



Alaska State Legislature

Representative Matt Claman

Session: State Capitol, Room 118, Juneau, AK 99801

Interim: 1500 W. Benson Blvd., Anchorage, AK 99503

June 18, 2020

Lieutenant Governor Kevin Meyer
PO Box 110015
Juneau, AK 99811

Gail Fenumiai, Division Director
Alaska Division of Elections
PO Box 110017
Juneau, AK 99811

Dear Lt. Governor Meyer and Director Fenumiai,

I write in the strongest possible terms to urge the Division of Elections to distribute absentee ballot applications to *all* registered voters in Alaska as an essential step to reduce the risks to public health during the COVID-19 pandemic.

First, thank you for announcing the State will send out applications for by-mail absentee ballots for the August primary election to every registered voter who is 65 or older. As you have previously stated, the COVID-19 pandemic has highlighted the need to approach the upcoming primary and general elections with health and safety in mind without making voting more difficult or suppressing voter participation. Unfortunately, the health risks of COVID-19 are not unique to the senior population and the decision to favor this particular group of voters based on age raises substantial equal protection, constitutional, and voting rights questions.

For the reasons detailed below, including the impact on Alaska Natives, people of color, and rural Alaska residents, the only reasonable way to both protect public health and promote voting participation by *all* registered voters in Alaska is to mail absentee ballot applications to *all*.

Voting is one of our most cherished constitutional rights. As we continue to face challenges related to the COVID-19 pandemic, we should make it easier for Alaskans to exercise that right. In our country, we should not have to choose between our right to vote and our right to stay healthy.

Over the last few months, as communities across Alaska react to the COVID-19 pandemic, we've been reminded that living among us are generations of Alaska Natives with survival stories of past pandemics. Specifically, Alaska Native people suffered far greater mortality than others during the Spanish Flu of 1918-19 (nearly 82 percent of the mortalities were Alaska Native people), the tuberculosis epidemics through the 1950s (tuberculosis was the leading cause of death in Alaska and at one point accounted for more than a third of all mortalities for Alaska Native people), and the 2008-09 H1N1 Flu (in which Alaska Natives had a four times higher mortality rate).¹ This history shows that Alaska Native people are at

¹ https://anthc.org/wp-content/uploads/2020/04/PR_200406_ID-NOW-Testing_FINAL.pdf.

significantly greater risk of contracting COVID-19 than the 65 and older group. Efforts to protect public health and promote voting participation among Alaska Natives must include providing absentee ballot applications to this group. The most common-sense way to deliver absentee voting applications to Alaska Natives is to send the applications to *all* Alaskans.

In addition to health concerns and access to voting, we must remember that discrimination in voting is an enduring American problem. In states across the country, voting practices and procedures that wrongly prevent some citizens from voting have been enacted and had a disparate impact on voters of color and poor citizens. While states like Texas are facing scrutiny about absentee voting access, age limitations, and imposing additional burdens on younger voters, other states have been criticized for establishing voting practices that discriminate against and disenfranchise minority voting populations.

Using Department of Labor and Workforce Development data from July 2018,² we compared the ethnicity of the total 18 years and over population, the 18-64 age population, and the 65 years and over population. We wanted to see whether *only* sending absentee ballot applications to those 65 and over would have an unequal impact on people of color (“POC”: Alaska Native or American Indian, Black or African American, Asian, Hawaiian or Other Pacific Islander, and those of two or more races). The chart below shows the analysis:

Alaska Population by Age, Sex, Race (Alone) and Hispanic Origin, July 2018

	Total	White	White	POC	POC
Age	Total	Total	%	Total	%
18-64	461,835	311,367	67%	150,468	33%
65+	87,304	67,374	77%	19,930	23%
Total (18+)	549,139	378,741	69%	170,398	31%

Specifically, sending absentee ballot applications to voters 65 and over favors white voters based on demographics. *Only* sending absentee ballot applications to those 65 and over will disproportionately favor white voters and disadvantage minority voters. And by *not* sending absentee ballot applications to *all* registered voters, the current plan disproportionately affects large numbers of eligible voters and discriminates against certain groups of people whose voting rights are protected by the constitution and the Voting Rights Act.

Alaska has maintained safe and secure absentee voting procedures since statehood. Many citizens already prefer casting their ballots from home. In Anchorage, we have seen increased voter participation in our vote-by-mail municipal elections. With the public health concerns related to COVID-19, many Alaskans may prefer to vote without going to their local polling place. There are many sound reasons to encourage absentee voting by *all* registered voters in Alaska, but *only* sending absentee ballot applications to seniors creates a disparate impact on minority voters.

To slow the spread of COVID-19, we need to reduce large gatherings, including at polling places. By sending absentee ballot applications to *all* registered voters in Alaska for both the primary election and the general election, the state can acknowledge the COVID-19 risks for all Alaskan’s and avoid discrimination. Accordingly, I request that you amend your decision about absentee ballot applications and mail an application to every registered voter in Alaska.

² <https://live.laborstats.alaska.gov/pop/estimates/data/AgeBySexByRaceAloneHispAK.xls>.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Claman", enclosed in a thin black rectangular border.

Representative Matt Claman
District 21, Anchorage

Cc: Josh Applebee
Chief of Staff for Lt. Governor Meyer
Email: josh.applebee@alaska.gov