organizing and voter registration. Citing over 60,000 Natives in South Dakota who were of voting age by 1996, the LDVP planned to hire an executive director for six months, traveling among South Dakota’s reservations to recruit volunteers and work with tribal authorities to designate convenient and accessible polling places. Using the tribal system of clans, the LDVP also provided local organizers gas and vehicles to get voters to the polls, child care for parents, and planned celebrations for Election Day.<sup>33</sup> Focusing about half its issues education on “Civil Rights and Liberties,” the LDVP also planned to touch on health care, housing, jobs, reforming politics, and education.<sup>34</sup>

Allied with Native Vote ‘96, the LDVP made headlines and built enthusiasm for their cause. That summer, three full-time organizers in Washington state began a four-month tour in a 30-foot motorhome, traveling through California and the Southwest, up to Chicago for the Democratic National Convention, then through Wisconsin, Minnesota, South Dakota, Montana, and Idaho.<sup>35</sup> Nicknamed “the Vote-Catcher”, its September visit to South Dakota drew comparisons on the MTV bus used for Rock the Vote,

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<sup>29</sup> McDonald et al, 206-210. The South Dakota Constitution required the legislature would apportion legislative seats in 1983, 1991, and every ten years thereafter, *explicitly prohibiting* “interstitial reapportionment.”

<sup>30</sup> “1996 South Dakota Tribal Voter Registration & Mobilization Project,” presented to the Dakota Territorial Tribal Chairman’s Council, February 22, 1996, 2-3, 5. Box 470, AAIA Records.

<sup>31</sup> Rick Scollon to Tribal Chairmen, letter dated February 22, 1996. Box 470, AAIA Records.

<sup>32</sup> Pete Stavrianos to Tom Daschle, “Campaign Set Up,” November 26, 1996, 2. Series DA 3.1, Box 4, Folder 5, Daschle Papers. For more on the South Dakota Democratic Party in the 1980s, see Cory Haala, “Replanting the Grassroots: The Remaking of the South Dakota Democratic Party from McGovern to Daschle, 1980-1986,” *The Plains Political Tradition, Vol. 3*, eds. Jon Lauck, John E. Miller, Paula Nelson Pierre: South Dakota Historical Society Press, 2018.

<sup>33</sup> Jerry Flute to Frank Smith, May 29, 1996; “The Lakota-Dakota Vote Project,” a proposal by The Association on American Indian Affairs, c. 1996, 2, 4-5. Both in Box 470, AAIA Records; “Lakota-Dakota vote project launched,” *Indian Country Today*, September 2-9, 1996, B1-B2.

<sup>34</sup> Jerry Flute to Vote Now ‘96, “Request for Funding for Association on American Indian Affairs,” fax dated June 26, 1996, 3. Box 470, AAIA Records.

<sup>35</sup> “Voter registration drive to kick off,” *Indian Country Today*, A3; David Melmer, “Organizing the Indian vote,” *Indian Country Today*, August 5-12, 1996, A1-A2.

handed out 10,000 pieces of literature, and met with tribal leaders, students, and the elderly in special seminars at both Lower Brule and Pine Ridge reservations.<sup>36</sup>

Native-allied politicians—usually Democrats, in South Dakota—capitalized by emphasizing the power of the Native vote and amplifying the LDVP mission. Tim Johnson appeared frequently on reservations across the state alongside the Democrat running to replace him, Rick Weiland. While Weiland—who proposed a far more aggressive “Marshall Plan for Indian Country”—lost handily in the general election, a pair of candidates running aggressive campaigns for Native votes gave the Lakota Dakota Vote Project a cause to rally behind. “Vote for your family,” one LDVP-sponsored advertisement read, “There is strength in numbers... If all eligible Indian people registered and voted we would represent 10% of the statewide vote. Politicians might ignore 3% of the vote, but 10% of the vote can change the outcome of elections and public policy.”<sup>37</sup> Shortly after the Vote-Catcher’s visit, *Indian Country Today* published a report that Johnson and Sen. Tom Daschle had secured almost \$40 million in federal funding for South Dakota water projects, with an advertisement from LDVP on the opposite page.<sup>38</sup>

As part of its education process and bolstered by an additional influx of summer funds from the Democratic Party-allied Citizens Vote, the LDVP coordinated with *Indian Country Today*, the trailblazing Native-owned newspaper based in Rapid City, to blanket the paper with advertisements and coverage in the weeks leading up to the election.<sup>39</sup> Late that summer the LDVP had banked enough money to hire a Reservation Vote Coordinator to lead on-reservation voter registration at powwows and school events, as the LDVP sponsored events like a dance for young people at a Native center in Rapid City with free admission for those with a voter registration card.<sup>40</sup> By late October, *Indian Country Today* estimated, as many as 37,000 Native voters would turn out.<sup>41</sup>

On Election Day, with the LDVP offering gifts of tobacco to drivers, poll-watchers, and volunteers, as well as hosting community meals in public locations, 4,397 more Native voters turned out in 1996 than 1994, a 2.4% statewide increase.<sup>42</sup> In total, spending \$160,000 on 177 paid staff and about 350 volunteers, LDVP contributed to a 2.4% increase statewide in Native vote turnout, a total of 4,397 new voters.<sup>43</sup> In Native counties, Johnson ran 15 points ahead of Pressler, with the 5,000-vote margin in Indian Country

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<sup>36</sup> David Melmer, “Native Vote ‘96 visits the plains,” *Indian Country Today*, September 16-23, 1996, B1-B2.

<sup>37</sup> Melmer, “DTCC calls Pressler ‘anti-Indian’”; “Indian country campaign,” *Indian Country Today*, September 30-October 7, 1996, B1; “Why Vote?” advertisement in *Indian Country Today*, September 23-30, 1996, B6.

<sup>38</sup> “Northern Plains Briefs,” *Indian Country Today*, September 23-30, 1996, B2; “Why Vote?” advertisement.

<sup>39</sup> Russell Hemenway to Jerry Flute, August 12, 1996. Box 470, AAIA Records. Other funds came, too, from longtime Democratic donor Grover Connell of New Jersey and the Association of Trial Lawyers of America’s Grassroots Development Fund. See Jane C. Murphy to Grover Connell, August 7, 1996; and Murphy to Frank Clemente, August 8, 1996. Both in Box 470, AAIA Records.

<sup>40</sup> “Job Description: Reservation Vote Coordinator,” Lakota-Dakota Vote Project, fax dated August 8, 1996. Box 470, AAIA Papers; “The Lakota-Dakota Vote Project,” a proposal by The Association on American Indian Affairs, 5; “Northern Plains Briefs,” *Indian Country Today*, October 14-21, 1996, B4.

<sup>41</sup> “Get out the Indian vote – let our voices be heard,” *Indian Country Today*, October 21-28, 1996, A4.

<sup>42</sup> Jane C. Murphy to Vote Now ‘96, “Grantee Final Report Form: Lakota-Dakota Vote Project,” fax dated March 5, 1997, 5. Box 470, AAIA Records; “Native American County Totals,” attached to Jane C. Murphy to Terri Shuck, “Lakota-Dakota Vote Project Final Report,” March 5, 1997. Box 470, AAIA Records.

<sup>43</sup> Murphy to Vote Now ‘96, 7.

comprising a substantial portion of his 8,600-vote victory.<sup>44</sup> At Pine Ridge, one election recap recalled, the tribal offices were closed virtually all day as employees helped transport voters to the polls, explain ballots, and serve food at unaffiliated community events.<sup>45</sup>

Very few in Indian Country were sad to see the incumbent go. “Native vote had clout,” proclaimed David Melmer of *Indian Country Today*, crediting Native voters for Pressler’s defeat.<sup>46</sup> The Republican had “always sided with his red-neck constituency,” another op-ed added:

“It’s almost as if he believed he could thumb his nose at the Indian nations of the state with total impunity. Well, he discovered on Nov. 5 that in a very close political race, the Indian vote would and could make the difference. Tim Johnson took about 85 percent of the vote on the nine Indian reservations in South Dakota. Since he won the election by a mere 2 percent of the vote, you can see quite clearly that without the Indian vote, he would not have had a victory.”<sup>47</sup>

Beginning in mid-July through October 21, 1996, when voter registration ended in South Dakota, the LDVP had registered 6,029 voters, circulated 40,000 pieces of literature, held over a dozen press events, aired 650 radio ads, and made 200 Public Service Announcements on local TV and radio.<sup>48</sup> *Indian Country Today* was flooded with endorsements not only for Tim Johnson, but down-ballot candidates in the state legislature and county government.<sup>49</sup> A coordinated effort, aided by largely-Democratic philanthropy, had succeeded in mobilizing voters.

Retaliation from the state’s power-brokers came quickly. Republican Secretary of State Mark Barnett responded by announcing, days after the election, that he was investigating a “tip” that voters had been giving free food as a reward for voting. Murphy retorted that it was “a community-wide meal on election day,” expressing her surprise that there was an investigation at all.<sup>50</sup> “Don’t be concerned” about the negative press, Murphy promised reservation vote coordinators, “to my knowledge the investigation began and ended on Election Day and the article was the result of the Attorney General making fussy comments to the press.”<sup>51</sup> Even the White sheriff of a county neighboring a reservation, in response to rumors that only Natives were receiving soup or coffee in exchange for votes, laughed it off: “This was just a case of somebody calling in to get somebody else in trouble, is what it boils down to.”<sup>52</sup> Barnett insisted in a November 27 statement that while there were still indications that the food was provided on a

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<sup>44</sup> “U.S. Senate County Vote Totals,” attached to Jane C. Murphy to Terri Shuck, “Lakota-Dakota Vote Project Final Report,” March 5, 1997.

<sup>45</sup> Melmer, “High voter turnout credited for Sen. Pressler’s defeat,” *ICT*, November 18-25, 1996, C1.

<sup>46</sup> David Melmer, “Native vote had clout,” *Indian Country Today*, November 11-18, 1996, A1-A2.

<sup>47</sup> Editorial, “Like Custer, Pressler donned an Arrow shirt,” *Indian Country Today*, Nov. 25-Dec. 2, 1996, A4.

<sup>48</sup> Murphy to Vote Now ‘96, 1, 3.

<sup>49</sup> Gregg J. Bourland, “Native American vote will wield clout this November 5,” *Indian Country Today*, November 4-11, 1996, A5.

<sup>50</sup> “Voting on reservation investigated,” *RCJ*, November 9, 1996; AP wire, “Barnett probes reservation voting,” *Sioux Falls Argus-Leader*, November 12, 1996, D1.

<sup>51</sup> Jane Murphy to Reservation Vote Coordinators, “My Last Memo,” November 25, 1996, 1. Box 470, AAIA Records.

<sup>52</sup> “Barnett probes reservation voting”.

partisan basis, he had to conclude that “many of the activities were conducted in good faith by volunteers who were simply acting as good Samaritans.”<sup>53</sup>

That intimidation cleared, supporters of the LDVP took heart that this would help cement future Democratic gains in South Dakota. And there was room for improvement: Native voting still lagged 10% behind the statewide total, a modest improvement from a 11.8% gap in 1994.<sup>54</sup> In the future, Murphy hoped, they would begin hiring and training organizers earlier, train a crew of workers to travel the powwow circuit, develop a more formal absentee ballot program, and center more of their voter registration activities around the registration deadlines. She hoped, too, that they could work more closely with churches and schools.<sup>55</sup> As late as March 5, 1997, Murphy believed that LDVP would continue its mission in the future. Certainly the campaign of Senate Minority Leader Tom Daschle hoped it would—they recommended it be continued at all costs in 1998.<sup>56</sup>

While Jane Murphy had begun assembling a board of directors for LDVP in September 1997, looking ahead to the 1998 midterm elections, the LDVP may have gained a target on their back after the legal counsel to the project wrote in December 1997 that “votes will be garnered from the effort for Senator Daschle and other statewide Democratic candidates,” implying that the nonpartisan voter registration program was coordinating illegally with a partisan operation. The Association on American Indian Affairs had also voted to end the program for unspecified reasons, but Murphy warned his actions had “permanently compromised the future integrity of the Project and my role in it.”<sup>57</sup>

### Conclusions

The response from Republicans in South Dakota came swiftly. In 2002, following Tim Johnson’s successful re-election, the South Dakota legislature added photo identification laws, widely considered by Native observers to be “retaliation” for Johnson’s victory.<sup>58</sup>

The battle has not stopped—and the playing field has become more imbalanced. In 2022, “rampant” abuse of the National Voter Registration Act (NVRA) by South Dakota resulted in widespread voter registration. The Secretary of State sanctioned in the process was Mark Barnett—the same state official who investigated the Lakota Dakota Vote Project in November 1996.<sup>59</sup> And, in Republican-controlled states like South Dakota and North Dakota, voter identification laws have had the chilling effect of keeping Native voters from the polls.

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<sup>53</sup> Hugh O’Gara, “Report claims food, voting an unintentional mixture,” *RCJ*, November 28, 1996, B1.

<sup>54</sup> “Native American County Totals,” attached to Jane C. Murphy to Terri Shuck, “Lakota-Dakota Vote Project Final Report,” March 5, 1997.

<sup>55</sup> Murphy to Vote Now ‘96, 2.

<sup>56</sup> Murphy to Shuck, “Lakota-Dakota Vote Project Final Report,” 1; Stavrianos to Daschle, “Campaign Set Up,” November 26, 1996, 2.

<sup>57</sup> Jane C. Murphy to Jerry Flute, September 5, 1997; Murphy to Scott McGregor, January 7, 1998. Both in Box 470, AIAA Records.

<sup>58</sup> *Boneshirt*, 91; Schroedel, Jean, and Artour Aslanian. “Native American Vote Suppression: The Case of South Dakota.” *Race, Gender & Class* 22, no. 1–2 (2015): 312. <https://www.jstor.org/stable/26505340>.

<sup>59</sup> “South Dakota Voter Registration (Rosebud Sioux Tribe v. Barnett),” *Native American Rights Fund*, accessed February 29, 2024. In *Rosebud Sioux Tribe v. Barnett*, South Dakota was yet again found guilty of failing to offer voter registration services mandated by the National Voter Registration Act (NVRA, or “motor-voter”, since 1995).

Respective attempts to engage Native voters in South Dakota represent both the opportunities and the pitfalls of attempting to close the turnout gap. *Indian Country Today* and organizers like Jane Murphy revealed how Native voters truly believed they would play an enduring role in the South Dakota Democratic coalition. But the naked partisanship with which the state's Democratic party leaders approached the LDVP helped confirm racially-motivated suspicions of South Dakota's Republican secretary of state and governor, folks who had made their careers off anti-Native policing.

Yet those crises should not obscure the potential of a cost-effective, grassroots voter mobilization program, both in its ability to play kingmaker in statewide elections but keep seats competitive down-ballot. Indeed, for many Native rights activists on the Plains, they remember the 1980s and the '90s, when, as Tim Giago noted, Native voters truly were the difference.