



The Navajo Nation Council - Office of the Speaker

Contact: Joshua Lavar Butler, Communications Director

Phone: (928) 871-6384

Cell: (928) 255-2946

Fax: (928) 871-7255

joshualavarbutler@navajo.org

joshualavarbutler@yahoo.com

www.navajonationcouncil.org

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FOR IMMEDIATE RELEASE

Navajo woman awarded for contesting Prop. 200 law

No birth certificate, no ID; Laughter wins legal battle to regain right to vote

"You're not welcome here because you don't have the proper ID," Laughter recalled what the election official told her. "I was so humiliated. It was like I didn't even exist."

FORT MCDOWELL YAVAPAI NATION, Ariz. — Lawrence T. Morgan, the speaker of the 21st Navajo Nation Council, congratulated Agnes Laughter for receiving the Frank Harrison and Harry Austin Citizenship Award on July 15 at Fort McDowell.

Two years after being denied her voting rights because she lacked no other identification aside from her thumbprint, Agnes Laughter was awarded the citizenship award at a banquet commemorating the 60th anniversary of the Native American Voting Rights Celebration that was hosted by the Fort McDowell Yavapai Nation.

Laughter received the award for her willingness to become the sole Native American to step forward and contest the voter identification requirements of Proposition 200 in litigation filed in the U.S. District Court of Arizona on June 20, 2006. She joined the Navajo Nation in challenging the constitutionality of the in-person voting procedures that require certain identification to be presented at the poll in order to receive a regular ballot.

In 2006, Laughter walked into an election precinct to cast her vote when she was questioned by an election worker about her identity.

"You're not welcome here because you don't have the proper ID," Laughter recalled what the election official told her. "I was so humiliated. It was like I didn't even exist. I raise my thumb today to tell you my thumbprint is who I will always be. Nobody can take that away from me."

In the 2006 elections, several hundred Navajo voters, including Laughter, were denied the right to have their votes counted for failure to provide proper identification. American Indians are less likely to have the identification required by the Proposition 200 procedures.

In April 2008, working on behalf of the Navajo Nation and Laughter, Judith Dworkin of the law firm of Sacks Tierney, reached a settlement with the state and county defendants which required the secretary of state to revise its polling place procedures for Native American voters. On May 22, 2008, the U.S. Department of Justice revised procedures to provide a broader non-exhaustive list of documents that may serve as tribal identification to vote. Laughter's award was recognition from Native Americans and tribes throughout Arizona for her efforts in ensuring the continued right to vote for Native Americans in Arizona.



Delia Carlyle, a member of the Inter Tribal Council of Arizona, presents the Frank Harrison and Harry Austin Citizenship Award to Agnes Laughter at a banquet held on the Fort McDowell Yavapai Nation July 15. (Photo by Bronson Peshlakai)

Laughter was born at home in a traditional Navajo hogan in 1932 and does not have a birth certificate, speaks no English and has never attended school. She is unable to produce any of the forms of identification established in the implementing procedures.

She requires language assistance at the polls to translate the ballot from English into Navajo. Until Proposition 200 was enacted, her sole form of identification to vote was her thumbprint.

In front of about 250 tribal leaders, state officials and representatives from the Democratic and Republican parties, Laughter received the highest award. Speaking in Navajo, she told the audience that when poll workers told her that she could not vote in the September 2006 election because she didn't have a piece of paper that said who she was, she felt worthless and was committed to secure revisions to the procedures.

Representatives from the Navajo Election Administration attended the banquet on behalf of the Navajo Nation and delivered a proclamation that was adopted by the election board that commemorated the 60th Anniversary of the Native American Right to Vote.

The Inter Tribal Council of Arizona created the Frank Harrison and Harry Austin Citizenship Award on the 50th anniversary of the unanimous Arizona Supreme Court decision that recognized Indian voting rights. The late Harrison and Austin, of the Fort McDowell Yavapai Nation, were the trailblazers who helped secure the voting rights of the American Indian people of Arizona.

On July 21, the 21st Navajo Nation Council will also offer recognition to Agnes Laughter for her role in filing the lawsuit with the Navajo Nation against the state of Arizona's Proposition 200.

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