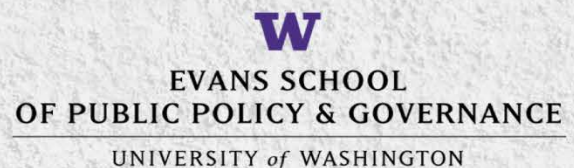




The Native American Electorate's Role in the Blue Wave Referendum on President Trump's Policy Agenda



Notes & Disclaimer:

This publication is a product of The University New Mexico Native American Budget and Policy Institute in collaboration with The University of New Mexico Center for Social Policy, the First Nations Development Institute, and the Evans School of Public Policy and Governance at the University of Washington. The views expressed in this report are those of the authors and do not necessarily represent those of The UNM Native American Budget and Policy Institute, The University of New Mexico, collaborating organizations, or funders. Finally, this report does not reflect the views or priorities of the Pueblos, Tribes, or Nations in New Mexico.

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Introduction

In a historic mid-term election that saw minority and women voters energized like never before, one of the major themes was the importance of the Native American population as both voters and candidates. For instance, their vote appears to have swung important races in Montana, Arizona, and New Mexico.¹ This election also resulted in several Native American candidates representing their electoral communities, highlighted by two Native American women headed to Congress: Deb Haaland (Laguna Pueblo) of New Mexico and Sharice Davids (Ho Chunk) of Kansas. Tom Cole (Chickasaw) and Markwayne Mullin (Cherokee), both of Oklahoma, won re-election to Congress. Accentuating the success of Native American statewide candidates, Kevin Stitt (Cherokee) was elected governor of Oklahoma, and Peggy Flanagan (White Earth Ojibwe) was elected as Lieutenant Governor of Minnesota. Forty-eight Native American and Alaska Native candidates won election to state legislative offices.

Although research from our team has found that American Indian and Alaska Natives (AI/ANs) tend to vote at relatively high rates in midterm congressional years,² enthusiasm and turnout among Native Americans appeared to be exceptionally high in 2018. A variety of Native American advocacy organizations worked to mobilize Native American voters during the electoral cycle. This includes individual tribal governments and established organizations such as Native Vote and the National Congress of American Indians, and relatively new organizations like Montana Native Vote and #SheRepresents.^{3,4}

These mobilization efforts by organizations and underlying enthusiasm to voice an opinion on President Trump's policy agenda led Native American community engagement in electoral politics in 2018, as both voters and candidates, at unprecedented levels. This rise in civic engagement occurred in areas where Native American voters were facing tremendous obstacles to participation, including a court ruling upholding the voter ID law in North Dakota that disproportionately burdens Native Americans.⁵ Unexpected high turnout rates resulted in several polling locations in Standing Rock having unusually long wait times, with election officials running out of ballots and a need to print more to accommodate voters.

In this brief, we provide analysis of the Native American electorate in the 2018 election across multiple dimensions. We begin with a discussion of the voting behavior of the Native American electorate through the ground-breaking Latino Decisions Election Eve Survey that includes a national sample of Native American voters. The survey allows us to not only discuss the vote choice, policy attitudes, and views toward the president and both Republican and Democratic parties, but compare the results for Native Americans to those of other major racial and ethnic groups. We then discuss the performance of Native American candidates who ran for office in a year that saw more Native American candidates, many of whom were women, run and win than ever before. We conclude with the voter suppression tactics aimed at limiting the power of Native American voters to exercise their right to vote, noting that contemporary suppression issues are rooted in a deep history of exclusionary policies in the United States.

¹ <https://www.nytimes.com/aponline/2018/11/01/us/ap-us-ap-explains-the-native-american-vote.html>

² Huyser, K. R., Sanchez, G.R., and Vargas, E.D., (2017). "Civic Engagement and Political Participation among American Indians and Alaska Natives in the United States." *Politics, Groups and Identities* 5(4): 642-659.

³ https://newsmaven.io/indiancountrytoday/news/no-middle-ground-for-indian-country-in-this-election-wtr-FoMGuE-SiT_7reuErQ/

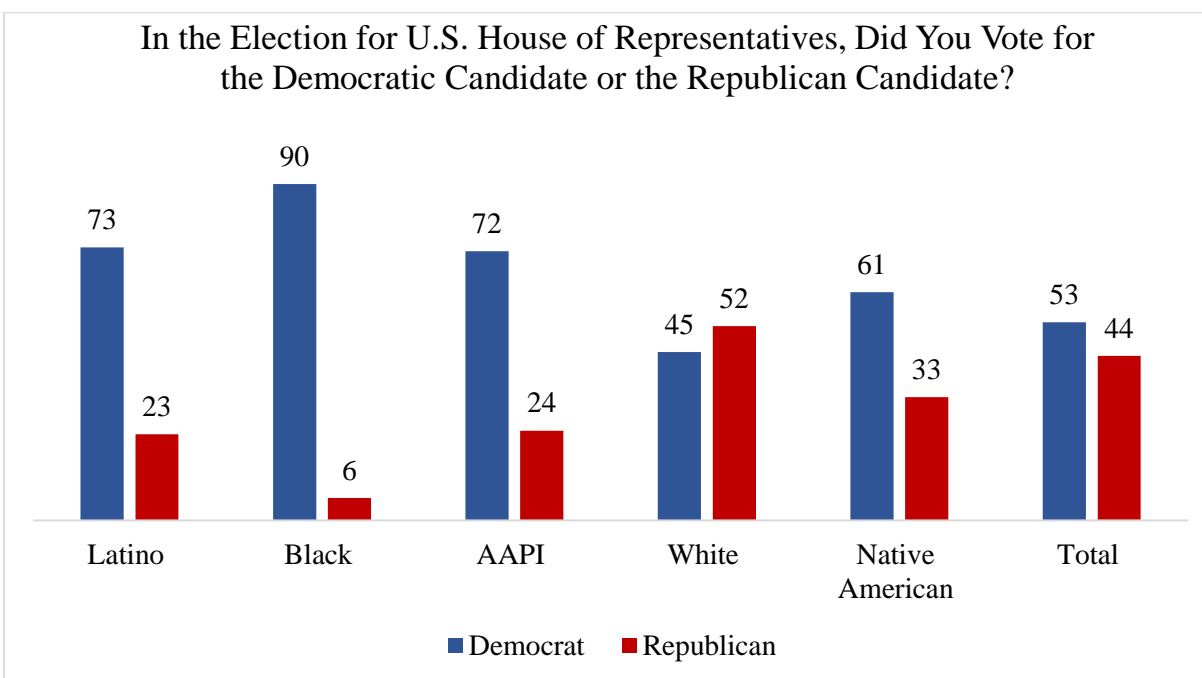
⁴ <https://newsmaven.io/indiancountrytoday/news/a-friend-is-calling-don-t-forget-to-vote-nativevote18-ilpIRwdLGEWluZT0T2jL7Q/>

⁵ <http://time.com/5446971/north-dakota-native-american-turnout/>

Main Findings of Latino Decisions Election Eve Survey

The Latino Decisions Election Eve survey provides a unique opportunity to analyze Native American voting trends and compare the Native American electorate with other racial and ethnic groups. As reflected in the figure below, 61% of Native American voters reported voting for a Democratic candidate for Congress, which is significantly higher than White voters, but lower than Black, Latino, and Asian American and Pacific Islander voters' Democratic vote share. Native American voters were, therefore, an important contributor to the blue wave that led to the Democratic Party gaining control of the House which included the election of a large slate of Native American candidates. To our knowledge, Latino Decisions' 2018 polling provides the first comparison of Native American voters nationally to other groups, so the findings significantly advance our understanding of their electoral behavior.

Figure 1: 2018 Vote for U.S. House by Race



Source: Latino Decisions Election Eve Poll 2018

With the large sample of the Native American electorate, we can also explore variation in voting behavior within the diverse Native American community. Below are some of the main sources of variation for Native American voters:

- There was a significant gender gap among Native American voters, with 67% of women reporting they voted for Democrats compared to 54% of Native American men. This is consistent with the gender gap for other racial and ethnic groups, with women leaning more Democratic in their voting behavior in this election by wide margins across all racial and ethnic groups. Similarly, 72% of Native American women voters encouraged friends or family to register or vote, a rate 13 percentage points higher than Native American men.
- Cross-over voting among Native American voters benefited Democratic candidates, as 95% of Native American Democrats reported that they voted for a Democratic

candidate compared to 89% of self-rated Native American Republicans who reported voting for a Republican candidate.

- Native American Independents broke toward the Democrats, with 46% of Independent/other party identifiers reported voting for a Democratic candidate, compared to 38% for a Republican candidate and 13% for another party's candidate.
- Native American voters of ages 18 to 29 were the most politically active of all Native American age groups. In sum, 59% of young Native American voters encouraged friends or family to register or vote, 35% attended a protest or demonstration, and 27% volunteered for a candidate or a voter outreach drive.

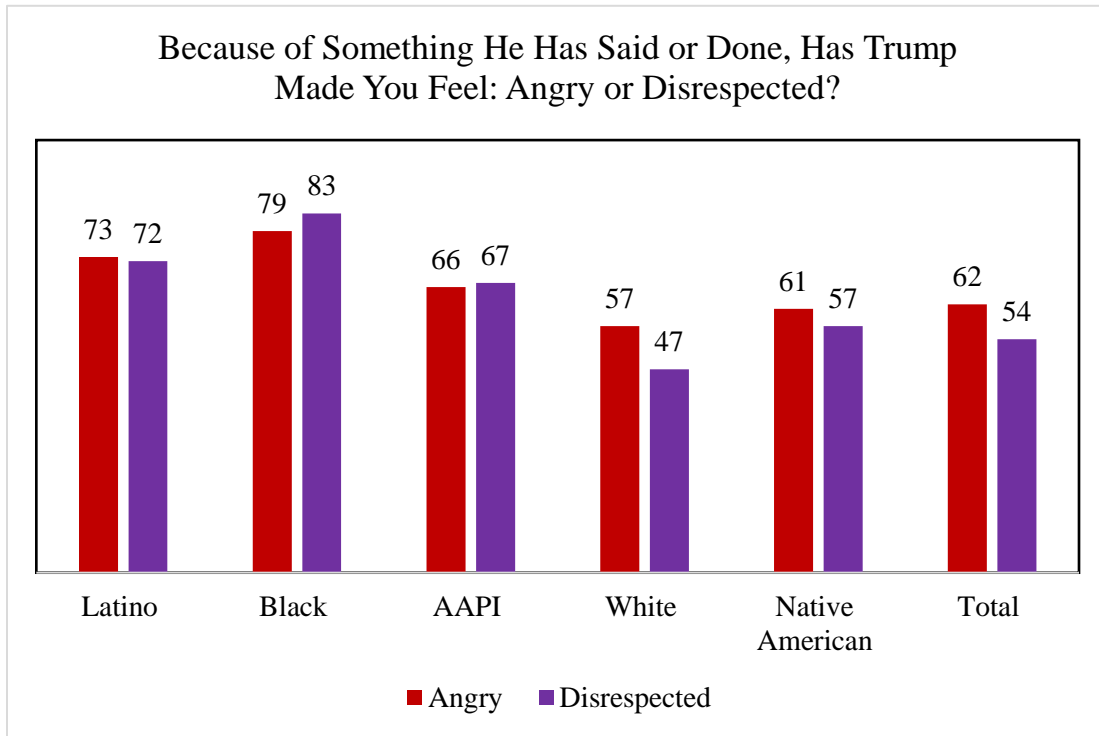
Mid-term congressional elections are always a referendum on the president and his party, but this election was uniquely tied to the polarizing agenda and campaign messaging of President Trump. The survey provides several measures of the Native American electorate's view of President Trump and the Republican Party more broadly. The survey reveals that 58% of Native American voters in the 2018 election disapprove of the job Donald Trump is doing as president, while 45% strongly disapprove. We also found that 61% of Native Americans were angered by something the president has said or done, and 57% felt disrespected. For example, Native Americans felt outrage over Trump's lack of respect for the nation-to-nation relationship that shapes interaction between Native nations and the federal government,⁶ the lack of respect for Native American cultural sites and lands,⁷ and Trump's use of Native American stereotypes.⁸ While it is higher than that of Whites, the negative reaction to the president's behavior among Native Americans is not as extreme as it is for other racial and ethnic minorities in the country.

⁶ <https://www.politico.com/story/2018/04/22/trump-native-americans-historical-standing-492794>

⁷ <https://www.nytimes.com/2017/12/04/us/trump-bears-ears.html>; <https://www.reuters.com/article/us-usa-alaska-refuge/construction-planned-to-prepare-alaskas-arctic-refuge-for-oil-drilling-idUSKCN1J403G>

⁸ <https://www.thedailybeast.com/native-american-groups-slap-down-trumps-pocahontas-comment>

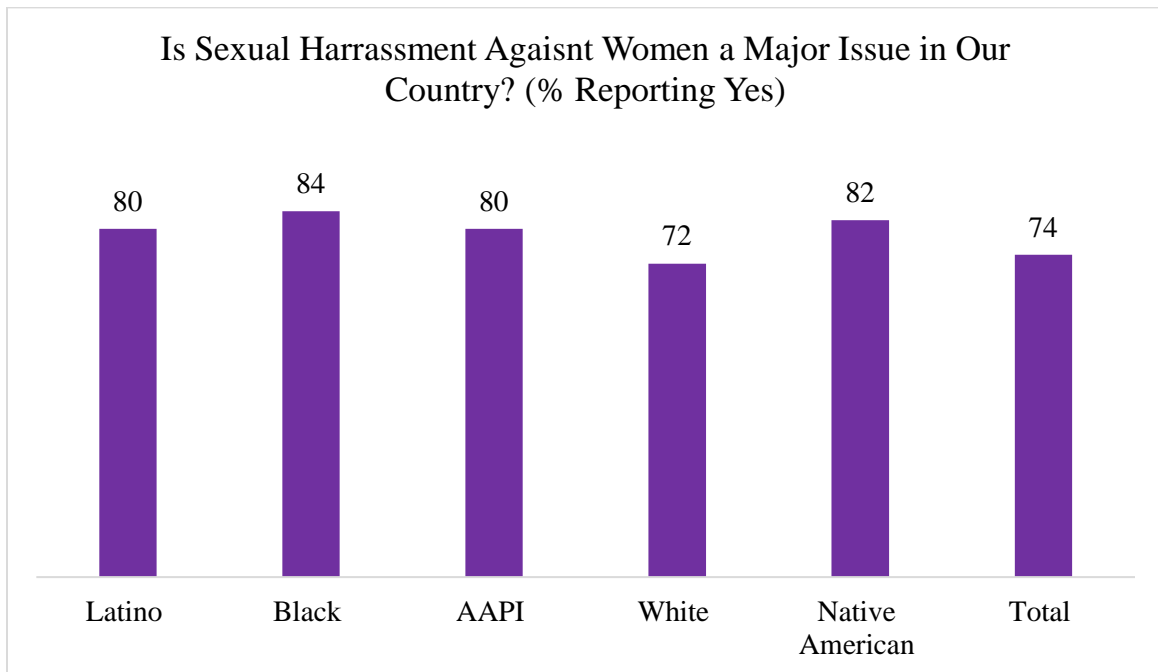
Figure 2: Reaction to President Trump's Behavior by Race and Ethnicity



Source: Latino Decisions Election Eve Poll 2018

It is clear that there was a pink wave, as women were energized in this election as both voters and candidates. The #MeToo movement provided the context for an election in which gender discrimination was highly salient and a moderating factor for many voters' decisions at the ballot box. The survey reveals that 82% of Native American voters believe that sexual harassment against women is a major problem in our country. This is higher than the percentages of all other groups except Blacks, who came in at 84%. Native Americans lay blame for sexual harassment with the Republican Party, as 68% of Native American voters believe Trump and the Republicans are normalizing sexism and sexual harassment against women.

Figure 3: Views Toward Sexual Harassment by Race and Ethnicity



Source: Latino Decisions Election Eve Poll 2018

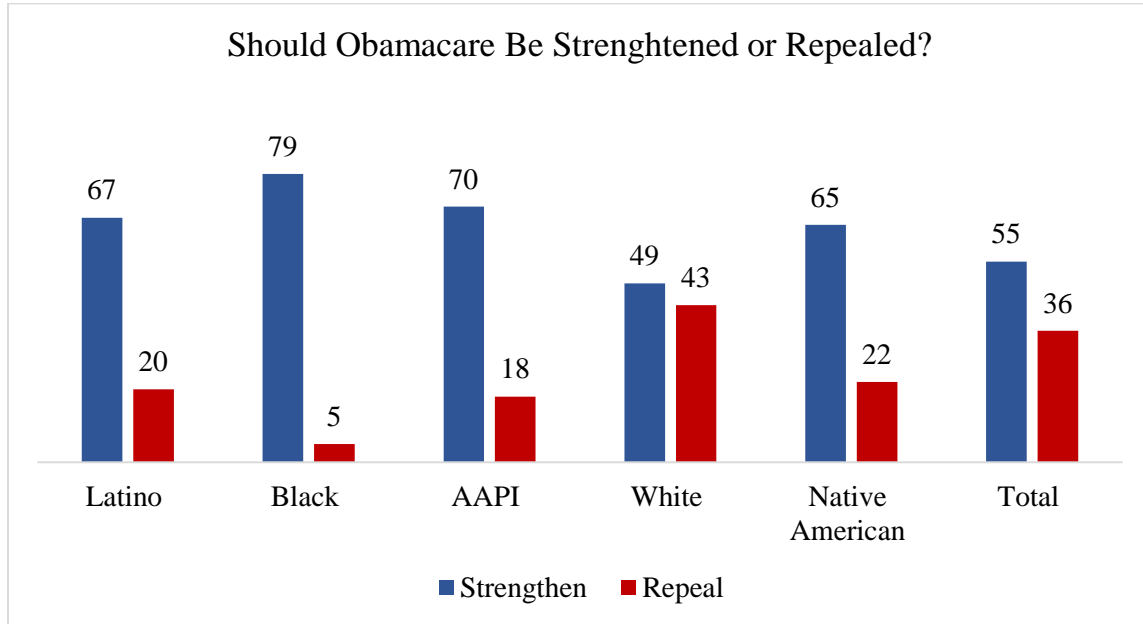
The strategies of the two parties were clear; Democrats attempted to make the election about health care, and President Trump attempted to make the election a referendum on his approach to immigration. The evidence from the Election Eve Survey indicates that the Democratic strategy had traction, as the policy issue most Native American voters felt that their community politicians should address was health care access and the costs of health care at 32%. This compares to 10% who reported that border security was the most important issue, trailing not only health care, but economy/jobs (28%) and income inequality (14%) among others.

When asked for their view regarding health care, 65% of Native American voters reported that Obamacare should be strengthened compared to 22% who felt it should be repealed. Attitudes in support of Obamacare are likely due to the significant increase in Native Americans who now report having health insurance under Obamacare, especially Native children. For example, according to a recent Georgetown University study, the uninsured rate for American Indian and Alaska Native adults declined from 36% to 28% and declined for Native American children from 25% to 15% from 2008 to 2015.⁹

Consistent with other measures in the survey, Native Americans have a more Democratic view on this issue than Whites, but not as high as other racial and ethnic minorities. The survey also found that 71% of Native Americans believe that Congress should pass the DREAM Act, seven percentage points higher than Whites.

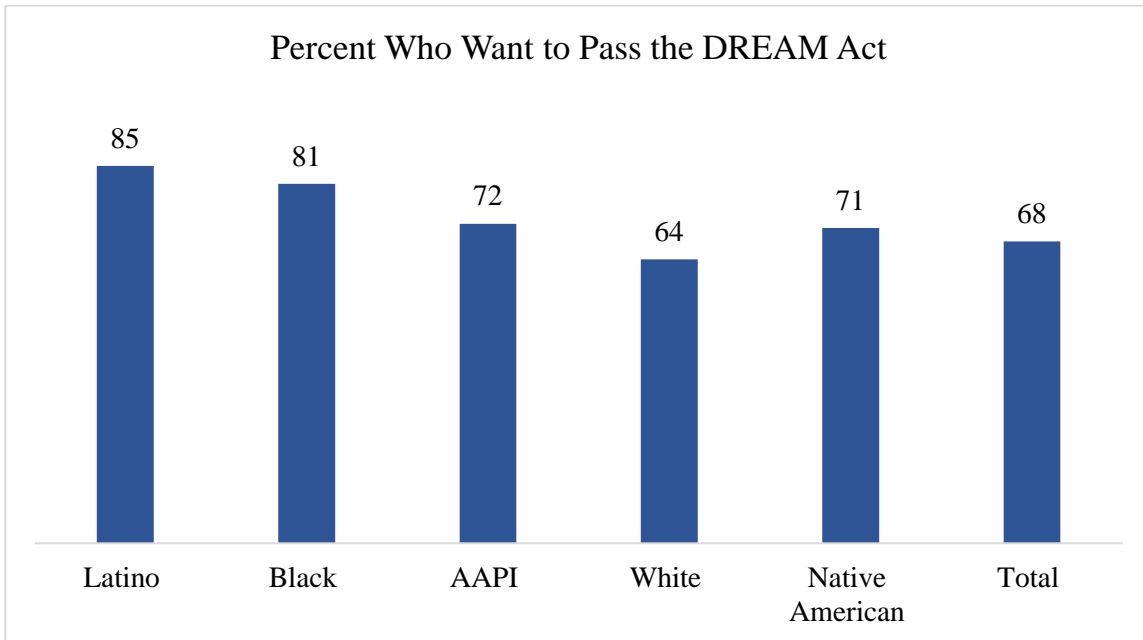
⁹ <https://ccf.georgetown.edu/wp-content/uploads/2017/07/Amer-Indian-Alaska-Native-Coverage-final-rev.pdf>

Figure 4: Views Regarding Obamacare by Race and Ethnicity



Source: Latino Decisions Election Eve Poll 2018

Figure 5: Widespread Support for the DREAM Act



Source: Latino Decisions Election Eve Poll 2018

Finally, the Latino Decisions Election Eve survey provides an opportunity to evaluate how individual Native Americans view the dominant political parties in the country. As reflected in the figures below, Native Americans are twice as likely as White Americans to believe that the

Republican Party either doesn't care too much about their community or is hostile toward their community - 67% to 31%. Although it is clear Native American voters do not view the Republican Party as responsive, 48% of Native Americans have similar views about the Democratic Party.

When asked why they voted today, a higher percentage of Native Americans (49%) reported "to support the Native American community," compared to 19% who reported to "support the Republican Party" and 28% who reported to "support the Democratic Party." The findings from this survey are consistent with the limited research in this area which suggests that Native American voters are not highly partisan and evaluate candidates based on their view of which would be better for the Native American community.¹⁰

Table 1: Views Toward Party Outreach: GOP "Which statement comes closest to your own view?"

	Total	Latino	Black	AAPI	White	Native American
The Republican Party is currently doing a good job reaching out to [my community].	52	23	12	22	64	24
The Republican Party doesn't care too much about [my community].	26	35	55	55	18	42
The Republican Party is being hostile towards [my community].	17	39	30	15	13	25
Total hostile or ignoring	43	74	84	70	31	67

¹⁰ Wilkins, David E. and Heidi Kiiwetinepinesiik Stark. 2108. *American Indian Politics and the American Political System*. Lanham, MD: Rowman and Littlefield. Pgs 198-219.

Table 2: Views Toward Party Outreach: Dem “Which statement comes closest to your own view?”

	Total	Latino	Black	AAPI	White	Native American
The Democratic Party is currently doing a good job reaching out to [my community].	45	56	72	45	40	46
The Democratic Party doesn't care too much about [my community].	23	30	21	43	21	38
The Democratic Party is being hostile towards [my community].	25	10	3	5	31	9
Total hostile or ignoring	48	39	24	48	52	48

The Unprecedented Surge in Native American Candidates

The 2018 election had a record number of Native American and Alaska Native individuals run for political office.¹¹ This unprecedented wave of Native American and Alaskan Native candidates is a clear indicator of the engagement of Native communities in politics during an election where racial identity was heightened for all communities of color. Moreover, the rise of Native candidates, especially in state legislatures, is significant given that research suggests that Native American representatives are able to get important Native issues on legislative agendas.^{12,13} In addition, Native American state legislators provide a pipeline for Native American candidates for higher office. Peggy Flanagan (White Earth Ojibwe) was a state legislator before her successful run for lieutenant governor of Minnesota. Other former state legislators on the ballot this fall included Paulette Jordan (Coeur d'Alene), the Democratic gubernatorial candidate in Idaho and Anastasia Pittman (Seminole), the Democratic candidate for lieutenant governor in Oklahoma.

According to Native American candidate data collected by Mark Trahan, respected journalists and editor of *Indian Country Today*, approximately 93 Native American and Alaska Native candidates ran for political office at various levels of government (and many more ran in primary elections).¹⁴ A total of 11 Native American and Alaska Native candidates ran for state offices, including governor, lieutenant governor, corporation commissioner and more.

¹¹ <http://www.spokesman.com/stories/2018/nov/03/country-sees-high-number-of-native-american-candid/>

¹² Evans, Laura E. 2011. *Power from Powerlessness: Tribal Governments, Institutional Niches, and American Federalism*. New York: Oxford University Press.

¹³ Foxworth, Raymond, Amy H. Liu, and Anand Edward Sokhey. "Incorporating Native American History into the Curriculum: Descriptive Representation or Campaign Contributions?" *Social Science Quarterly* 96, no. 4 (2015): 955-969.

¹⁴ Data collected by *Indian Country Today* is the best data source to the author knowledge on Native American and Alaska Native candidates. But we acknowledge that there may be some missing candidate data. We deleted individuals who did not make it past the primary in states and also did not count Native Hawaiians in this analysis.

Ten Native American and Alaska Native candidates ran for the U.S. House of Representatives, and 72 ran for state legislatures.

As reflected in the table below, of the 93 candidates who ran for office, 54 candidates (58%), won their respective races. Two individuals won state office positions, including Kevin Stitt (Cherokee), elected governor of Oklahoma, and Peggy Flanagan (White Earth Ojibwe), elected as Lieutenant Governor of Minnesota. Forty-eight Native American and Alaska Native candidates were elected to state legislative offices and four Native American and Alaska Native to the U.S. House of Representatives.

Table 3: Native American Candidates, by Gender and Electoral Success

	Total Native American Candidates	Native American Candidates that Won Election	Native American Women Candidates	Native American Women Candidates That Won Election
State Office	11	2	8	1
State Legislature	72	48	40	24
House of Representatives	10	4	3	2
	93	54	51	27

Beyond the record number of Native American and Alaska Native candidates seeking office in 2018, there was a significant surge in Native American and Alaska Native women running for political office.¹⁵ In fact, a total of 51 Native American and Alaska Native women sought political office, eight sought state offices, 40 sought state legislature seats, and three sought election to the U.S. House of Representatives. In total, 27 Native American and Alaska Native women won their races, including one Native woman winning a state office, 24 winning state legislative seats, and two Native women with historic victories to the U.S. House of Representatives.

Debra Haaland (Laguna Pueblo) of New Mexico’s First Congressional District and Sharice Davids (Ho-Chunk) of Kansas’s Third Congressional District became the first Native American women to be elected to the U.S. House of Representatives. Davids won despite negative ads painting her as a radical liberal in Kansas and being outspent by her incumbent opponent.¹⁶ Haaland’s platform included standing up for disenfranchised groups, including LGBT, single mothers, and Native Americans. On election night, she noted, “growing up in my mother’s Pueblo household, I never imagined a world where I would be represented by someone who looks like me.”¹⁷ Haaland’s landslide victory in her race was noteworthy in a district that, although trending increasingly blue, was once one of the most hotly contested districts in the nation.

Native American Candidates and Partisanship

As noted in Table 4, the majority of Native American and Alaska Native candidates running for office were Democrats. A total of 71 Native American and Alaska Native candidates ran as

¹⁵ <https://www.indianz.com/News/2018/09/04/mark-trahant-more-native-women-are-runni.asp>

¹⁶ <https://www.opensecrets.org/races/summary?cycle=2018&id=KS03>

¹⁷ <https://www.abqjournal.com/1242791/all-3-nm-congressional-seats-up-for-grabs.html>

Democrats, including seven candidates for state office, 60 for state legislatures, and four for the U.S. House of Representatives as Democrats. A total of 46 won political office. Seventeen Native American and Alaska Native candidates ran as Republicans and eight of those candidates won political office. Finally, five ran for political office as Independents or either the Green or Libertarian party.

Table 4: Native American Candidates and Partisanship by Office

	State Office	State Legislature	House of Representatives
Democratic Candidate	7	60	4
Democratic Candidate Winners	1	43	2
Republicans Candidate	4	9	4
Republicans Candidate Winners	1	5	2
Other (Green Party, Independent or Libertarian)	0	3	2

In all, most Native American women candidates ran as Democrats with only six running as Republicans. Of the Native American women Republican candidates, only one won election: Tamara St. John (Sisseton Wahpeton Oyate) won reelection to the South Dakota House of Representatives, representing District 1.¹⁸

The Impact of Voter Suppression on Native Americans Political Power

Like suffrage for other historically excluded groups in the U.S., the right to vote for Native Americans has a long and complicated history. For example, in 1890, where federal Indian policy focused on Christianizing and civilizing Native Americans,¹⁹ some Native Americans were granted citizenship and the right to vote through an application process, though they were required to show that they had abandoned traditional ways of life.²⁰ In 1924, Native Americans were granted citizenship (though they did not ask for it) under the Indian Citizenship Act, signed into law by President Calvin Coolidge. But for many Native Americans, citizenship did not come with the right to vote. Barriers like competency tests, residing on reservations, taxation, and more, were all institutional mechanisms created to deny Native Americans and other minority groups the right to vote in many states, including in Arizona and New Mexico.²¹ In New Mexico, Native Americans were not granted the right to vote until 1948, after Miguel Trujillo, a World War II Marine veteran from the Pueblo of Isleta, used litigation to extend the right to vote for all Native American people in the state.²² Trujillo's

¹⁸ In New Mexico, Republican Yvette Herrell (Cherokee) has not conceded her race for the 2nd congressional district but current vote counts do suggest she lost the race by a slim margin. At the time of release of this brief, Herrell had announced a law suit to further investigate absentee ballots. See http://www.santafenewmexican.com/news/local_news/herrell-not-conceding-house-race-in-new-mexico/article_22110b1c-ccc5-5fe7-9b2b-cd481893a254.html

¹⁹ Cornell, Stephen. *The return of the Native: American Indian Political Resurgence*. Oxford University Press, 1990

²⁰ Schroedel, Jean and Ryan Hart. 2015. "Vote Dilution and Suppression in Indian Country." *Studies in American Political Development* 29(April 2015): 40-67.

²¹ <https://www.narf.org/cases/voting-rights/>

²² <https://www.abqjournal.com/1241022/ap-explains-how-the-native-american-vote-evolved.html>

case was a milestone, although lawsuits over Native American voting rights continued for decades.²³

In this year's 2018 midterm election, voter suppression efforts continued. In North Dakota, the Republican Party passed legislation that required a street address on IDs. According to the expert witness report co-written by Gabriel R. Sanchez, this legislation disproportionately affected Native American people who often use P.O. boxes as most homes in Native American communities across the U.S. do not have physical street addresses. Analyzing possession of accepted IDs through a comprehensive survey, the report found the law would disenfranchise 35% of eligible Native voters in North Dakota. This law replaced an earlier version struck down by the courts which disqualified tribal issued photo IDs for voting purposes. North Dakota is not the only state where Native American voting rights were at risk. In Arizona, state officials sought to relocate polling places away from convenient locales in the Navajo Nation.²⁴ In southern Utah, election officials attempted to disqualify a prominent Native American candidate.²⁵ These are just a few of the documented examples of the continuing struggle of both Native American voters and candidates to gain access to the vote and representation in the U.S. today.

Conclusions and Projections for Native Vote Moving Forward

The Latino Decisions Election Eve Poll and the election results raise a number of implications for Native American politics.

First, Native American voters display a commitment to Native American models of political leadership. Sandefur and Deloria have noted that Native Americans have long valued leaders with community-based political visions and with collaborative approaches that support participation across gender and age.²⁶ We see parallels in the Election Eve Poll, where Native Americans describe their commitment to the well-being of Native American communities, and Native American women and youth describe their high levels of political engagement.

Second, Native American voters' highest priority is better health, which puts them at odds with the Trump administration. The Trump administration seeks to cut funding for Native American health care.²⁷ The Trump administration has resisted measures to address the crisis of missing and murdered indigenous women.²⁸ If Native American political clout is growing, will it be enough to stop Trump's plans?

Third, representation matters. Many Americans know very little about Native Americans; stereotypes and inaccuracies shape their views of Native people.²⁹ With more Native American elected officials, other Americans have more chances to observe what Native America is really like.

Fourth, there is reason to hope for better responsiveness to Native American interests. There are now four Native American members of Congress. Other members of Congress relied on

²³ McCool, Daniel, Jennifer Lynn Robinson, and Susan Marie Olson. 2007. *Native Vote: American Indians, the Voting Rights Act, and the Right to Vote*. New York: Cambridge University Press.

²⁴ <https://www.hcn.org/articles/tribal-affairs-how-the-americans-with-disabilities-act-could-affect-native-american-voters>

²⁵ <https://www.sltrib.com/news/politics/2018/11/07/lyman-wins-house-seat-san/>

²⁶ Sandefur, Gary and Philip J. Deloria. 2018. "Indigenous Leadership." *Daedalus* 147(2): 124-135.

²⁷ <https://www.politico.com/story/2018/04/22/trump-native-americans-historical-standing-492794>

²⁸ <https://thehill.com/opinion/civil-rights/401257-vawa-reauthorization-even-if-the-democrats-lose-they-win>

²⁹ <https://www.reclaimingnativetruth.com/wp-content/uploads/2018/06/FullFindingsReport-screen.pdf>

Native American voters for victories in competitive elections in 2018. These members include Kyrsten Sinema (D-AZ) and Jon Tester (D-MT) in the Senate and Kendra Horn (D-OK5), Tom O'Halleran (D-AZ1), Collin Peterson (D-MN7), and Xochitl Torres Small (D-NM3) in the House of Representatives. The Election Eve Poll shows that Native American voters want action on health care, economic opportunity, and the treatment of women. Will their elected officials deliver?

Survey Methodology

In partnership with Asian American Decisions and the African American Research Collaborative, Latino Decisions completed 9,400 interviews with Latino, Black, AAPI, Native, and White registered voters who voted early or were certain to vote in the November 6, 2018 general election. Interviews were conducted through a combination of cell phone and landline telephone with live callers and self-administered online surveys. Respondents were randomly selected from a statewide or districtwide sample frame, giving all voters an equal opportunity to be selected for interviews. Respondents were reached on landline and cell phone-only, from October 31 to November 5, 2018, and interviews averaged 14 minutes in length.

Voters were pre-screened based on their vote history in previous midterm elections and date of registration. They included a mix of new registrants and first-time voters as well as those who had confirmed vote history in 2010 and 2014 midterms. It also included newer voters who first voted in 2016 and even newer registrants who were first-time voters in 2018. Respondents were asked if they had already voted early, and if not, if they were 100% certain they would vote on November 6th. Approximately half of voters indicated they voted early, while half were Election Day precinct voters. The interview for any respondent who was not certain was terminated. Native American voters were selected from a nationwide sample frame and included 600 total interviews. Final data were compared to known census estimates for demographic profiles of voters and weighted to be representative within each state or congressional district. Latino Decisions has employed this same methodology since the 2010 midterm election. In 2018, the Associated Press abandoned the traditional Election Day Precinct Exit Poll and now also conducts an election eve poll using a similar methodology to our American Election Eve Poll. Full methodology statement available at: http://www.latinodecisions.com/files/8415/4155/3419/Methodology_Statement_2018.pdf

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