

## **State makes deal on voter cards in suit**

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**By David Scharfenberg**

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State officials would automatically provide welfare recipients with voter registration cards under a settlement Governor Charlie Baker's administration has reached with voting rights advocates. The agreement partially resolves a lawsuit that roiled a high-profile US Senate race three years ago, with Republican Scott Brown calling it a ploy to boost his opponent, Democrat Elizabeth Warren.

Warren's daughter serves on the board of Demos, a New York-based think tank involved in the lawsuit. And under an interim settlement with former governor Deval Patrick's administration, the state sent voter registration forms and prepaid envelopes to 478,000 people on public assistance just months before the election.

The Warren campaign dismissed the allegation as "bizarre" at the time, noting that the lawsuit was part of a broader national effort that went back years. The federal law it enforced, the campaign added, had bipartisan support.

The final settlement, filed in federal district court late Wednesday afternoon, is still pending approval from a judge. If it gets a sign-off, as expected, it will remain in force for three years, starting with the date the reforms are fully implemented.

The state's Department of Transitional Assistance, under the terms of the agreement, would provide residents with voter registration cards when they apply for welfare benefits, renew benefits, or change their addresses.

The agency would also be required to provide welfare recipients with assistance in several languages on filling out the forms. And it would submit to oversight and regular reporting to ensure compliance.

"I am thrilled about this settlement," said Lisa Danetz, legal director for Demos. "I am really excited about the numbers of people who can be brought into the political process and have their voices heard as a result of this settlement."

A spokeswoman for Baker, a Republican, said the administration "is pleased this matter was settled appropriately."

The lawsuit, filed in May 2012, challenged Massachusetts's compliance with the National Voter Registration Act, which requires states to provide voter registration assistance at motor vehicle registries and public aid offices.

The Department of Transitional Assistance was just one of the defendants named in the suit. Claims are still outstanding against the state's Executive Office of Health and Human Services,

its Medicaid office (better known as MassHealth), and Secretary of State William Galvin, who oversees elections.

The Baker administration has signaled it will settle the Health and Human Services and MassHealth claims in the coming months, likely providing automatic distribution of voter registration cards to those applying for Medicaid benefits, renewing those benefits, or changing their addresses.

The prospects for a settlement with Galvin are unclear. His office declined comment on the litigation Thursday.

The plaintiffs are NAACP-New England Area Conference, which oversees NAACP chapters in five of the six New England states, and New England United for Justice, a Boston-based group that advocates for low-income people.

Demos and several other organizations represented the plaintiffs in court, with white-shoe law firm Ropes & Gray providing pro bono assistance.

Juan Cofield, president of the NAACP-New England Area Conference, said the plaintiffs and the state came close to settling the lawsuit in the closing weeks of the Patrick administration. The plaintiffs had gone so far as to sign a settlement.

Cofield said he was pleased the matter was finally resolved after three years of wrangling.

Demos has sued eight states over alleged violations of the National Voter Registration Act. All but one, Nevada, have settled. The agreements vary from state to state, said Danetz, but are generally in line with the Massachusetts package.

The group has worked with more than a dozen other states, for more than a decade, to get them into compliance with the federal law.

Demos bills itself as a nonpartisan group. But its board includes prominent liberal figures, such as Warren's daughter, Amelia Warren Tyagi; and Van Jones, a former Obama administration official.

Brown, when he raised concern about the pre-election mailing in 2012, said he did not oppose voter registration efforts or outreach to welfare recipients.

"It's not about that," he said, in a Hyannis appearance. "It's not about getting people out to vote. It's the fact that Professor Warren's daughter is leading the charge at taxpayer expense, getting out the vote for her mom."

Demos president Miles Rappaport shot back: "We completely reject the Brown campaign's or anyone else's assertion that this is politically motivated or coordinated in any way. Demos was doing NVRA work well before Amelia came on our board, and we are going to continue it long after this year's election is over."

Baker administration officials pitch the settlement, in part, as a money-saver. They say if the litigation proceeded, the state would have been forced to spend \$250,000 on a mailing to welfare recipients notifying them of information related to the lawsuit.

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