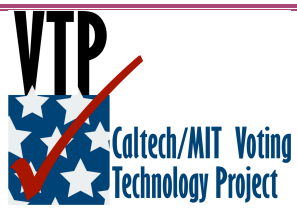


THE UNIVERSITY of NEW MEXICO

Assessing Electoral Performance in New Mexico Using an Ecosystem Approach
Combined Report

Principal Authors:

Lonna Rae Atkeson
Professor of Political Science, University of New Mexico

R. Michael Alvarez
Professor of Political Science, California Institute of Technology

Thad E. Hall
Associate Professor of Political Science, University of Utah

Project Partners:

Maggie Toulouse Oliver, Bernalillo County Clerk
Robert Adams, Bernalillo Deputy County Clerk
Valerie Espinoza, Santa Fe County Clerk
Denise Lamb, Santa Fe Deputy County Clerk
Lynn Ellins, Doña Ana County Clerk
Debbie Holmes, San Juan County Clerk
Fran Hanhardt, Former San Juan County Clerk
Mary Hererra, New Mexico Secretary of State

Research Assistants:

Lisa A. Bryant, Graduate Student, University of New Mexico
Yann Kerevel, Graduate Student, University of New Mexico
David Odegard, Undergraduate Student, University of New Mexico

Financial Support:

Pew Charitable Trusts, Center on the States, Make Voting Work Initiative
The Jeht Foundation

Study Executive Summary

Election administration in New Mexico has been closely scrutinized since the close 2000 presidential election, which was decided by a mere 316 votes. In that election, questions arose about the adequacy of New Mexico's voting systems and the efficiency of the election administration process.[1] In 2002 the passage of the Help America Vote Act sent federal resources to state agencies to purchase new equipment. In New Mexico some of this money was passed on to county clerks, many of who purchased new electronic voting equipment. The 2002 election produced concerns about the voting machines used in the state, as for example problems with the new touch screen voting machines led to a loss of nearly 13,000 ballots that were "recovered" by representatives of the vendor after taking the voting memory card to their out-of-state corporate offices.[2] Thus, new equipment alone did not allay all concerns about the state of election administration in New Mexico and indeed may have created more concerns due to a lack of a paper trail. In the 2004 general election the stakes were again high, as again New Mexico was a battleground state in the presidential contest. The 2004 results also showed a high percentage of undervotes in the presidential race, higher than any other state in the nation at 2.5% of all ballots cast.

The confluence of these events led to further calls for election administration reform. Activists filed a voter lawsuit to end the use of electronic voting machines in elections that do not provide for a voter verifiable and auditable paper trail. [3] The result was that, in 2006, New Mexico became the first state in the nation to move from predominantly new electronic voting equipment to a uniform statewide paper ballot system that uses optical scanning technology to count votes. Some states have followed suit. New Mexico's primary vote tabulator is the ES&S M-100s for all voting modes (early, Election Day and absentee) and the ES&S M-650 in the larger counties for processing absentee ballots.

The 2008 New Mexico Election Administration Report Election represents a systematic examination of New Mexico's November 2008 General election. We combine qualitative and quantitative methods to analyze the New Mexico election ecosystem.[4] We think the key to improving elections is to collect and analyze the experiences of voters, poll workers,

---

[1] Lonna Rae Atkeson, Nancy Carrillo and Mekoce Walker. 2006. "The New Mexico Presidential Race After BCRA," in *Dancing without Partners: How Candidates, Parties and Interest Groups Interact in the New Campaign Environment*," edited by David B. Magleby and J. Quin Monson, Roman and Littlefield.

[2] Personal interview with attorney John Boyd by Lonna Atkeson, May 21, 2007 and affidavit of Jim Noel, New Mexico Democratic Party Election Day attorney and council for Romero for Congress.

[3] The Associated Press State & Local Wire, January 14, 2005, Friday, BC Cycle, accessed via Lexis-Nexis on May 31, 2007.

[4] For another example of an ecosystem approach see: Steven F. Huefner, Daniel P. Tokaji, & Edward B. Foley with Nathan A. Cemenska, (2007), *From Registration to Recounts: The Election Ecosystem of Five Midwestern States*, (TheOhio State UniversityMichael E.Moritz College of Law), available at: http://moritzlaw.osu.edu/electionlaw/joyce/index.php.

and administrators systematically.[5] Together these data provide a portrait of the election experience from which problems and successes can be identified and confirmed from multiple players. We call this an ecosystem approach because it is a multi-pronged evaluation strategy. Combining these data provides multiple perspectives from key players to assess how well the election was run and how the management of the election can be improved in future elections.

In 2007, we released our research on the 2006 New Mexico Election Administration Report.[6] It provided a baseline from which we can continue to evaluate election reform in New Mexico. We use that data wherever possible to assist us in determining where improvement or deteriorations have occurred.

Part 1 of this report examines Election Day and Early Voting observations in four New Mexico counties: Bernalillo, Doña Ana, San Juan and Santa Fe. We found that voting largely went smoothly and without complications in these counties. Given the high turnout and intense scrutiny the election had, election officials did an admirable job in implementing the election. Nevertheless better training of poll workers and judges, as well as better education of poll workers, poll judges and voters, should enhance the accountability and quality of the election experience in future elections. Our observations produce a number of recommendations to improve the uniformity of voter identification across precincts, ballot security, voter privacy, the positioning of 3rd party groups outside the polling place, the underuse of the AutoMARK, the processing of provisional ballots, training of poll workers, and ballot chain of custody.

Part 2 of this report examines the post election audit through observational methods by our trained election observer team members in three counties: Bernalillo, Doña Ana, and Santa Fe. The election audit was generally easy to implement and indicated that the machines were counting the votes correctly. The report provides an overview of the voting machine sampling process at the state level and counting procedures in the three counties. The report highlights a number of recommendations for improving the process including suggestions for sampling procedures, increased transparency, implementing independence of audit team, hand counting methods, presentation and reporting of results.

Part 3 of this report examines the attitudes and experiences of a random sample of poll workers in the four New Mexico counties: Bernalillo, Doña Ana, San Juan, and Santa Fe. The goal of the survey was two-fold: first, to determine how poll workers generally view the election process in New Mexico, and second, to examine specific electoral issues and questions (how poll workers are implementing specific laws, how they view recent changes to state election laws, and their attitudes about various electoral reforms and the incidence of election fraud). In Part 3, we analyze the characteristics of poll workers, their recruitment and training, an assessment by poll workers of their polling locations, the use

---

[5] Evaluating the fairness and accuracy of democracies is an important international and national question, see, for example, Heather K. Gerken (2009), *The Democracy Index.* Princeton: Princeton University Press and Jorgen Elkitt and Andrew Reynolds. 2005. "A Framework for the Systematic Study of Election Quality," *Democratization*12(2):147-62.
[6] R. Michael Alvarez, Lonna Rae Atkeson and Thad E. Hall (2007), The New Mexico Election Administration Report: The 2006 November General Election, (University of New Mexico), available at: http://vote2006.unm.edu/.

of voter identification, problems that occurred at the polls, an evaluation of election procedures, the use of provisional balloting, voter privacy, contact with the county clerk, job confidence and satisfaction as well as attitudes toward election reform and fraud.

Part 4 of this report turns to the attitudes and experiences of a random sample of voters in New Mexico. The report examines factors associated with the voting experience, experience with the ballot, the polling site, voter interaction with poll workers, voter confidence, voter identification, and voter satisfaction. The report also provides data on attitudes toward election reforms and the perceived incidence of voter fraud. This survey gives corroborating evidence supporting the findings from our Election Day observations and poll worker reports as well as providing additional information about how the public reacts to and feels about their election process.

The combined report provides a multifaceted profile of the election ecosystem in New Mexico. Most importantly, our analysis shows a system that is fundamentally working, where voter problems are infrequent, and where voter and poll worker confidence is generally high. For example, voters indicate that their confidence in their vote being counted is quite high with almost two-thirds of voters (65%) very confident and another one-quarter of voters (25%) somewhat confident. Moreover, this appears to be an increase in the level of confidence from 2006. Poll worker confidence is slightly higher with nearly nine in ten poll workers (87%) very confident and another 10% somewhat confident. Only about 1% of poll workers indicated that they were not very confident (0.9%) or not at all confident (0.3%). Thus, poll workers strongly believed that the vote tabulating machine, the ES&S M100, produced accurate results in the election. Both poll workers and voters rated the overall performance of their poll workers high with almost all voters (98%) indicating their poll workers were very helpful (84%) or somewhat helpful (14%) and almost 9 in 10 (87%) poll workers rating the overall performance of their peers as an 8 (20%), 9 (24%) or 10 (43%) on a 10 point scale.

Equally important, the Election Day observations and the post-election audit observation components of the combined report revealed a variety of strengths and weaknesses in the election system leading to a series of policy recommendations. For example, Election Day observations showed consistent problems in the administration of voter identification and with closing procedures in terms of balancing the number of ballots cast and the number of voters in the poll book. For both issues their needs to be better presiding judge training and attention needs to be placed on emphasizing the importance of consistency both within and across precincts for professional and legal reasons. The post-election audit provided information on the voting systems (the ES&S M 100 and ES&S M650) that tabulate almost all of the votes statewide.[7] These results indicate that the machines counted the votes correctly under the law, as no county had to expand its audit because of differences between the machine and hand count. The election audit observations examined post-election audit implementation and found that various procedures within the audit process could be more standardized across counties and that greater transparency should be a

[7] Some ballots have to be hand-counted because they are rejected by the vote-tabulating machine. This is especially likely for absentee ballots that contain extra marks or folds that prevent machine processing.

priority. There also needs to be mechanisms in place to ensure that all counties comply and participate in the process as is required by law.

Based on our findings, we also highlight several areas where improvements could be made in voter education as well as poll worker and poll judge training, precinct preparations, and audit administration. Although most polling locations had the supplies and workers they needed, a small minority of poll workers reported that they did not have the supplies (12%) or workers (8%) needed to do the job. Of course, it is the responsibility of the county clerk or election administrator to ensure each precinct site is ready to process voter ballots. We recommend that checklists be developed to ensure each precinct has all the necessary supplies to perform its Election Day operations. And, while most of the facilities were in good or excellent condition to perform their duties a small minority, roughly five percent were in poor or very poor condition based upon assessments by poll workers. Some were noisy (5%), while others lacked adequate access for people with disabilities (5%) or had poor parking (6%). The poll worker survey noted differences in how New Mexico's voter identification laws were applied. New Mexico's laws appeared to have been confusing to voters and poll workers alike. This was true in both 2006 and 2008. The law allows voters the choice of several types of identification they could provide including a verbal statement of their name, address, and birth year.[8] Although many poll workers asked for voter identification, many of them did not. And, although many voters did not have to show identification, many of them just automatically handed an ID to the poll worker. The poll worker and voter surveys confirmed that there were serious problems of uniformity across and within precincts on this issue. The voter survey indicated that about half (51%) of voters were identified correctly and this includes voters who provided an ID without being asked. The poll worker survey indicated that poll workers ask for identification for reasons outside of the law and often used authentication methods that were incorrect (e.g. had voters look up their number in the rolls). Voters should be treated equally by poll workers, and given the politics around this issue and the clear confusion by poll workers, more effort should be made to train poll workers to accurately follow voter identification requirements.

In addition to these issues, each part of our report identifies key areas where voters could be better served including consideration of placement of voting equipment in polling places, issues related to voter privacy, and, the expansion of early voting. We also often provide specific recommendations to enhance the efficiency and general quality of the voting experience.

Although we identify issues in the implementation of the 2008 election, relative to the 2004 and 2006 elections, this election was relatively problem-free. However, as the larger problems in the election are addressed, it is important that election officials address the other problems that arise that can become larger problems if left unattended. This report should, therefore, not be read as an indictment of how the 2008 elections were run in New

[8] In 2006 the verbal identification also included the last four numbers of the voter's social security number.

Mexico, but as a series of observations and recommendations for how to improve an already improving process.

The recommendations contained in the report are primarily administrative in nature. However, there are two recommendations that could require legislative action in order to be effectively addressed.

First, the multi-layered voter identification law in New Mexico created an uneven implementation environment. Specifically, we find that Hispanics and men are more likely to be asked to show identification before being given the option to engage in verbal identification, as allowed under law. Given the continuous problems with the law as it now stands, there may be a need to clarify the statute. Although the lawmakers were attempting to promote easy access to the polls, the flexibility in the identification process creates a chaotic environment where poll workers can easily go outside of the law. This creates uneven implementation across and within precincts. Although poll worker training and voter education may help to solve the problem, more serious measures may be necessary.

Second, there was confusion among poll workers, third-party observers, and partisans, about where the boundaries are for their activities outside the polls. The key question here was where the boundaries start—for example, is it the door of the school building or the door of the room where the polling place is located in the school—and then how to measure off that boundary. Clarifying this issue is important for uniformity in implementation and the lessening of problems at the polls.

Finally, we wish to make clear that while our work was sponsored by independent research funding, our work would not have been possible without the assistance of many individuals throughout New Mexico who we thank throughout this report. We also relied upon the direct research support of many students and colleagues, and in each part of the report below we indicate those individuals who assisted with the research and analysis. Funding for these projects came from grants to the University of New Mexico from the Pew Charitable Trusts, Center on the States and the JEHT Foundation's Make Voting Work Initiative. Support for the Internet survey was provided by the Research Allocation Committee in the College of Arts and Sciences at the University of New Mexico, and the Department of Political Science at the University of New Mexico. The Caltech/MIT Voting Technology Project also helped to facilitate this research effort. Of course, all of the conclusions and recommendations made within this report are ours and do not reflect the views of the Pew Charitable Trusts or the election initiatives of the Pew Center on the States.

Summary of Key Recommendations:

Recommendations Regarding Chain of Custody for Ballots

- All counties should use different colored bags with the type of ballot to be inserted clearly printed on the bag to avoid confusion.

- The county clerk or secretary of state should develop easy-to-use checklists that will lead poll workers and precinct judges through closing procedures, step-by-step. In training, the poll workers should be walked through how to complete this checklist, preferably in a simulation exercise.

- Comprehensive chain-of-custody procedures should be developed for transmission of the memory card from the M100 tabulator and registered voter lists to the county clerk's office.

- Technicians in the field should carry unused seals so that they can be placed on a fixed machine when necessary.

- Any time that the seal to a machine is broken by poll workers or technicians it should be logged into the precinct incident reports.

Recommendations Regarding Procedural Considerations in Elections

- There should be posted information at all precincts about provisional voting and what a voter should do before casting a provisional ballot in order to increase the chances of the provisional vote being counted.

- Provisional voters should be provided with an explanation sheet that defines their status, the criteria used to qualify the ballot, how the provisional voter will be contacted regarding the final disposition of the ballot, and the fact that a provisional voter may appeal the disqualification of their ballot.

- Counties should ensure they have adequate personnel and phone lines to deal with calls from presiding judges throughout the day so that voters can be helped as quickly as possible.

- A greater emphasis should be placed on poll workers logging instances of "assisted voting," including the name of the person giving assistance.

- Incidents or unusual activities that occur during Election Day, early voting or in the counting of absentee ballots should be recorded by poll workers in an incident log and returned to the county clerk's office for review.

Recommendations Regarding Poll Worker Training

- County clerks should consider problem-based learning or use mock elections as a technique for poll worker training.

- Election officials should consider creating a very simple tabbed document that lists the steps to follow – with documentary pictures when appropriate – that explains to workers what to do in specific situations, like handling spoiled ballots, absentee ballots, or provisional ballots.

- Poll worker training should emphasize that procedures across precincts need to be as uniform as possible. Thus, clear policies need to be established on food and drink consumption and computer and cell phone usage.

- Poll workers should be clearly trained that the closing procedures in polling places not be initiated until after the polling place has closed operations.

- The precinct boards should be better informed and trained about the proper role of challengers and watchers in the polling place.

- In training, presiding judges and poll workers should be given clear instructions and examples on what constitutes a good precinct setup versus a bad setup.

- During training, presiding judges and poll workers need better training on the provisional ballot process and need clearer instructions on what should be done before allowing a voter to vote provisionally.

- Presiding judges and poll workers need better training on ballot reconciliation procedures at the end of Election Day.

Recommendations Regarding Voter Identification

- Prior to the opening of the polls, all poll workers should be required to read the voter identification law to ensure that all workers understand the law and to ensure consistency among poll workers.

- There should be a sign placed at the first station on the check-in table that reflects a uniform standard procedure for beginning the check-in process: "voter should state his/her name, address, and year of birth." If a voter cannot meet the standard procedure, then a back-up form of identification may be requested.

Recommendations Regarding the Post Election Audit

- Sampling of machines for the post election audit should be transparent, including a public notice of the event, and the sampling frame should include only machines that were actually used to tabulate votes in early, absentee and Election Day voting.

- Counting of ballots by hand should be observable by the public.

- Counting teams should only have the total number of ballots in each box and not any data that provides team members with the original machine count.

- Tally sheets should be uniform and distributed by the Secretary of State's office in time for the scheduled post election machine audit.

- Counties need to complete the audit within the time frame set in the legislation. Counties not complying should face penalties or legal action by the Secretary of State's office.

- Results of the audit should be made public by the County Clerk and the Secretary of State and should include the date, time and location where the post election audit was performed as well as the total number of ballots recorded by each machine, the total number of votes cast for each candidate by machine, the parallel data from the hand count, and the percentage difference between the machine and hand count.

Recommendations Regarding Early Voting

- All early voting sites should have functional voting devices, including the AutoMARK and M100 devices.

- Early voting location layout should be optimized for accessibility of voter and security of ballots.

- Provisional voting that occurs during the early voting process needs to be closely supervised by early voting staff to ensure a voter does not insert her ballot into a tabulator.

- Great care should be made to ensure correct ballot combination to early voters; early voting workers should only handle a single ballot at a time.

Recommendations Regarding Absentee Voting

- Better procedures for segregation of absentee ballots that cannot be read by the M650 are necessary during absentee voting tabulation; training of tabulation staff should include instructions about how to handle unreadable ballots.

- Election Day poll workers need better training on the correct processing of absentee ballots dropped off on Election Day.

- Election officials should consider using the M100 as a backup tabulator for problem ballots that cannot be tabulated by the M650.

- There exists no procedures for confirming the identity of absentee voters as is required for early and Election Day voters; lawmakers may want to consider some form of further identification process such as a comparison of the voter signature between the absentee ballot and the voter registration record to authenticate the absentee ballot.

- New Mexico law allows a voter to vote provisionally at their precinct if they had requested an absentee ballot (§ 1-12-8 NMSA). If a ballot is destroyed in any manner, even if by the voter himself, a voter should be allowed to obtain a new ballot and vote provisionally.

Recommendations Regarding Polling Place Design and Set Up

- Polling places that are located where signage is important for directing voters off of main roads to the polling place need to have the appropriate signage and should

also be provided with instructions and information about the best location for the signs.

- Polling places that are going to be in crowded spaces should be provided with a plan for setting up the polling place to maximize efficiency in the flow of voters in and out of the precinct.

- Election officials in jurisdictions that do not have the AutoMARK and the M100 tabulator together should consider adopting the system used in those localities that have a stand that holds both machines to facilitate effective machine set up.

Recommendations Regarding Voter Privacy

- When a voter spoils his ballot it should be retained by the precinct judge in a sealed envelope or voter privacy sleeve to assure voter privacy before the voter is able to get a new unmarked ballot.

- When a voter's ballot is rejected, the poll worker should try to read off the machine's electronic display which office is overvoted. The voter can always reinsert the ballot if it was removed too quickly to make that determination.

- The voter should also have his ballot covered when it is being handled by anyone else but the voter unless the worker explicitly gets permission from the voter to view her ballot.

- Any voter assistance by a poll worker or an outside individual should be logged by the poll worker as part of their incident reports.

Recommendations Regarding Voter Education

- Educate voters on how to use the straight party option on the ballot.

- Educate voters about their rights to a provisional ballot.

- Educate voters about voter identification laws.

- Educate voters about the availability of the AutoMARK as an alternative means to complete the optical scan bubble paper ballots.

Recommendations Regarding AutoMARK Voting Devices

- Strengthen training on the set up and use of the AutoMARK.

- Poll workers should not make judgments about whether voters should use the AutoMARK when they request it.

- Voters should be better educated about the AutoMARK and its availability.

- Poll workers should be advised to place the AutoMARK in a location so it is not open to observation by other voters or poll workers when it is in use.

- Whenever a voter spoils a ballot, the poll worker should consider offering the AutoMARK as an alternative option for completing the balloting process.

Recommendations Regarding Challengers, Watchers, and Third-Parties

- Election officials should develop informational materials that are given to challengers and watchers in voting locations that present in detail what they can and cannot do in the voting location.

- State or local election officials should develop training sessions and materials for county chairs of political parties, as well as the appointed challengers and watchers themselves, to ensure that all concerned are aware of activities that are permitted and prohibited on the part of these challengers and watchers.

- The permitted and prohibited activities of political and partisan campaigns, relative to non-political and non-partisan efforts, should be better defined for precinct judges and precinct boards.

- State or local election officials should develop training sessions and training materials for non-partisan groups operating at polling places, to ensure that all concerned are aware of activities that are permitted and prohibited at the polls.

- The state law defining the exact starting point of the 100 foot and 50 foot boundaries for polling place activities should be clarified.

- Precinct judges and precinct boards should be given more precise instructions about how to measure the 50 and 100 foot boundaries.

Summary of Key Findings from Voter and Poll Worker Surveys:

Voter Survey Findings

- Early voters reported waiting in line much longer than Election Day voters.
- About 3% of early and Election Day voters made mistakes on their ballot and had to get a new one. Similarly 3% of absentee voters indicated they had problems completing their ballot.
- Voters overwhelmingly perceived their poll workers as very (84%) or somewhat helpful (13%).
- Ninety-two percent of voters found their polling location easily.
- Voter confidence was very high with nearly two-thirds (65%) of voters very confident and another quarter (25%) somewhat confident that their vote was counted correctly. Only about one in ten voters (9%) were not too confident (5%) or not at all confident (4%).
- The survey data show that ethnicity, gender, age, and income were not associated with voter confidence in the survey data. However, voters with more education were more confident in the process.

- Voters who had poor interactions with poll workers or who had a hard time following the absentee instructions were less confident that their vote was counted accurately than those who had good interactions with poll workers or thought the absentee instructions were easy to follow.
- The overall voter experience was very satisfying with more than three in five voters (61%) rating their voting experience as excellent and another one-third (33%) of voters rating their voting experience as good.
- New Mexico's voters are not consistently identified at the polls correctly. Just under half (49%) of all early voters were procedurally correctly identified at the polls, but this varied by voting mode. A majority of early voters (54%) were identified correctly, while a minority (41%) of Election Day voters was identified correctly. jMoreover, Hispanics are more likely to be incorrectly identified than non-Hispanics in Election Day voting. In early voting Hispanics and non-Hispanics were correctly identified equally.
- Voter attitudes toward voter identification are mixed. About 85% of voters support photo identification laws at the polling locations. However, when voters are forced to choose between ensuring access versus protecting the system against fraud 35% of voters are more concerned about protecting voter access than fraud while about 36% are more concerned with preventing voter fraud. In addition, 65% of voters agree that New Mexico's voter ID law is just right when it is described to them. Thus, voters are more ambivalent about voter ID then a simple support question might suggest.
- About 11% of voters agree that they do not understand how to use the straight party option, and another 3% indicate they do not know whether they know how to use the straight party option.

Poll Worker Survey Findings

- Poll workers are on average about 58 years old and just over two-thirds (69%) are women.
- About 20% of poll workers indicated they looked at a completed, spoiled, or provisional ballot and about 15% of poll workers agreed that voter privacy was compromised when voters cast their ballot.
- About 30% of poll workers indicated that the training they received did not match their Election Day experience. We recommend that the training should better reflect the actual environment within which poll workers work.
- Ballot reconciliation at the end of the day was particularly difficult, only about three in five (59%) of poll workers indicated that the instructions for this task was very clear.
- Less than 40% of poll workers encouraged voters to use the AutoMARK when they spoiled a ballot or were having problems completing a ballot.

- The general condition of polling places was good. In New Mexico 3% of poll workers rate the general condition of the polling place a 2 or lower on a 1 to 5 scale, with 5 being excellent.
- Poll workers are largely partisans with only about 5% of them identifying as pure independents. Another 11% of poll workers indicate they are independents, leaning Democratic and another 5% of poll workers indicate they are independents, leaning Republican.
- On a 10 point scale 86% of poll workers rated their colleagues 8 or better.
- On a 10 point scale 78% of poll workers rated their poll judge 8 or better.
- Only 3% of poll workers went to no training sessions.
- Just over half (55%) of poll workers indicated that the printed instructions materials used for a procedural question were very clear. This is the lowest rated instructional document and as it is the most important, more needs to be done to provide clear and readable instructions.
- Nearly a quarter (23%) of poll workers indicated there were conflicts between poll workers over the course of the day.
- Eight in ten (81%) of poll workers had all the supplies they needed at their polling location.
- About half (49%) of poll workers indicated that inactive voters were encouraged to fill out a new voter registration form. This number should be increased so that a voter's status is not inactivated because of problems with their mailing address on the voter registration file.
- Just over nine in ten (92%) poll workers indicated that voters were satisfied with the paper ballots and the optical scan voting process.
- Nearly all (97%) poll workers indicated they were very confident (86%) or somewhat confident (10%) that all the ballots in their voting location were counted accurately.
- Just over one in ten (11%) of poll workers indicated that they felt intimidated by poll watchers or challengers.

Table of Contents

Part I. Election Observations

1.1. Background

The Election Day Observation Report focuses on the findings from the direct observation effort we conducted before and on Election Day. Teams of trained and experienced election observers studied in-person early voting, the collection and tabulation of absentee ballots voted by mail, and in-person Election Day voting in four New Mexico counties (Bernalillo, Doña Ana, San Juan and Santa Fe Counties). This part of the report documents the observation study's methodology, the report findings, and provides a number of recommendations for improving the voting and election process in New Mexico. Many of these observations and recommendations will also be useful to other states and localities across the nation.

A series of recommendations regarding how to address the observed problems are made at the end of each section. Although the report does tend, by nature, to focus on problems, it is important that to stress at the outset that, overall, the observation effort indicated that the election in New Mexico was generally well-run. Given the high turnout and intense scrutiny the election had, election officials did an admirable job in implementing the election. For example, turnout increased dramatically in the on-year presidential race with 833,365 voters, while in 2006 there were 568,597 voters.

Election monitoring has a long tradition and, when done systematically, can provide important insights into how elections are implemented on the ground. Having conducted a similar election monitoring effort in New Mexico in the 2006 general election in three of these same New Mexico counties, the research team expanded their efforts in 2008 by adding an additional county and many more experienced observers to the project to provide greater coverage.[9]

This part of our report should be read as one component of this systematic analysis of the election process. The Election Observation Report has 7 sections.

- This part, part 1, describes the background to the study.
- In part 2, there is a brief discussion of the methodology, which explains the election observation process in general.
- Part 3, discusses the observations related to early and absentee voting operations.
- Part 4 is an examination of pre-election preparations and polling place setup.
- Part 5 reviews observations related to actual election operations on Election Day.

[9] The 2006 election observation study was conducted in Bernalillo, Doña Ana, and Santa Fe Counties. See "The New Mexico Election Administration Report: The 2006 November General Election", http://www.vote.caltech.edu/drupal/files/report/NM_election_admin_report.pdf.

- Part 6 discusses post-election operations.

- Finally, there are a set of appendices detailing the voting locations the observation teams visited, copies of the forms we filled out in each precinct, and the frequency report from those forms based upon our Election Day observations.

1.2. Election Observation Methodology

In the 2006 New Mexico general midterm election, teams of observers examined Election Day voting operations in three New Mexico counties (Bernalillo, Doña Ana, and Santa Fe Counties). For that project, the County Clerks provided the research teams with full and independent access to every precinct in the county. In addition, the research teams were allowed to monitor and observe polling place operations for as long as team members deemed necessary and were allowed to return to polling places multiple times over the course of the day. Thus, the research teams had freedom of mobility and no restrictions on their activities, other than following good rules of behavior.

Because the 2006 observation methodology worked well—and in order to have as much comparability as possible with this project—the research team adopted a very similar methodology for monitoring the 2008 presidential election. This comparability lets the researchers assess both the current election administration performance, and how procedural, administrative, and legal changes implemented since 2006 may have affected the performance of the electoral system ecosystem in 2008.[10] In addition, it allows us to examine how more familiarity with the paper ballot system has changed voter and poll worker perceptions.

The important policy change made prior to the 2006 election was that the state adopted the use of optical scan voting for use in all counties. This voting technology requires a voter to fill in a bubble next to the name of a candidate as a means of marking their vote choice. If a voter votes through the absentee voting process, these ballots are tabulated centrally, using the Election Systems & Software (ES&S) Model 650 (M650) ballot tabulator in larger counties and the ES&S Model 100 (M100) in smaller counties. For voters casting ballots in a precinct either during Early Voting or on Election Day, these ballots are tabulated using the ES&S M100 tabulator. In addition, voters with special needs can use the ES&S AutoMARK, which allows the voter to make vote choices using an electronic touch-screen interface. These choices are then printed onto a paper ballot that can be scanned into either the M100 or M650 tabulators.

The research teams made a number of improvements to the 2008 study and expanded its scope relative to the 2006 study. Three important changes in 2008 relative to 2006 were in the scope of the election observation efforts.

---

[10] Voter identification laws were further relaxed in 2006. Voters in 2008 did not have to provide the last 4 digits of their social security number, while in 2006 they theoretically did. The election audit and recount laws also led some counties to sort ballots by precinct in absentee voting and to a variety of new guidelines for audit implementation. In response to our suggestions, the Secretary of State included signage related to voter identification , which were to be posted in all precincts.

- First, the scope of the study was expanded to cover early and absentee voting, as those two methods of casting ballots are increasingly utilized in New Mexico.[11] This required having observers study these two processes in the days before and after the 2008 general election.

- Second, the scope of the study was expanded to include another New Mexico county, San Juan County. This provided an opportunity to study the implementation of New Mexico's election regulations in a different context than was considered in the 2006 study. San Juan County represents a different corner of the state economically, culturally and demographically. For example, it is the only county we examine that has a plurality of Republicans as opposed to Democrats and the County Clerk is a registered Republican while all other county clerks are registered Democrats. The county is also the home to two Indian tribes including the Navaho and Jicarilla reservations and boasts a large Indian population totaling 36% of the counties population. [12] Its Hispanic population is thus much smaller representing only about 18% of the population compared to 45% in Bernalillo County, 65% in Doña Ana County and 50% in Santa Fe County.

- Third, the study was expanded to include additional precincts in the counties studied on Election Day. This was accomplished by utilizing additional teams of election observers in the counties included in the study, which enabled the research group to have broader coverage of precincts in each county.

The researchers also added three operational components so that they could study early and Election Day operations more thoroughly and allow more comparability across the observation teams:

- First, each team completed an observation form for each precinct and special observation forms were developed specifically for observing polling place opening and closing operations (the forms are reproduced in Appendix 1.3). This allowed for systematic comparability of specific precinct or early voting locations across teams. For example, every observation team had to report in each polling place whether voter identification laws were being applied correctly and report on the polling place's quality. The frequency reports produced from these forms are in Appendix 1.2.

- Second, approximately half of the observation team members attended poll worker training so that they would be knowledgeable about the rules and procedures for precinct opening, closing, and general operations. This proved to be very helpful in recognizing additional problems and where areas of improvement could be made. The observation of the training sessions also gives us the opportunity to make recommendations on how those might be improved in the future.

---

[11] In 2008, early voting was the highest ever reported with 42% of all ballots cast using this voting mode. Twenty percent of voters chose to vote absentee and the remaining 38% of voters voted on Election Day. See "Canvass of Returns of General Election Held on November 4, 2008 – State of New Mexico," http://www.sos.state.nm.us/08GenResults/Statewide.pdf.
[12] These data come from the census 2006-08 American Community Survey 3 year estimates available at www: census.gov.

- Third, all of the observation teams attended a post-election debriefing so that the researchers could compare experiences across the observation teams on areas of strengths and weaknesses while everyone had these thoughts fresh in their minds.

Most of those involved in the election observation study had considerable previous experience studying and observing elections in several states including New Mexico and in other countries as well. All of the observers were academics or students, making them independent of the political parties and candidates. Team members included one undergraduate student, graduate students, and faculty members. Students and faculty were from the University of New Mexico, the California Institute of Technology, the University of Utah, University of Washington, St. Louis, New York University, the University of Texas, San Antonio, University of Chicago, and the University of California San Diego. Nearly all of the observers study elections and campaigns and many of them were very knowledgeable about New Mexico elections and politics. A number of graduate students and the one undergraduate had worked with us on previous project and thus had intimate knowledge of the paper ballot system in New Mexico and had direct experience with the vote tabulators and other aspects of New Mexico's election administration.

Prior to the election, observers were given briefing materials on the purpose of the study, some details on New Mexico election law, including voter identification rules, and state rules on election observation and monitoring. Teams also had Election Day forms, maps of the area, precinct lists, and contact phone lists for other team members. Observers also participated in a training teleconference on Friday, October 31st before the election. Training included information about forms to fill in, location of precincts (maps), voter identification rules, details about rules and laws to voting in New Mexico (e.g. campaigning rules, required precinct signage, opening and closing procedures, etc), expectations for handling provisional ballots, expectations for handing provisional ballots, rules of contact, contact information for observers, etc. Importantly about half of the observers attended poll worker training providing detailed background on Election Day operations.

Working in close consultation with the principal investigators, each team of observers was assigned to specific counties. Each county observation team developed lists of precincts for study based upon information provided on their location. Observers had complete freedom of movement within their county. Observer independence is important aspect of election observation. As with other auditing methods the auditor or in this case the observer must be free from interference or influence that could improperly limit or modify the scope of the observation process. Therefore, we arranged for complete autonomy in the observation process with no criteria for where we could go when or how long we could stay. Observers could visit the same precinct multiple times, for example, and stay in each precinct as long as they desired. In rural counties, distances between precincts played a role in deciding which precincts to visit. Observers attempted to see a variety of precincts within each county including largely Hispanic areas, poorer areas, high turnover precincts (e.g. around the universities), and largely immigrant areas. Thus, observers saw a wide range of precincts with differing voter characteristics in different geographic locations and within different types of facilities. Observation teams usually consisted of pairs of project members (in some situations, especially during early voting, observation was done by single individuals). Observer teams that were assigned to Spanish-speaking areas had at least one team member fluent in Spanish.

On Election Day, the observation process had a minimum of three stages and, in some cases, four stages.

- First, observation teams began their work at selected polling places, arriving well before the opening of polls to study the precinct setup process and to complete a special questionnaire regarding that process.

- Second, observation teams went to other precincts throughout the day in their respective counties, and for each precinct they studied they completed a questionnaire that asked about the condition of and activities in the precinct.

- Third, the observation teams stayed in their final precinct at the end of voting, observing and studying the polling place closing procedures and completing a questionnaire about that process.

- Fourth, some observation teams followed the poll workers as they brought their election materials to the collection locations and, in some cases, the observation teams went to the county locations where election materials were collected on Election evening and where tabulation took place.

Observation team members participated in a debriefing session the day after the election and returned all of their completed questionnaires to the project principal investigators. All data collected were analyzed and the results of these analyses are reported below.

1.3. Early and Absentee Voting

In-person early voting and absentee voting are growing in popularity in New Mexico. In the 2006 general election, 23.3% of voters participated in in-person early voting.[13] In 2008, early voting soared with just over two in five (42%) voters choosing this option to cast their ballot.[14] In 2008, Bernalillo County had 18 early voting locations, Santa Fe had 6, Doña Ana had 7, and San Juan had 5.

Like early voting, absentee voting (typically by mail, although voters can drop off absentee ballots in precincts and at the county clerk's office on Election Day) is increasing in popularity in New Mexico. In the 2006 general election, nearly 17% of all ballots cast were absentee ballots. In the 2008 general election, about over one in five voters (20%) cast an absentee ballot.

---

[13] See "Canvass of Returns of General Election Held on November 7, 2006 – State of New Mexico," http://www.sos.state.nm.us/06GenResults/Statewide.pdf.

[14] See "Canvass of Returns of General Election Held on November 4, 2008 – State of New Mexico," http://www.sos.state.nm.us/08GenResults/Statewide.pdf. This increase is likely due to presidential election mobilization efforts see: Michael S. Rocca, Lonna Rae Atkeson, Yann Kerevel and Lisa Bryant, "Moving from Red to Blue: The 2008 New Mexico Presidential, Senate, and First Congressional District Races," in *The Change Election: Money, Mobilization, and Persuasion in the 2008 Federal Elections*, edited by David Magleby, Provo, UT: Center for the Study of Elections and Democracy.

Early Voting

Members of the research team observed early voting in Bernalillo and Santa Fe Counties at a number of early voting locations and wrote up their general comments about their experience. Generally, the observation efforts involved examination of the exterior and interior of the early voting location, direct examination of the operations of the early voting site for a period of time, and some conversation with the early voting site presiding judge and other individuals working at the early voting site.

Our observers noted several items that could improve early voting operations. First, observers noted that there were problems with the way in which the voting technologies were used in the early voting process in both counties. One observer found that the "AutoMARK" voting device (the voting system deployed for voters needing assistance) did not work in one early voting site. In the voter survey, one voter complained that, "The Auto Mark machine for blind and disabled people was not available for me to use that day." Another observer team found that two of the four "M100" scanning devices (this is the optical scanning device used in early and precinct voting in New Mexico) were not operational and, according to party challengers in that early voting location, those two devices had not been operational for nearly the full extent of the early voting period.

Second, observers noted that early voting sites were often located in cramped, crowded locations and that the physical layout of the early voting process could be improved for operation management and ballot security. For example, in one early voting location the ballot storage room was located in the same hallway that was used for entry and exit of voters. Because there was typically a line of voters waiting to enter the early voting site in front of the ballot storage room (voters were also exiting the location using that same hallway), it was difficult to monitor the comings and goings of both voters and those election officials working in the early voting location. Additionally, in this location there was a rear door that opened into a different room from which early voting workers, as well as other unknown individuals, were coming and going.

Third, the process of provisional balloting appeared to be lengthy and cumbersome in at least one early voting location. A voter who was listed as having already received a ballot was given the appropriate provisional voting forms and ballot materials and instructed to go to a booth to complete his ballot and provisional materials. It typically took quite a long time for the voter to complete these materials and there was not a designated location for the voter to complete the forms. This process also required the presiding judge to not be distracted with other business while working with the provisional voter. According to one party challenger in this early voting location, at least twice provisional voters mistakenly inserted their ballot in the M100 device; this is a failure of the presiding judge and other staff to monitor and assist the provisional voter. The observation teams saw one provisional voter who was clearly confused and who might have tried to drop his ballot in the M100 had the party observers not flagged down an early voting site worker to assist the voter.

One difference between early voting and Election Day precinct voting is that, in early voting, permit cards are not used to identify legitimate voters. Permit cards are a piece of paper that connects individual voters to individual ballots during the voting process. One solution to the potential problem of provisional ballots being accidentally inserted into the tabulator in early voting would be to include a permit card process that connects legitimate voters to their ballot. As in Election Day voting, voters would not be allowed to place their ballots into the tabulating machine until they provided a permit card to the poll worker. This measure of security would be a good addition to the early voting process and provide a procedure to prevent a provisional and currently unqualified voter from accidentally inserting their ballot into the tabulating machine.

One aspect of the early voting process in New Mexico that might require future examination is provision of the correct ballot. In the phone survey of voters, one voter complained, "I was supposed to have the option on the ballot to vote for the Roosevelt General Hospital Board position. That was not on the ballot I received. I live in the district which was selecting the candidate for the hospital board; I double-checked." Another voted said, "They tried to give me someone else's ballot then corrected the issue." In the first case, a voter went to the polls to specifically vote for a certain candidate, but was unable to because that race was not on the ballot. In the second case, the voter was given the wrong ballot and then the poll worker caught her error and corrected it.

Because there are often many different ballot styles, even in moderately-sized counties ballot dispensation may be a problem. This is true because an early voting site has to be provisioned with every ballot style in case voters from any particular precinct in that county require that precinct's ballot. To accommodate all of the ballot styles, an early voting site must have a supply of each and every ballot style, and all of these ballots must be secured and then provisioned to the correct voter.

One alternative to having every ballot style at every early voting location is to have "ballot on demand" technology, where the ballot style required by a given voter is printed when the voter comes to the polling place. There are issues with the implementation of ballot on demand—specifically, the amount of time it takes to print the ballot and potential problems if the printer fails—but New Mexico can learn from the experiences of its counties that have implemented ballot on demand and from the experience of other counties nationally.[15]

The process as it worked in one early voting location in Bernalillo County was that, upon authentication and determination of which ballot style the voter should receive, a "runner" would obtain the correct ballot from the ballot storage room and return it to the correct voter. The observation teams did not observe that any problems arose but the potential for incorrect ballot provision exists. In particular, one observation team noted that when the early voting site grew busy, these "runners" would attempt to obtain multiple ballots each time they went to the ballot storage room; this increases the potential of improper ballot provision.

[15] See, for example, the report by Conny McCormack regarding the implementation of ballot on demand in Florida. http://earlyvoting.net/resources/McCormack_Florida_low.pdf

The voter identification process used in the early voting locations that were visited had all voters fill out a piece of paper that included the voter identification requirements: name, address and birth year. This information was then provided to a poll worker who verified and authenticated the voter's identity before providing the voter with a ballot. This process was simple and straightforward and guaranteed that counties were in compliance with the voter identification law. A similar process should be considered for all counties in the early voting process and for Election Day voters in precincts.

The observation teams also saw several instances where voters' ballot privacy was compromised. This was especially the case for spoiled ballots, which is discussed at greater length below based upon the Election Day observations. To satisfy voter privacy the presiding judge should allow the voter to deposit the spoiled ballot into a spoiled ballot envelope herself. In one early voting location that used multiple rooms for voter processing, an observer team witnessed the presiding judge take the spoiled ballot from the voter and move to a different room. In the end, the observers and the voter had no idea what happened to that spoiled ballot and the voter had no voting privacy. If judges are going to touch spoiled ballots one solution might be to have a privacy sleeve into which that ballot could first be inserted.

Finally, one observer team noted widespread assisted voting, both by the presiding judge and other early voting workers, as well as by other individuals. For example, one observer team watched a presiding judge and another voter assist a voter with the AutoMARK in the early voting location. After the voter was done and had generated her marked ballot, a third individual walked into the early voting site and literally checked the ballot with the person who had voted it; no one challenged this third individual, nor was it clear that any of the early voting staff even noticed the entry of this individual into the early voting site.

Early Voting Recommendations

Recommendation 1: All early voting sites should have functional voting devices, including both the AutoMARK and M100 devices. Inoperable voting devices or voting devices that remain disconnected and not in use should be removed from the facility. Inoperable equipment creates the appearance of inefficiency and failure in operations and can undermine the good work of the local election officials.

Recommendation 2: Early voting location layout should be optimized for accessibility and security. Early voting should have the same level of protection for voter privacy and voter security as Election Day voting. Therefore, ballots must be stored in a secure area that is not easily accessible to those unauthorized to handle them. Also, access to the early voting location should only be through a single main entrance that can be clearly observed and monitored by the public so that there are no questions about possible fraud.

Recommendation 3: Provisional voting needs to be closely supervised by early voting staff. It should not be possible for a provisional voter to incorrectly insert the ballot into the M100. Better early voting site layout, the adoption of permit cards, and defining specific areas for provisional voting in early voting might help with this problem.

Recommendation 4: Great care should be made to ensure correct ballot style is given to voters; early voting workers should only handle a single ballot at a time.

Recommendation 5: All assisted voting ought to be logged; any individuals who are providing assistance who are not early voting site workers must be supervised and the efforts at assistance must be logged.

Recommendation 6: A privacy sleeve should be implemented for spoiled ballots in early voting. (This issue is discussed in greater detail in the report in the section on spoiled ballots).

Absentee Voting

Given that absentee voting is done by voters at home or in another location not typically accessible to observers, the research team was not able to observe the process of absentee voting itself. Instead, one observer team studied the absentee ballot receipt and processing systems in both Bernalillo and Santa Fe Counties. Processing and tabulation of absentee ballots occurs in the "voter warehouses" of both counties, under the supervision of election officials themselves, their staff, and temporary workers. Also present are a variety of partisan and non-partisan observers.

The processing of an absentee ballot in each county is straightforward:

1. Upon receipt of absentee envelopes they are sorted by precinct and each envelope is examined to ensure that the information on the outside of the envelope is complete and that there is a ballot inside the envelope.

2. If the outer envelope is complete, and an absentee ballot has been issued to that voter (verified by paper lists or by access to an electronic database), then receipt of the ballot is noted appropriately (again on the paper list or the electronic database).

3. The outer envelope is opened and the security envelope containing the ballot is removed. At this point, the voter's identity has been separated from the ballot itself.

4. The ballot is then removed from the security envelope and is screened for tears or other problems that would prevent it from being processed by the high speed optical scanner.

5. If no problems are observed, the ballot is staged for tabulation by the "M650" high-speed optical scanning device.

6. Scanned ballots are then tabulated beginning the Saturday before Election Day.

One observation team had an opportunity to study the absentee ballot tabulation process in detail in Bernalillo County. That process was generally conducted efficiently and accurately, although there were some procedural issues that the observers noted in relation to absentee ballots that the M650 device could not easily read. There were three reasons for such problems: (1) there were overvotes on the ballot, (2) the ballot was blank, or (3) the ballot was otherwise

unreadable by the M650. Ballots falling into these three categories were separated at the tabulation stage and their numbers noted.

There were procedural issues noted by the observers regarding the separation of ballots and their handling. In one case, the tabulation team did not pull an overvoted ballot from the tabulated ballots, causing a minor problem. In a number of other cases, in the rush to process new batches of ballots, the tabulation teams neglected to deal with the small piles of separated ballots efficiently.

This same observation team documented one procedural innovation, however, that is worth noting. All of the "indeterminate" absentee ballots—those ballots that, for some reason, the M650 machine would not read—were then scanned using an M100 device. The M100 device appeared to tabulated many, if not most, of the ballots that the M650 could not read, saving the time and expense of hand-tallying for those ballots.[16]

The other issue that the observation team documented regarding the absentee ballot process in both of these counties was that there was no authentication process for absentee ballots as there is with Election Day and early voters. This creates a significant difference between voter processing via in-person and mail-in absentee voters and is a concern to voters, as we discuss in the Voter Survey Report. Many states solve this problem by comparing the signature on the absentee ballot envelope with the original signature the voter provided on their voter registration application. Although there are procedural difficulties and added costs with this method, New Mexico may want to consider adopting some kind of authentication procedures and may want to look to other states for guidance. For example, states like Oregon and Washington, that have substantial experience with voting by mail, might be good cases for study.

The last issue that was observed related to absentee ballot drop-off at polling places on Election Day. In some precincts, there was some confusion among poll workers on the appropriate processing of these ballots. In other precincts, the presiding judge did not accept a ballot if it was not from the voter while in others they would. In other precincts, the presiding judges had voters fill out forms to log the drop off of the absentee ballot, but in others they did not. In still other precincts, presiding judges allowed ballot drop off from other precincts while in other presiding judges would refuse to accept absentee ballots unless they were from their precinct.

Absentee Voting Recommendations

Recommendation 1: Procedures should be considered and developed to authenticate absentee voters. One possibility often used by other jurisdiction is the signature comparison between the absentee ballot and the voter registration record.

[16] We did not study why the M100 device was able to tabulate absentee ballots that the M650 device could not tabulate. That is a topic for future research.

Recommendation 2: During tabulation, better procedures for separation of ballots the M650 cannot read are necessary; training of tabulation staff should include instructions about how to handle unreadable ballots.

Recommendation 3: Election Day poll workers need better training on the correct processing of absentee ballots dropped off to precincts on Election Day.

Recommendation 4: Election officials should consider using the M100 as a backup tabulator for problem ballots that cannot be tabulated by the M650.

1.4. Pre-Election Preparations and Polling Place Setup

Pre-election training of election workers and the initial set up of polling places are important for setting the stage for an effective Election Day experience for voters. Academic research has shown that the quality of the voter-poll worker experience plays an important role in shaping voter confidence.[17] This confidence does not come because voters know their poll workers—recent data show that most voters do not know the person with whom they interact at the polls.[18] Instead, it seems that voters can tell when poll workers are well trained and that strength in training makes for a more positive Election Day experience for both voters and poll workers.

In examining the election experience in New Mexico, observation team members attended election official training in Bernalillo County and then observed the polling place set up in Bernalillo, Doña Ana, San Juan, and Santa Fe counties as a part of the Election Day voting observations.

Poll Worker and Precinct Judge Training

Several members of the observation team attended presiding judge and/or poll worker training in Bernalillo County. The training sessions involved a video, lecture, and review of a notebook containing manuals and procedures. The training session for poll judges took between 3 and 4 hours and poll workers were paid a small fee for their time.[19] At the end of the training, judges and poll workers were offered the opportunity to interact with the ballot tabulator and AutoMARK equipment and review how to set up and use them. The training covered the legal and policy issues associated with voting well considering the lecture format. There was also a large amount of training information given to poll workers in paper and electronic form.

---

[17] [17] See Lonna Rae Atkeson and Kyle L. Saunders. 2007, "Voter Confidence: A Local Matter?" *PS: Political Science & Politics* 40(October):655-660. Also see: www.vote2006.unm.edu and Thad E. Hall, J. Quin Monson, and Kelly D. Patterson. 2007. "Poll Workers and the Vitality of Democracy: An Early Assessment." *PS: Political Science and Society*, 647-654.

[18] See Hall, Monson and Patterson 2007.

[19] Poll worker were paid $35 for the training, presiding judges were paid $150 for their Election Day work and all other poll workers were paid $100.

Training Recommendations

Recommendation 1: There has been a movement in recent years toward more scenario-based training that New Mexico election officials might consider, where election workers are presented with various problems that may occur on Election Day and then discuss how to address them.

- For example, the actual process of handling a provisional ballot or an absentee ballot brought into the polling place for drop-off could have been more effectively covered this way. Both topics were covered, but only in a cursory way in the trainings attended. In addition, issues of privacy and handling spoiled ballots were not effectively covered in the training attended. Such issues are likely better covered in smaller group training, which can be done in the context of breakout sessions within a larger training.

Recommendation 2: Election officials should consider creating a very simple tabbed document that lists the steps to follow – with documentary pictures when appropriate – that explain to workers what to do in specific situations, like handling spoiled ballots, absentee ballots, or provisional ballots.

General Polling Place Issues

The setup of polling places varies by the location where the polling place is located. The voting locations observed included fire stations, churches, schools, community centers, city council chambers, and libraries. Each of these facilities has their own issues when considering the set-up of a polling place. For example, one library that was a polling place where observers watched the polls open, there was an issue of where to put the sign by the street showing that the location was a polling place. The poll workers recognized that polling place signs need to be visible so that individual on a main road know how to get to the polls, especially if they are on a side street.

The issue of signage is a larger consideration in polling places. There are numerous pieces of important information that were put up in the polling places regarding voter rights, identification, and how to mark ballots. The election officials in some places were able to put these in conspicuous places but in many polls the signage was not something that was readily noticeable when the voter entered the polling place. Again, this is often a function of the types of places and rooms where the polls were set up; in some cases there were not good wall spaces for signage.

One effective set up component in several of the counties that were visited was that the optical scan tabulator and the AutoMARK were placed on a single cart together. This allowed the poll workers to use one power supply and to easily set up the AutoMARK equipment. The workers only had to pull the AutoMARK shelf out and start the machine; there was no additional set-up required.

Most of the polling locations had been set up in a way that maximized the flow of voters throughout the voting space. However, some polling places were very cramped, which minimizes voter privacy. The flow of voters in a polling place is generally a problem only when

there are long lines, such as when the polls open. However, such considerations should be taken into account when selecting polling locations.

Polling Place Recommendations

Recommendation 1: Election officials should identify polling places that may have difficult issues for signage, set up, or traffic flow on Election Day.

- Polling places that are located in non-obvious or difficult-to-find locations (especially those that are not near major roads or intersections) should have the appropriate signage. Poll workers should have clear and appropriate instruction about where to put signs outside of the polling place. Poll workers should be instructed to periodically check the signs to make sure that they are still present during Election Day, and that they are accurately located.
- Polling places that are going to be in crowded spaces should be provided with a plan for setting up the polling place to maximize voter flow.
- Poll workers should be educated regarding where to put the signs inside polling places to maximize the ability of voters to see them.
- Election officials in jurisdictions that do not have the AutoMARK and the M100 tabulator together should consider adopting the system used in those localities that have a stand that holds both machines together.

1.5. Election Procedures

Voter Identification and Check-in Procedures

In the 2008 general election in New Mexico, registered voters who were not first time registrants by mail were required to choose a method of identification when they showed up to vote in person. The forms of identification they could choose from are specified in S 1-1-24 of NM's Elections Code:

A. a physical form of identification, which may be:
   (1) an original or copy of a current and valid photo identification with or without an address, which address is not required to match the voter's certificate of registration; or
   (2) an original or copy of a utility bill, bank statement, government check, paycheck, student identification card or other government document, including identification issued by an Indian nation, tribe or pueblo, that shows the name and address of the person, the address of which is not required to match the voter's certificate of registration; or

B. a verbal or written statement by the voter of the voter's name, registration address and year of birth; provided, however, that the statement of the voter's name need not contain the voter's middle initial or suffix.

Those who had registered for the first time by mail could only identify themselves using A(1) or A(2).

Throughout the state various check-in and voter identification procedures were used. Members of the team witnessed the following procedures:[20]

1. Voters volunteered identification (picture or other type of identification card, especially voter registration cards) without being asked by the poll workers.

2. Voters were told to look up their name in the voter identification roll and provide that number to the poll workers without showing any additional identification.

3. Voters were asked for their name only.

4. Voters were asked for their name and address.

5. Voters were asked for their name and birth year.

6. Voters were asked correctly for their name, address, and year of birth.

7. Voters were immediately asked for identification, sometimes picture identification, upon arrival.

8. Voters were recognized upon entering the polling site and were simply asked to sign the voter rolls.

9. Voters who could not be found in the precinct roll were then asked for identification so that the poll workers could call the county clerk and request registration status and the correct voter precinct.

10. Poll workers simply held out their hand presumably with the expectation that an individual's identification would be placed in it.

Data from our observations indicated that about one-quarter of precincts we visited were asking for a physical form of voter identification. In addition, only three in five (61%) precincts were asking for identification properly.

The variation in the check-in procedures and requests for identification are indicative of two issues related to New Mexico polling places.

---

[20] We only kept track in our observations of whether voter identification was done correctly or not; thus, we do not have data that indicates the frequency that each one of these alternative methods was used.

First, the New Mexico voter identification law requires poll workers to accept multiple forms of identification. For instance, picture identification, such as a valid driver's license, is a valid form of identification. In addition, an individual can also state their name, address, and birth year as a valid form of identification. This encourages an environment where poll workers select their favorite form of identification and request that upon check-in. Indeed, in some cases observers noted that poll workers altered their procedure depending on the voter. The in some cases poll, we observed poll workers sometimes asking for identification and other times not asking for identification.

Second, the issue that leads to greater variability in the form of identification requested is a lack of clear signage at the check in table as well as the possible weakness in poll worker training and a subsequent lack of understanding of the voter identification laws on the part of poll workers. Although in many precincts there were often "voter rights signs" and voter identification rules, these were not posted in places where voters might notice them. In addition, due to many precincts being located in schools, the posters simply blended in with many other colorful posters around them.

Observers reported that when specific forms of identification were requested but unavailable the voter would either be turned away or arguments would develop among poll workers over the correct course of action.

Additionally, there was confusion in some polling locations regarding the proper check-in procedures for individuals who were listed in the registry a having requested an absentee ballot. Observers reported that some individuals were turned away when checking-in without their absentee ballot. Additionally, observers reported that poll workers requested that some individuals go home and search for their absentee ballot and then return after finding it. In one instance, a team observed a voter being turned away from the polls because he indicated that he threw the ballot away and therefore needed a new one to vote. The voter was informed by the poll worker that if the ballot was thrown away by the voter that a new ballot could not be issued to him.

Voter Identification Recommendations

Recommendation 1: Poll worker training should emphasize the importance of uniformity in election rules and administration across precincts. This is especially true for voter identification procedures, which should be followed even in small communities where poll workers may be familiar with many voters.

Recommendation 2: Prior to the opening of the poll, all poll workers should be required to read the voter identification law to ensure that all workers understand the law and to ensure consistency among poll workers.

Recommendation 3: There should be a sign placed at the first station on the check-in table. This sign could be a two-sided placard placed on the registration desk so that both the worker and voter may read the sign at check-in. The sign would reflect a uniform standard procedure for

beginning the check-in process: "voter should state their name, address, and year of birth." If a voter cannot meet the standard procedure, then a back-up form of identification may be requested.

Recommendation 4: Election Day precincts may want to adopt the method we observed in early voting where voters provided their name, address and birth year on a piece of paper and then present that information to the poll worker for voter authentication.

Recommendation 5: New Mexico law allows a voter to vote provisionally at their precinct if they had requested an absentee ballot (§ 1-12-8 NMSA). If a ballot is destroyed in any way, even if by the voter himself, a voter should be allowed to obtain a new ballot and vote provisionally.

Spoiled Ballots

All election precincts and election jurisdictions in New Mexico use optical scan ballots for voting. Voters use a black pen to fill in a bubble for their choice in each race on the ballot. The ballot is then scanned using the ES&S Model 100, which is a precinct-based, voter-activated paper ballot counter and vote tabulator. The M100 has a feature that alerts voters to over-voted races, which is designed to avoid problems with voters making too many marks for a given race on the ballot and to ensure that a voter's intent is captured most accurately. In New Mexico, if a voter casts a ballot with an overvote, when that ballot is put to the M100, three actions occur.

- First, the machine reads the overvote and the ballot is pushed back out of the tabulator before it is counted.
- Second, when this occurs, the machine emits a beeping sound to inform the voter and the poll workers that the ballot has a problem.
- Third, the machine reports on a small screen the race or races that contain an overvote.

At this point, the voter has two choices. The voter can ask the election official to place the ballot into the hand counting bin, in which case the overvoted office will not be counted, or the voter can "spoil" their ballot. There is no legal requirement in New Mexico to record overvotes, so these contests ultimately get reported as undervotes. When a voter "spoils" their ballot, the ballot containing the mistake is voided and the voter is issued a new ballot.

During the election observations, there were problems in many precincts related to the way in which these spoiled ballots were handled. The primary problem was that, when ballots were rejected, the privacy of the voter's ballot was not respected. Based on these observations, the spoiled ballot problem has multiple aspects.

First, voters were rarely offered the chance to override the spoiling of their ballot and allow the ballot to be hand counted as it was filled out at the end of the day. We saw this problem consistently across counties and note the following anecdotes as examples. A voter in San Juan County over-voted in the presidential race and said that it was not a problem but the poll worker insisted on spoiling the ballot anyway and having the voter re-vote. In Santa Fe County, a male

voter insisted that he did not have the time necessary to fill out a new ballot but the poll worker insisted that he must or that his ballot would not be counted. The voter ultimately walked out angrily from the precinct and the poll worker took his ballot and wrote spoiled across it. When an observer asked the poll worker why he did not just put it in the bin for hand counting at the end of the day, the poll worker said he did not know that was an option and was not provided with any hand tally sheets.

Second, when the M100 indicated that there was a problem with a ballot, the voter was generally not told to read the error report herself. Instead, the voter's ballot was inevitably taken by the poll worker and visually inspected for the error. This is because the ballot was removed too quickly and, once the ballot is removed, the machine error can no longer be read.

Third, the voter's ballot often became a subject of interest to all precinct workers because the poll worker working the M100 would look at the ballot, as would the other precinct workers involved in issuing a new ballot. Every observation team saw a case where a spoiled ballot was handled or viewed by multiple poll workers. Our systematic observational reports show that almost three in five (59%) observers saw someone else other than a voter handle a spoiled ballot. Because the spoiled ballot was almost always taken to the check-in table when a new ballot was issued, the ballot was also occasionally in view of any voters who were checking in. Poll workers most commonly gave "let's see where you made a mistake" as a reason to look at the ballot. One presiding judge did very carefully ask, "may I have your permission to look at your ballot?" and then both explain the error to the voter ("If you want to vote straight party – I won't say out loud which one – but if you want to vote straight party for this party, you mark here") and then put a number on the spoiled ballot to help him keep track later when he went to tabulate. He seemed to take great care in asking if he could see the ballot and ensuring to give away no information – and, as far as the observers could tell, he made voters perfectly comfortable with this process.

Fourth, the spoiling of a ballot was often a public event, with poll workers loudly announcing that a voter had spoiled their ballot. Such an announcement puts a spotlight on a voter, which may make that voter uncomfortable.

Fifth, different voiding procedures were used in handling a spoiled ballot, with some judges writing the word spoiled on the ballot before inserting it into the spoiled ballot envelope and other judges just inserting the ballot into the envelope.

Spoiled Ballot Recommendations

Recommendation 1: When a voter's ballot is rejected, the poll worker or the voter should try to read off the machine's electronic display which office is overvoted. The voter can always reinsert their ballot if it was removed too quickly to make that determination. A poll worker legally must be stationed at the vote tabulator to watch the ballot counter to ensure that each ballot is counted by the voting machine. Either the poll worker or the voter should try and obtain that information from the machine and not from the ballot.

Recommendation 2: When a voter's ballot is rejected, the voter should be allowed to look for herself why the ballot was rejected and determine if she wants to cast the ballot anyway. (For example, a voter might not be overly concerned that she made an error in a judicial retention race and may not want to bear the costs associated with filling out a second optical scan ballot).

Recommendation 3: Voters should also have their ballots covered when it is being handled. This can be accomplished by having the voter put the ballot in a sleeve (e.g. a legal size file folder or envelope) and handing that folder to the poll worker. Procedures should also be developed so that ballots can be spoiled in a uniform way, other than having the poll worker write "spoiled" on the ballot. Without a uniform procedure, it is possible that the voter's privacy may be violated when poll workers are writing information on the spoiled ballot.

Recommendation 4: Whenever a voter spoils a ballot, the poll worker might consider offering the AutoMARK as an alternative option for completing the balloting processing. Given that the AutoMARK does not allow over-voting, it can provide the voter with a mistake-free means of casting their ballot.

Provisional Ballots

Throughout Election Day, observers were able to witness many instances of provisional voting. In general, voters would arrive to a precinct to vote, only to find that they were not on the list of registered voters in that precinct. In some cases, presiding judges did attempt to help voters locate their correct precincts by making calls to the County Clerk's office. If no location was found, the voter was allowed to vote provisionally. However, in a number of instances, observers witnessed voters being given provisional ballots immediately after not being found on the registered voter list. Presiding Judges were sometimes too quick to resort to the provisional voting option without explaining what provisional voting means to the voter and without attempting to contact the County Clerk's office to determine if that individual might be registered in another precinct. In other instances, a presiding judge did attempt to contact the County Clerk's office but was unable to reach anyone. When observers did witness a voter being given a provisional ballot, it was apparent that the voter was very unclear about what it meant to vote provisionally and was often not told about the possibility that their vote might not be counted and if so that they had the right to appeal the decision.

Provisional Voting Recommendations

Recommendation 1: Presiding judges and poll workers need better training on the provisional ballot process and need clearer instructions on what should be done before allowing a voter to vote provisionally.

Recommendation 2: Because provisional voting seemed to be a fairly common occurrence, it would be helpful to voters if there was some posted information at a precinct about provisional voting and what a voter should do before casting a provisional ballot in order to increase the chances of their vote being counted.

Recommendation 3: Additionally, provisional voters may be provided with an explanation sheet that defines their status, how the provisional voter information will be judged, and how they will be contacted regarding the final disposition of their ballot, and the fact that they will have the right to appeal any negative decision regarding the qualification of their ballot. Perhaps an explanation of provisional voting on the clerks and Secretary of State's web site would be helpful to these voters.

Recommendation 4: Counties should ensure they have adequate personnel and phone lines to deal with calls from presiding judges throughout the day so that voters can be helped as quickly as possible. Greater access to the County by presiding judges may reduce the number of provisional ballots cast as voters can more easily locate their correct precinct location.

Procedural Uniformity

Procedural uniformity is important for making elections functional and fair and to ensure that all of the activities in the election are completed correctly across the entire election jurisdiction. Where there is a lack of uniformity, problems can arise in the election process. In the 2008 general election, observer teams generally saw effective procedures in place. However, there were areas where the observers did see a lack of uniformity, which are identified below.

Ballot Bags for In-Lieu-of Ballots

There was wide variation in where poll workers put in-lieu ballots.[21] In Bernalillo County—which provides different colored bags for different types of ballots—most presiding judges put the provisional ballots in the correct blue zip bag and most put dropped off absentee ballots in the orange zip folder. However, at the beginning of the day, the precincts were split between including the in-lieu-of ballots with the provisional ballots or with the absentee ballots. Towards the end of the day, most precincts put them with the provisional ballots, but some were still putting them with absentees. In Doña Ana County, blue and orange bags were used but they were unmarked and there was some confusion on which types of ballots went into which bag. We saw similar confusion in our 2006 study.

Comparing Machine Serial Numbers

Observation team members also found that, although some machine serial numbers were compared to the yellow slip provided for the machine at the voter warehouse, many machines were not. One team noted that the poll watchers had to insist on this review and in other instances it was just not completed. We found that 62% of the precincts where we observed opening completed this step.

Zero Tapes

[21] If a voter who has applied for an absentee ballot did not receive it or it was destroyed on Election Day, they can vote another absentee ballot "in-lieu" of the missing absentee ballot in their polling place on Election Day. The in lieu balloting process also requires that the voter sign a statement that they did not receive or no longer have their absentee ballot.

Most of the precincts followed the correct procedure for running the initial zero tape but a few created their own procedure. In one precinct, the workers started running the zero tape, let a few inches of tape come out of the machine, cancelled the printing, and signed the small tab. Several precincts tore off the zero tape after it ran and one went to the trouble of leaving it attached until they printed the precinct results during closing only to tear the two apart at the end. In our opening observations, we found that about 10% of zero-tapes were not left on the machine.

Verification of Empty Ballot Bins in the M100

One item that poll workers are supposed to check is that there are no ballots left in the machine from the last election. We found only four in five presiding judges checked to make sure this was the case.

Opening Procedures

Observation team members found that, although most precinct judges in Bernalillo County swore in the other members of the precinct board, there were several instances where this procedure was forgotten. In Doña Ana where the poll worker oath was done during training, the oath was theoretically not necessary on Election Day. However, the upgrading of poll watchers or challengers to poll workers on Election Day potentially results in many workers not taking the oath of office. In one case, the precinct board members searched for a piece of paper that the oath was supposed to be written on so that the new poll worker could sign it but the paperwork could not be found. In another case, the presiding judge did not have access to a photocopy machine in order to duplicate his only copy of the oath and therefore was unable to administer the oath to poll workers prior to the opening of the polls.

Closing Procedures

In a debriefing meeting on November 5th, the observers reported that pollworkers employed quite different procedures when the total number of ballots cast and the total number of voters who signed the poll book did not balance. In one precinct, the judge simply wrote down the unmatched numbers with no attempt to find the source of the error. Other precincts spent 30 minutes to an hour recounting the provisional ballots and ballot slips to figure out where the numbers were different. In still other precincts, observers saw poll workers "force" reconciliation by assuming away the problem (e.g.., assuming that a voter signed in but left before voting).

Observers also noted that there was confusion in the instructions with state instructions varying from local instructions in some cases. This was also seen in our 2006 election study. They also noted that the instructions for the accounting of different types of ballots were not clear. For example, in some precincts poll workers had a hard time accounting for the ballots because they were unsure how to count voters who had spoiled a ballot and then received a new one.

Ballot Stubs on Destroyed Ballots

Very few of the precincts kept ballot stubs for the destroyed ballots. Most poll workers left them attached when the ballots were ripped apart.

Computers

Observers noted that in one precinct where two young poll workers were managing the check-in process, they had brought along a laptop and were on Facebook. The precinct judge was not sure whether this was allowed but allowed it to continue because they were not visiting political or news websites. One precinct in Doña Ana County was located inside the computer lab of a library. The computers were still available for use to library patrons and were easily visible from the privacy booths.

Food/Drinks

In many of the polling places, poll workers placed food and/or drinks onto the main poll worker tables. Observers also noted that, in some precincts, poll workers had left their cups of coffee on top of the M100 machines and, in one case, using the coffee cup to hold down the stack of voter permits.

Cell Phones

A few polling places were very strict about voters talking on cell phones in the polling place. Most were quite lenient. In about three in ten (30%) of the precincts we visited we saw voters talking on their cell phones. In addition, there were a few observers that reported poll workers talking or texting on their phones, in one case while checking in voters.

Seal on the Front of M100

Several of the precincts had left the front cover on the M100 unlocked, which protects the PCMCIA card. In another case, where the seal was cut to make machine repairs, the seal was not reinstalled after repairs were completed. At least one presiding judge in another precinct during the opening of the polls broke the seal protecting the PCMCIA card for no apparent reason other than to examine the card.

Forms for Recording Problem Incidents

Over the course of the election, it became clear (in both the early and Election Day operations) that when small or large incidents happened poll workers did not have forms they could use to record the events. Thus, when there were not enough ballots in some locations or when a voter left angrily because of disagreements with a poll worker, these events were not recorded. Activities that happen over the course of the day may be indicative of procedural problems or areas where better training are needed and as such need to be recorded for post election review.

Procedural Recommendations

We recommend that the following statewide procedures be developed:

Recommendation 1: All counties should use different colored and labeled bags with the type of ballot to be inserted clearly printed on the bag to avoid confusion. There should be a single bag for each type of ballot (e.g., provisional, absentee, in-lieu-of).

Recommendation 2: Clear policies need to be established restricting the consumption of food and drink in the vicinity of ballots, election materials, and voting machines. Similarly, clear

policy regarding the use of cell phones and personal digital assistant devices by both poll workers and voters in polling places are necessary. These policies need to be enforced.

Recommendation 3: Incident reports that record any unusual activities over the course of the day should be recorded by poll workers in an incident log. Each log entry should be signed and dated. These should be returned to the county clerk's office for review.

Recommendation 4: Technicians in the field should carry unused seals so that they can be placed on a fixed machine when necessary. Any time that the seal to a machine is broken, this should be logged into the precinct incident reports.

Recommendation 5: During training, presiding judges should be trained in the closing procedures through a skit or video so that they are familiar with the process. Alternatively, poll workers could engage in mock election work and actually perform the tasks they are expected to complete on Election Day.

Security Procedures

The physical security of election materials—especially ballots, voting machines, and ballot boxes on Election Day—is perhaps the most central concern in any election. In the 2006 study, observation team members noted some areas in which the physical security of election materials could be improved in New Mexico. Generally, observers noted that, compared to the 2006 election, in 2008 the ballots, voting machines, and ballot boxes were physically secure and there seemed to be fewer problems.

One problem that was noted by observers involved "assisted voting," which is both a security and a privacy issue. New Mexico election law (§ 1-12-15) allows certain types of voters to request that certain individuals provide them with assistance while they vote. However, the law also requires that "The name of the person providing assistance to a voter pursuant to this section shall be recorded on the signature roster." Although observers did note instances of "assisted voting," they also noted that the name of the person providing assistance was not necessarily always recorded in the signature roster.

Another potential ballot security issue noted by observers is the situation where a voter spoiled their ballot. In some situations, precinct judges would allow the voter to take the ballot they wished to spoil along with a new unmarked ballot back to the voting booth; these voters were then in possession of two ballots. Such voters could attempt to vote both ballots (either accidentally or deliberately), or could attempt to leave the polling place with the unvoted ballot. In either of these scenarios, this could lead to reconciliation problems after the close of polls, or perhaps be the source of some type of nefarious activity (for example, double or chain voting). Our observations indicated that allowing a voter to retain a spoiled ballot was common with over half (55%) the voters we saw using their spoiled ballot to assist them in recording votes on their new ballot.

Security Recommendations

Recommendation 1: A greater emphasis should be placed on recording instances of "assisted voting" as required by the law including the name of the person giving assistance.

Recommendation2: When a voter spoils his ballot, the spoiled ballot should be retained by the precinct judge in a sealed envelope or voter privacy sleeve to assure voter privacy before the voter is able to get a new unmarked ballot.

AutoMARK Machine Recommendations

Recommendation 1: Training on the use of the AutoMARK in poll worker training should be strengthened. If more poll workers were familiar and comfortable with using the machine, they might be more willing to suggest its use to voters. Training should also emphasize the specific area of privacy with the AutoMARK, and explain how to set up the machine within the polling place to minimize the ability of other people to observe the screen while the machine is in use.

Recommendation 2: Poll workers should receive more explicit training in the types of people the AutoMARK is designed to assist. Some poll workers seemed to think it was only for blind people or that it should not be used except as a last resort. If more poll workers thought of the AutoMARK as a viable option, they might be quicker to suggest it to voters who are having difficulty with the paper ballot. Therefore, in the training poll workers learn when to encourage voters to utilize the AutoMARK.

Recommendation 3: Poll workers should not make a judgment about a voter when a voter requests the AutoMARK. In one case, a poll worker told a voter who requested the AutoMARK that she looked like she could do the paper ballots without it. A voter request for the AutoMARK should not be questioned.

Recommendation 4: Voters should be better educated about the AutoMARK and its availability. One possible approach would be to include information about the AutoMARK in the packet sent to voters or in other voter educational materials, to make it clearer that the machine is available for use, and that votes cast using it count equally with votes cast on paper ballots. Often voters do not realize that the AutoMARK marks their ballot for them and that when it is complete they have the opportunity to examine their ballot for exactness before they insert the ballot into the M100.

Recommendation 5: Poll workers should be advised to place the AutoMARK in a location so it is not open to observation by other voters or poll workers when it is in use.

General Voter Privacy Issues

Given that the secret ballot is the hallmark of the voting process, a voter should be able to cast her ballot without concern about her vote choices becoming public. In the area of privacy, observers saw several issues of concern. First, as was noted above, voters who spoil their ballot should have the privacy of their vote choices better protected.

Second, voters need to be able to cast their ballots without people being able to see them vote. The physical layout of some polling places and the small size of other polling places created either actual privacy problems or the appearance of such problems. Even in fairly well-designed polling locations, a voter might feel as if someone could see for whom he voted by merely peering over the top of the voting booth. This could happen because lines had formed inside the polling station or because voting booths were crowded too closely together. In more poorly designed polling places, this could occur because some of the voting booths were on the path between other parts of the polling location and the M100.

Clearly, the issue of privacy concerns varies by the voter. Some voters—not wanting to wait in line—voted on tables and other surfaces that provided only limited privacy. However, for voters with this concern, the booths should be set up and the polling place designed so that these voters can feel comfortable their vote is secret.

Third, a potential location where privacy problems can occur is when a ballot is submitted into the M100 voting tabulator. We observed numerous instances where voters handed their ballot to a poll worker who reviewed it first and then either put it in the tabulator himself or returned it to the voter to do so. When a voter casts a ballot, either the voter can be allowed to feed the ballot into the tabulator herself or the poll worker can. Obviously, it is better when the voter can feed the ballot into the vote tabulator, preferably with an election judge observing the process but not close to the machine. The complicating factor is that poll workers need to closely monitor what the voter did with the ballot to ensure that the voter correctly fed the ballot into the M100 and that it was tabulated, but to do so in a way that is not intrusive. Our data indicated that in 85% of the precincts observed, voters fed their own ballot into the machine, but in about 3% of precincts we observed poll workers were primarily responsible for this and in another 12% voters and poll workers worked together to submit a ballot.

Fourth, voting sometimes occurs in places where there are less than obvious privacy issues. For example, schools and other locations that have video cameras located inside the room where voting takes place may cause concerns for some voters, and can open the door to nefarious activities.

Voter Privacy Recommendations

Recommendation 1: In training, presiding judges and poll workers should be given clear instructions and examples on what constitutes a good precinct layout versus a bad layout. Observers who attended poll worker training noticed only vague instructions on how to set up a precinct. As many precinct locations remain the same election after election, County officials could do a better job of recommending a particular setup tailored to individual locations, especially when the polls will be in a location that is likely to have complications.

Recommendation 2: Voter privacy should be improved through policy and/or other technological solutions. The regulatory solution is to insist that access to the M100 is controlled through a single point (i.e., it's roped off somehow) so that the poll worker can provide instructions while ensuring that they cannot see the ballot. The technological solution is to provide privacy sleeves to all voters to cover the ballot as they walk from the privacy booth to the M100.

AutoMARK Machines

The AutoMARK voting machine seems to be one of the most underutilized resources available at polling locations. Perhaps because the AutoMARK is a special electronic machine and therefore needs electricity to operate, in some polling places observers noted that it was sometimes placed away from the standard privacy booths and often was located in places that were especially open to observation from poll workers and others. The machines were, in some jurisdictions, frequently set up without the privacy screen and facing into the center of the voting area, so that it would be easy for many people, both poll workers and other voters, to observe an individual voting. At one location, it was set up behind the check-in table, so that any voter checking in would be able to watch a voter's selections while voting.

The observation teams found several instances where the AutoMARK was not working or was broken. In many of these cases, multiple precincts existed in one location and, therefore, poll workers utilizing one AutoMARK for voters coming from several precincts. In some locations with multiple precincts, only one AutoMARK machine was provided. In such cases, sometimes it was unclear that the single AutoMARK machine was available for use by all voters in the polling place. Although the poll workers may have known that the AutoMARK was available and could direct voters to the machines if they asked, the voters might not know that this machine was available for their use.

We note that in discussions with the observer team members, some poll workers said that they had observed voters who would likely have been good candidates for using the AutoMARK machine, but the poll workers they did not mention the machine as an option to these voters. These poll workers said that they would have directed such voters to the AutoMARK machine if they requested it, but did not seem to think it was their job to suggest that particular voters might find the machine useful. At one location, a voter spoiled four ballots before finally voting successfully on the M100 machine. When asked why they did not suggest the AutoMARK machine as an alternative, the poll worker seemed confused, as though they did not even think of the AutoMARK machine as an option. In contrast, poll workers at another polling location suggested the AutoMARK machine whenever a single voter spoiled two ballots.

At almost every precinct visited by the observer teams, the poll workers noted that no one had requested or used the AutoMARK all day. Some poll workers noted "but at least it's there if anyone needs it," but others seemed to think "it seems like such a waste of time/energy/space to set this machine up every time, when no one ever uses it." Still others said that they had been told that the AutoMARK was difficult to use, for various reasons. If poll workers do not think that anyone will use the AutoMARK or it will be difficult to use, they may be more likely to spend

less effort considering issues of privacy for AutoMARK users, or making it clear that the machine is available for use. Also, because the machine is used so infrequently, the poll workers may be less comfortable working with it and may be hesitant to encourage voters to use the machines.

In precincts where voters did use the AutoMARK successfully, poll workers noted to the observers that most voters using the equipment had a positive experience. In one precinct, a presiding judge told observer team members that an older female voter came in with several health problems that clearly made voting difficult and requested the AutoMARK. When she was done she informed the presiding judge that it was a wonderful voting experience and that she was so happy that it was available for her use.

Watchers, Challengers, Observers and Voter Assistance

The two political parties closely contested the 2008 general election in many New Mexico jurisdictions. The observer teams noted that in many voting locations there were appointed challengers and watchers inside polling places who were attempting to ensure that the elections were run appropriately. In addition, there were an assortment of individuals, typically located outside of polling places, engaged in offers of voter assistance or offers of voter protection activities; these individuals often were from third-party advocacy organizations.

In New Mexico, the activities of challengers and watchers are governed by statute. There are certain permitted and prohibited activities that are delineated in § 1-2-21 through 1-2-30 of the New Mexico election code. Challengers and watchers generally are permitted to be present in the polling place once the precinct board convenes through the tallying and counting of ballots, to inspect precinct voter lists, to examine voting machines before polls are open, and to take written observations of any action or lack of action by the precinct board; however, they cannot interfere with the election, or perform the duties of a precinct board member.

However, in some polling places, it was unclear to some of the observation teams whether precinct judges and poll workers were well instructed as to the permitted and prohibited activities of both challengers and watchers. For example, under New Mexico law, challengers are allowed to inspect registration books, signature rosters, voting machines before the opening of the polls, and to make written records of the actions or omissions of members of the precinct boards. Likewise, under law, challengers and watchers are prohibited from performing any duty of a precinct board member, and in particular "shall not handle the ballots, poll books, signature rosters or voting machine or take part in the tallying or counting of the ballots" (§ 1-2-25 NMSA). There were occasions, in some precincts, where challengers engaged in such prohibited activities, but were prevented from engaging in acceptable ones.

Transparency and openness are critical for ensuring the integrity of any election and it is critical that representatives of political parties have the ability to observe the process in all voting locations. However, the observation teams saw instances where challengers and watchers might have engaged in some of the prohibited activities listed in § 1-2-25 NMSA, even if well-intentioned. In some locations, challengers and watchers were involved in precinct voting activities more directly than § 1-2-23 NMSA (which discusses permitted activities) would seem

to allow. In some instances, it looked as though challengers and watchers were engaged in some of the activities of precinct board members (for example, accessing registration books and signature rosters in ways that might have involved more than mere inspection).

Some of the observation teams noted similar issues when it came to observers and other interested individuals outside of polling places. In the 2006 study, observation team members noted that election officials needed to enforce § 1-20-16 of the New Mexico election code, which prohibits "campaigning on Election Day within one hundred feet of the building in which the polling place is located."

Generally speaking, it seemed to the observation teams that precinct judges and poll workers knew about the "hundred-foot" electioneering rule but they were in many cases uncertain about exactly how they were to interpret where exactly the 100 foot boundary started and stopped. For example, the election code states it is "within one hundred feet of the building" but there were questions as to whether the 100 hundred feet meant 100 feet from the actual building itself or 100 feet from the location of the polling space within the building, especially in instances where a polling place was located deep inside a school.

In addition, there were questions regarding the distance at which non-partisan voter protection activities occurred outside of polling places. Such activities appear to be covered by § 1-20-17 of the New Mexico election code, which prohibits anyone from approaching a polling place "nearer than fifty feet … unless [this individual was] a voter offering to vote, a member of the precinct board, a lawfully appointed challenger or watcher, an election official having business in the polling place or a person authorized … to give assistance to a voter …" Generally, it seems to be the common understanding that non-partisan and non-political individuals can be within 50 feet of a polling place to provide voter assistance or protection activities but there were questions about this interpretation in some locations.

Watcher and Challenger Recommendations

Recommendation 1: The precinct boards should be better informed and trained about the proper role of challengers and watchers, in the polling place. Precinct boards, and in particular precinct judges, should be well trained in what challengers and watchers are permitted to do and what they are not permitted to do.

Recommendation 2: Election officials should develop informational materials that are given to challengers and watchers in voting locations that present in detail what they can and cannot do in the voting location.

Recommendation 3: Election officials—either at the state or the local level—should develop training sessions and detailed training materials for county chairs of political parties, as well as the appointed challengers and watchers themselves, to ensure that all concerned are aware of activities that are permitted and prohibited on the part of these challengers and watchers.

Recommendation 4: The permitted and prohibited activities of political and partisan campaigns, relative to non-political and non-partisan efforts, should be better defined for precinct judges and precinct boards. In much of our election observation, the general interpretation of the election code seemed to be that the former were permitted only beyond 100 feet and the latter are permitted beyond 50 feet; these rules should be clearly defined and articulated so there is no question about implementation.

Recommendation 5: These more precise definitions should be communicated to all political parties, candidates running for office, or other campaign entities; they should also be communicated to groups that are known to be interested in conducting non-partisan and non-political voter assistance or protection activities.

Recommendation 6: Election officials—either at the state or the local level—should develop training sessions and detailed training materials for all political and partisan campaigns, as well as for non-partisan groups operating at polling places, to ensure that all concerned are aware of activities that are permitted and prohibited at the polls.

Recommendation 7: The state law defining the exact starting point of the 100 foot and 50 foot boundaries for polling place activities should be clarified in the election code. This definition should clarify how to measure this boundary taking into account the variety of locations used as polling places. If the state law remains the same, local election officials should work before the election to clarify these boundaries for each polling place and provide this information to poll workers in writing, so they can show individuals who come to the polls how the boundary was established.

Recommendation 8: Presiding judges and precinct boards should be given more precise instructions about how to measure the fifty- and one-hundred foot boundaries. The election officials should consider providing something that can be used to measure these boundaries. This could be as simple as providing to each precinct judge a one-hundred foot piece of string, which could be doubled back on itself to define the fifty-foot boundary.

1.6. Post-election Procedures

The closing of a polling place is a potentially complex, but vital, final step in the Election Day process. Poll workers and precinct judges have all had a long day, they are tired and hungry, and know that they face a variety of important tasks before they can leave for the day. Oftentimes they also close the polls under the scrutiny of challengers and watchers, as they try to follow the procedures learned in their training or provided in their manuals. This can be more stressful when, as sometimes occurs, they find themselves in situations that were not covered in their training, or that are not discussed in their manuals. We found that the poll workers often found themselves in a position of having to improvise, probably because they forgot their training, forgot where to find a solution, or the solution was not covered in their materials.

Closing Procedures

It is important to recognize that poll workers and precinct judges provide an invaluable service on Election Day, and that it is a long and hard day. But although the research team is aware of the important service that poll workers and precinct judges provide, a voter who arrives at a polling place late on Election Day still deserves the same degree of customer service as a voter who had a chance to participate earlier on Election Day.

We observed instances where poll workers and precinct judges began closing polling place operations—including removing informational and educational signs, initiation of post-election tallying procedures, and even the breaking down of polling booths—before the close of polls. This creates a poor environment for those who are voting at the end of Election Day, and is not an environment in which poll workers and precinct judges can provide a proper level of support to voters and ensure a high degree of administrative integrity.

One particular problem we saw repeated at closing was the inability of the poll judge to quickly and easily reconcile the number of voters with the number of ballots used. Over three in five (63%) of the polling places we watched close had problems with this procedure as we detailed above.

Closing procedures are complex, and although it might not be easy to reduce the complexity of the procedures, it might be easier to better train poll workers and precinct judges about closing procedures and to provide them with easier-to-use guides that can walk them step-by-step through the closing procedures at the end of a long day. Some of the counties did have step-by-step close down instructions and those instructions did help ensure that the process was easier to follow. We also noted that instructions between the county clerk and the secretary of state's office were not always the same and this caused some confusion. Better coordination on these matters between the state and county election officials needs to be implemented.

Closing Procedure Recommendations

Recommendation 1: Poll workers and election judges should not begin any closing procedures until after all eligible voters have cast their ballots and left the polling place.

Recommendation 2: Election officials should develop easy-to-use checklists that will lead poll workers and precinct judges through closing procedures, step-by-step. In training, the poll workers should be walked through how to complete this checklist, preferably in a simulation exercise.

Chain of Custody

Ensuring that a robust chain of custody is maintained after the close of polls on Election Day is imperative. In particular, as critical components of the Election Day polling operation are transmitted from the polling place to the central tabulating location (and in some instances to the Secretary of State's Office), the chain of custody of all critical election materials necessary to fully audit the election has to be maintained and documented on paper.

Although the observer teams were unable to observe chain-of-custody procedures in all counties in New Mexico, they did observe a well-documented chain-of-custody procedure in Bernalillo County and in San Juan County. In these counties, there were chain-of-custody forms produced for ballots, requiring signatures and information from the precinct board, and which documented delivery to the drop zone, to the election staff, and then finally presentation to the canvass team. Although it was not entirely clear to observation teams in these two counties that precinct judges and precinct boards used the ballot chain-of-custody forms correctly in this election, we have found that such forms are very important to ensure the security of the election process, even though we cannot verify necessarily that they were used correctly in all instances in the counties included in our study.

Chain of Custody Recommendations

Recommendation 1: All counties should adopt chain-of-custody documentation procedure like those in Bernalillo and San Juan Counties. The presiding judges in all counties should be trained in the appropriate use of this procedure.

Recommendation 2: Counties should adopt comprehensive chain-of-custody procedures for the transmission of the memory card from the M100 tabulator, as well as the precinct voter roll. All presiding judges should be trained in these procedures.

1.7. Conclusions

In our Election Day and early voting observations, we generally saw smoothly operating polling places and overall, what appeared to be a good experience for most voters in New Mexico. We did observe a number of places where we believe the process can be improved that are detailed in this report. We hope these recommendations will help improve the electoral process in New Mexico.

Appendix 1.1. Polling Places and Precincts Studied

A. Bernalillo County: Polling Places and Precincts

Team 1:

Cibola High School (precincts 3, 78, 89)
James Monroe Middle School (precinct 80)
Paradise Hills Community Center (precincts 19, 68)
Ventana Ranch West Elementary School (precincts 115, 117)
Petroglyph Elementary School (precincts 79, 84, 85, 114)
Raymond G. Sanchez Community Center (precincts 8, 9)
Taft Middle School (precincts 4, 16, 17, 108)
La Luz Elementary School (precincts 192, 193, 194, 196)
Griegos Elementary School (precincts 180, 181, 182)
Cochiti Elementary School (precinct 186)

Team 2:

Alamosa Elementary School (precincts 32, 33, 51)
Armijo Elementary School (precincts 64, 65)
Atrisco Elementary School (precincts 45, 46)
Carlos Rey Elementary School (precincts 41, 42)
Barelas Community Center (precincts 133, 135)
Edward Gonzalez Elementary School (precincts 50, 59)
Dolores Gonzales Elementary School (precincts 122, 124, 131, 132)
Rio Grande High School (precincts 43, 44)
Valle Vista Elementary School (precincts 47, 48, 61, 62)
Tierra West Estates (precinct 58)
Washington Middle School (precincts 121, 123, 125, 166)
Westside Community Center (precincts 63, 67)

Team 3:

Montezuma Elementary School (precincts 342, 343, 344)
Fellowship Chr Rfmd Ch (precincts 371, 372, 374, 375)
Four Hills MHP (precincts 330, 331)
Grant MS (precincts 473, 475, 476)
Inez Elementary School (precincts 413, 415, 416, 417)
La Mesa Elementary School (precincts 318, 321, 322, 323)
Loma Linda Community Center (precincts 107, 246)
Lomas Tramway Library (precincts 302, 304)
Lowell Elementary School (precinct 102)
Singing Arrow Community Center (precincts 296, 332)
Van Buren Middle School (precincts 286, 287, 326)

Early Voting Locations:

Union Building, University of New Mexico
Siesta Hills Shopping Center, 5407 Gibson SE.

Team 4:

Coronado Village (precinct 10)
Covenant Presbyterian Church (precincts 507, 508)
Del Norte High School (precincts 408, 409, 439, 440)
Double Eagle Elementary School (precincts 539, 541, 567, 569)
Grace Lutheran Church (precincts 427, 560)
Hodgin Elementary School (precincts 346, 436, 437)
Hubert Humphrey Middle School (precincts 538, 568)
New Life Presbyterian Church (precincts 450, 484, 512, 563)
Zuni Elementary School (precincts 401, 402, 491)

Team 5:

Washington Middle School (precincts 121, 123, 125, 166)
Reginald Chavez Elementary School (precincts 154, 162)

B. Doña Ana County: Polling Places and Precincts

Team 1:

Hillrise Elementary School (precincts 69, 70, 71)
Lynn Middle School (precincts 43, 44, 94)
Hermosa Heights Elementary School (precinct 93)
ARC Building (precinct 33)
Mayfield High School (precincts 22, 30, 31, 84, 90)
Sierra Middle School (precinct 34)
East Picacho Elementary School (precincts 86, 87, 100)
Vista Middle School (precincts 20, 85)
Doña Ana Community Center (precinct 4)
Highland Elementary School (precincts 59, 61, 105)
Space Murals Museum (precinct 6)
Organ Fire Station (precinct 64)
Oñate High School (precincts 5, 66)
Trinity Lutheran Church (precinct 89)
Sunrise Elementary School (precinct 65)

Team 2:

Conlee Elementary School (precincts 45, 46, 47)
La Union Elementary School (precinct 15,81)
Mesilla Elementary School (precincts 18, 98)
Mesilla Park Recreation Center (precincts 55, 56)

Munson Center (precincts 41, 42)
New Covenant Fellowship (precinct 7, 96)
Riverside Elementary School (precinct 13)
Sunland Park Library (precinct 97)
University Hills Elementary School (precincts 51, 52)
Vado Elementary School (precinct 8)

C. Santa Fe County: Polling Places and Precincts

Team 1:

Abedon Lopez Community Center (precincts 58, 79)
Acequia Madre Elementary (precincts 9, 36, 47)
Alameda Middle School (precincts 25, 33)
Alvord Elementary (precincts 26, 27)
Benny J. Chavez Center (precinct 3)
El Rancho Community Center (precinct 5)
Fort Marcy Complex (precincts 10, 22, 28, 30)
Gonzales Elementary (precincts 11, 20, 21)
Nambe Headstart (precincts 23, 61)
Pojoaque Middle School (precincts 59, 60)
Sombrillo Elementary (precincts 1, 2)
Tesuque Elementary (precinct 8)
Tesuque Pueblo Intergenerational (precinct 6)

Team 2:

Agua Fria Elementary (precinct 66)
Capshaw Middle School (precincts 37, 54, 81)
EJ Martinez Elementary (precinct 52)
El Dorado Elementary (precincts 63, 65, 69, 71)
Elks BPOE 460 Lodge (precinct 55)
Glorieta Fire Station (precinct 57)
Kearny Elementary (precincts 38, 39, 49, 74)
Pasa Tiempo Senior Center (precinct 53)
Public School Admin Bldg. (precinct 43)
Santa Fe County Fair Building (precincts 29, 56, 78)
Sweeney Elementary (precincts 64, 75)
Unitarian Church of SF (precincts 45, 46)

Early Voting Locations:
Eldorado Senior Center
Santa Fe County Building
Santa Fe Rodeo Fair Grounds

D. San Juan County: Polling Places and Precincts

Team 1:

Central Consolidated Schools (precinct 4)
Farmington Museum at Gateway Park (precinct 45)
Farmington School Administration Building (precinct 23)
First Baptist Church of Kirtland (precinct 18)
Gadii'ahi Chapter Facilities (precinct 10)
Hogback Chapter Facilities (precinct 14)
Shiprock Associated Schools (precinct 2)
St Mary's Catholic Church (precinct 26)
Trinity Lutheran Church (precinct 21)
Tse-bit-ai Junior High (precinct 8)
Waterflow Community Hall (precinct 13)

Team 2:

Aztec First Baptist Church (precinct 62)
Aztec Fire Station (precincts 65, 60, 61)
Aztec Methodist Church (precinct 64)
Aztec School Administration (precinct 63)
Bloomfield First Baptist Church (precinct 76)
Bloomfield City Hall (precinct 74)
Cedar Hill Fire Department (precincts 60)
Crestview Southern Baptist Church (precinct 44)
Farmington Public Library (precinct 43)
Flora Vista Fire Station (precinct 47)
McGee Park (precinct 70)
Saint Joseph's Catholic Church (precinct 66)
San Juan County Fire Station (precinct 67)
St. Mary's Catholic Church (precinct 26)
VFW Post 2182 (precinct 56)

Appendix 1.2. Frequency Reports, Election Observation Forms

Frequency Report for Opening Procedures

1a. Did the presiding judge show up at the precinct on time? (n = 21)

Yes	85.7%
No	14.3%

1b. Did all the poll workers show up on time? (n = 20)

Yes	75.0%
No	25.0%

2. Did poll workers check to make sure the yellow warehouse slip numbers match the M100? (n = 13)

Yes	61.5%
No	38.5%

3. Did they verify the ballot bins in the M100 are empty? (n = 20)

Yes	80.0%
No	20.0%

4. Was the zero-tape generated? (n = 21)

Yes	100.0%

5. Was the zero-tape signed by all the poll workers? (n = 20)

Yes	80.0%
No	20.0%

6. Was the zero-tape left on the machine? (n = 21)

Yes	90.5%
No	9.5%

7. Was the signature voter roster signed by all the poll workers? (n = 16)

Yes	62.5%
No	37.5%

8. Was the checklist voter roster signed by all the poll workers? (n = 15)

Yes	60.0%
No	40.0%

9. Was the registered voter list posted at the precinct and easily visible? (n = 21)

Yes	100.0%

10. Was the voter bill of rights posted at the precinct and easily visible? (n = 21)

Yes 90.5%
No 9.5%

11. Were sample ballots posted at the precinct and easily visible? (n = 20)
Yes 100.0%

12. Was the ballot marking example sign posted at the precinct and easily visible? (n = 21)
Yes 95.2%
No 4.8%

13. Was the voter identification poster posted at the precinct and easily visible? (n = 21)
Yes 90.5%
No 9.5%

Closing Frequency Report

1. Were there any voters still in line waiting to vote when the polls closed? (n= 16)
Yes 18.7%
No 81.3%

2. Did the poll workers balance the number of voters, the public count, with the M100 tape? (n= 16)
Yes 100.0%

3a. Was there a problem balancing the # of voters with the # of ballots cast at closing? (n= 16)
Yes 62.5%
No 37.5%

4. Did the poll workers post a copy of the election results at the location for the public to view? (n= 15)
Yes 100.0%

5. Did poll workers place the ballots in the ballot box? (n= 16)
Yes 100.0%

6. Were spoiled ballots also included in the ballot box? (n= 15)
Yes 80.0%
No 20.0%

7. Was the ballot box padlocked? (n= 15)
Yes 100.0%

8. Were the 2 sets of keys for the locked ballot box placed in different envelopes? (n= 13)
   Yes 100.0%

9. Did the poll workers destroy all the unused ballots? (n= 16)
   Yes 100.0%

10. Were the stubs of unused ballots removed prior to destroying them? (n= 16)
   Yes 25.0%
   No 75.0%

12a. Was anything other than ballots placed in the ballot box? (n= 14)
   Yes 28.6%
   No 71.4%

13. Did you see poll workers attempt to feed any uncounted ballots (placed in the emergency slot in the M100) into the M100 after polls closed? (n= 16)
   Yes 100.0%

14a. Did they have to hand tally any ballots? (n= 16)
   Yes 6.2%
   No 93.8%

16a. Did the poll workers use any chain of custody forms? (n= 13)
   Yes 23.1%
   No 76.9%

17. Was the PCMCIA card removed from the M100? (n= 16)
   Yes 100.0%

Election Day Frequency Report

1. Was the voting location easy to find and clearly marked? (n = 220)
   Yes 81.4%
   No 18.6%

2. Was the accessibility to the voting location easy for voters (esp. handicapped)? (n = 213)
   Yes 85.9%
   No 14.1%

3. Was there only one entrance into the voting location? (n = 217)
   Yes 76.5%
   No 23.5%

4. Was there adequate parking at the polling location? (n = 218)
   Yes 88.5%
   No 11.5%

5. Were all campaign materials located at least 100 feet from the polling location? (n = 217)
   Yes 93.5%
   No 6.5%

6. Were there people holding political signs outside the polling location? (n = 215)
   Yes 39.1%
   No 60.9%

7. How many poll workers were working at the time you were present? (n = 209)
   Mean 5.58
   Median 5
   Range 2 – 8

8a. Was there a line of voters? (n = 218)
   Yes 17.4%
   No 82.6%

8b. If there was a line, were voters waiting to check-in or waiting to vote? (n = 38)
   Check-in 76.3%
   Vote 5.3%
   Both 18.4%

8c. Estimate the amount of time a voter waited to vote – in minutes (n = 36):
   Mean 9.93
   Median 5.5
   Range 0-30

9. Was it noisy inside the polling location? (n = 219)
   Yes 12.3%
   No 87.7%

10. Was it crowded inside the polling location? (n = 220)
   Yes 15.4%
   No 84.6%

11a. Were there party observers present at this polling location? (n = 215)
   Yes 83.7%
   No 16.3%

11b. If so, from which political parties? (n = 164)
   Democrat Only 15.9%
   Republican Only 32.9%
   Democrats and Republicans 51.2%

12. Were there lawyers present at this location to help poll workers? (n = 210)
Yes 19.1%
No 80.9%

13. Were poll workers asking voters for voter identification (such as a photo ID)? (n = 181)
Yes 24.3%
No 75.7%

14a. Based on your observations, were they asking for identification appropriately? (n = 154)
Yes 61.0%
No 39.0%

15. Were poll workers checking voter names on two lists? (n = 211)
Yes 99.1%
No 0.9%

16. Did you see poll workers handing out voter registration forms to anyone? (n = 195)
Yes 17.4%
No 82.6%

18a. Was at least one of the poll workers bi-lingual? (n = 176)
Yes 85.2%
No 14.8%

18b. Did you see the poll workers help someone in a language other than English? (n = 187)
Yes 15.5%
No 84.5%

19. Were no cell phone signs posted? (n = 217)
Yes 51.6%
No 48.4%

20. Did you see anyone using a cell phone in the voting booth or at the voting location? (n = 215)

Yes 70.2%
No 69.8%

21. Did voters have adequate privacy while filling out their ballots? (n = 217)
Yes 89.4%
No 10.6%

22. Did you see anyone voting outside of a privacy booth? (n = 217)
Yes 16.6%
No 83.4%

23. Was the AutoMARK set up, operational and available for use? (n = 217)
Yes 89.9%
No 10.1%

24. Did you observe anybody use the AutoMARK? (n = 209)
Yes 11.5%
No 88.5%

25a. Were there any reported problems with the M100 voting tabulators? (n = 211)
Yes 13.3%
No 86.7%

26. Were the keys removed from the M100's? (n = 204)
Yes 95.6%
No 4.4%

30. Did you see any voters bring their absentee ballots to the precinct? (n = 206)
Yes 12.6%
No 87.4%

32. Did unused ballots appear to be secure from the public? (n = 201)
Yes 93.5%
No 6.5%

33a. Did anyone but the voter handles a spoiled ballot? (n = 73)
Yes 58.9%
No 41.1%

34. Were voters who spoiled ballots allowed to take the spoiled ballot with them to vote a new ballot? (n = 58)
Yes 55.2%
No 44.8%

36a. Were ballots being fed into the M100s by voters or poll workers? (n = 198)
Voters 85.4%
Poll Workers 3.0%
Both 11.6%

36b. If they were being fed by poll workers, were the poll workers taking them from all voters, or only voters who asked for help? (n = 34)
All Voters 73.5%
Only Voters Who Asked for Help 26.5%

37. Were the poll workers collecting permit cards from voters as they fed their ballot into the M100? (n = 195)
Yes 85.6%
No 14.4%

Appendix 1.3. Precinct Opening, Closing and Election Day Forms

Election Day Open Polls Observation Worksheet

2008 Presidential Election, November 4, 2008 - New Mexico

(THIS FORM IS FOR OPENING POLLS ONLY!)

In addition to this form, please fill out a general observation form for this precinct.

Please fill out a form for each individual precinct, even if there are multiple precincts at a single location. When appropriate, ask poll workers, poll judges, or observers for their observations for answers to questions that took place during periods when you were not present or events that are taking place currently. When a situation is different than it should be, please elaborate as much as possible. Always feel free to add notes and other observations. Please write as much as you like about each precinct.

Polling Location Information:

Polling Location Name and
Number:_____

Type of Polling Location (church, school, etc.)_____

Other Precinct Number(s) at Location: _____

City:_____ County:
_____

Names of Observers:
_____

Time of Arrival: _____ AM/PM Time of Departure: _____ AM/PM

1a. Did the presiding judge show up at the precinct on time?
Yes No

1b. Did all the poll workers show up on time? (Please explain any tardiness issues in the comments section of this form)

Yes No

2. Did poll workers check to make sure the yellow warehouse slip numbers match the M100?
Yes No

3. Did they verify the ballot bins in the M100 are empty?
   Yes No

4. Was the zero-tape generated?
   Yes No

5. Was the zero-tape signed by all the poll workers?
   Yes No

6. Was the zero-tape left on the machine or was it detached?
   Yes No

7. Was the signature voter roster signed by all the poll workers?
   Yes No

8. Was the checklist voter roster signed by all the poll workers?
   Yes No

9. Was the registered voter list posted at the precinct and easily visible?
   Yes No

10. Was the voter bill of rights posted at the precinct and easily visible?
    Yes No

11. Were sample ballots posted at the precinct and easily visible?
    Yes No

12. Was the ballot marking example sign posted at the precinct and easily visible? Yes No

13. Was the voter identification poster posted at the precinct and easily visible? Yes No

14. Additional Comments:

Election Day Polling General Observation Worksheet

2008 Presidential Election, November 4, 2008 - New Mexico

Please fill out a form for each individual precinct, even if there are multiple precincts at a single location. When appropriate, ask poll workers, poll judges, or observers for their observations for answers to questions that took place during periods when you were not present or events that are taking place currently. When a situation is different than it should be, please elaborate as much as possible. Always feel free to add notes and other observations. Please write as much as you like about each precinct.

Polling Location Information:

Polling Location Name and Number: _____

Type of Polling Location (church, school, etc.) _____

Other Precinct Number(s) at Location: _____

City: _____ County: _____

Names of Observers: _____

Time of Arrival: _____ AM/PM Time of Departure: _____ AM/PM

---

1. Was the voting location easy to find and clearly marked?
   Yes No

2. Was the accessibility to the voting location easy for voters (esp. handicapped)?
   Yes No

3. Was there only one entrance into the voting location?
   Yes No

4. Was there adequate parking at the polling location?
   Yes No

5. Were all campaign materials located at least 100 feet from the polling location? Yes
   No

6. Were there people holding political signs outside the polling location?
   Yes No

7. How many poll workers were working at the time you were present?

8a. Was there a line of voters?
Yes No

8b. If there was a line, were voters waiting to check-in or waiting to vote?
Check-in Vote

8c. Estimate the amount of time a voter waited to vote:

9. Was it noisy inside the polling location?
Yes No

10. Was it crowded inside the polling location?
Yes No

11a. Were there party observers present at this polling location?
Yes No

11b. If so, from which political parties?

12. Were there lawyers present at this location to help poll workers?
Yes No

13. Were poll workers asking voters for voter identification (such as a photo ID)?
Yes No

14a. Based on your observations, were they asking for identification appropriately?
Yes No

14b. If no, please explain:

15. Were poll workers checking voter names on two lists?
Yes No

16. Did you see poll workers handing out voter registration forms to anyone?
Yes No

17. Can you estimate the ages of the poll workers at this location?

18a. Was at least one of the poll workers bi-lingual?
Yes No

18b. Did you see the poll workers help someone in a language other than English?
Yes No

19. Were no cell phone signs posted?
Yes No

20. Did you see anyone using a cell phone in the voting booth or at the voting location? Yes No

21. Did voters have adequate privacy while filling out their ballots?
Yes No

22. Did you see anyone voting outside of a privacy booth?
Yes No

23. Was the AutoMARK set up, operational and available for use?
Yes No

24. Did you observe anybody use the AutoMARK?
Yes No

25a. Were there any reported problems with the M100 voting tabulators? Yes No

25b. If yes, please explain:

26. Were the keys removed from the M100's?
Yes No

27. Where were the unused **Paper Ballots** being stored?

28. Where and how were the completed **Provisional Ballots** stored?

29. Where and how were the completed **In Lieu Of Ballots** stored?

30. Did you see any voters bring their absentee ballots to the precinct?
Yes No

31. Where and how were the dropped off absentee ballots stored?

32. Did unused ballots appear to be secure from the public?
Yes No

33a. Did anyone but the voter handle a spoiled ballot?
Yes No

33b. If yes, please explain how the spoiled ballot was handled:-

34. Were voters who spoiled ballots allowed to take the spoiled ballot with them to vote a new ballot?
Yes No

35. Where and how were the **Spoiled Ballots** stored?

36a. Were ballots being fed into the M100s by voters or poll workers?
Voters Poll Workers Both

36b. If they were being fed by poll workers, were the poll workers taking them from all voters, or only voters who asked for help?
All Voters Only Voters Who Asked for Help

37. Were the poll workers collecting permit cards from voters as they fed their ballot into the M100?
Yes No

38. How were the voter permit cards stored after being returned to poll workers?

39. Additional Comments:

Election Day Close Polls Observation Worksheet

2008 Presidential Election, November 4, 2008 - New Mexico

(THIS FORM IS FOR CLOSING POLLS ONLY!)

In addition to this form, please fill out a general observation form for this precinct.

Please fill out a form for each individual precinct, even if there are multiple precincts at a single location. When appropriate, ask poll workers, poll judges, or observers for their observations for answers to questions that took place during periods when you were not present or events that are taking place currently. When a situation is different than it should be, please elaborate as much as possible. Always feel free to add notes and other observations. Please write as much as you like about each precinct.

Polling Location Information:

Polling Location Name and Number: _____

Type of Polling Location (church, school, etc.) _____

Other Precinct Number(s) at Location: _____

City: _____ County: _____

Names of Observers: _____

Time of Arrival: _____ AM/PM Time of Departure: _____ AM/PM

---

1. Were there any voters still in line waiting to vote when the polls closed?
   Yes No

2. Did the poll workers balance the number of voters, the public count, with the M100 tape?
   Yes No

3a. Was there a problem balancing the # of voters with the # of ballots cast at closing?
   Yes No

3b. If yes, how was the problem resolved?

4. Did the poll workers post a copy of the election results at the location for the public to view?
   Yes No

5. Did poll workers place the ballots in the ballot box?
   Yes No

6. Were spoiled ballots also included in the ballot box?
   Yes No

7. Was the ballot box padlocked?
Yes No

8. Were the 2 sets of keys for the locked ballot box placed in different envelopes?
Yes No

9. Did the poll workers destroy all the unused ballots?
Yes No

10. Were the stubs of unused ballots removed prior to destroying them?
Yes No

11. What did the poll workers do with the stubs of unused ballots?

12a. Was anything other than ballots placed in the ballot box?
Yes No

12b. If yes, please describe what those items were:

13. Did you see poll workers attempt to feed any uncounted ballots (placed in the emergency slot in the M100) into the M100 after polls closed?
Yes No

14a. Did they have to hand tally any ballots?
Yes No

14b. If yes, about how long did this take?

14c. How many poll workers were involved in hand tallying?

15. How were provisional and in lieu of ballots separated and organized?

16a. Did the poll workers use any chain of custody forms?
Yes No

16b. If yes, for what purposes?

17. Was the PCMCIA card removed from the M100?
Yes No

18. Additional Comments (please also describe the drop off process):

Appendix 1.4. Observation Team Members

Alex Adams
Mike Alvarez
Lonna Atkeson
Lisa Bryant
Delia Bailey
David Barmore
Meg Edwards
Peter Foley
Thad Hall
Patricia Jaramillo
Yann Kerevel
Tim Krebs
Morgan Llewellyn
David Odegard
Michael Rivera
Jon Rogowski
Jennifer Robinson
Steve Samford
Andy Sinclair
Betsy Sinclair
Jessica Taverna

Part 2: Post-Election Audit Review

As part of our effort to examine the election process in New Mexico, we studied four counties including: San Juan, Doña Ana, Santa Fe, and Bernalillo. However, we were only able to observe the post election audits in three of those counties (Doña Ana, Santa Fe, and Bernalillo). Audit observers were all from the University of New Mexico (UNM) and included 1 faculty member and 2 graduate students. Each observer had former experience with elections in New Mexico and had been through poll worker training for the 2008 election. Each observer also had extensive experience with the audit law and audit procedures as designed and implemented in the study, "Lessons for All in Determining Voter Intent and Election Integrity: A 2006 Post Election Audit Study of New Mexico's Optical Scan Ballots."[22] Thus, team members had extensive experience in the hand counting of ballots, in the practices of performance auditing, and in dealing with chain of custody issues. Team members observed the hand counting process, made notes, and shared information to determine differences in implementation across counties.

The New Mexico audit law was enacted during the 2007 New Mexico legislative session and was first implemented in the general election of 2008. The New Mexico's 2008 post-election audit law was stated in § 1-14-13.1 of the state's election regulations, "Post-election duties; random voting system check; recount."[23] To quote directly from the regulation:

> A. The secretary of state shall direct the county clerks to compare the total votes tallied in the general election for the office of president or governor from two percent of the voting systems in the state with total votes tallied by hand from the voter verifiable and auditable paper trail from those voting systems. The check of the voting systems shall occur within five days of the completion of the county canvass. Canvass observers shall be allowed to observe the audit under the same conditions and restrictions as for observing the county canvass. In the event that one of the randomly selected voting machines is used for absentee voting, then the prescribed certification procedure shall be used to verify the accuracy of that machine's vote total.
>
> B. For voting machines not used for absentee voting, if the vote totals for the voting system and the voter verifiable and auditable paper trail differ by more than one and one-half percent, the secretary of state shall have a recount conducted for the office in the precincts of the legislative district in which the discrepancy occurred. For voting machines used for absentee

---

[22] This study was funded by the Pew Charitable Trusts, Center for the States, Make Voting Work Initiative and the JEHT Foundation. Results from this study are available on Professor Lonna Atkeson's web site: www.unm.edu/~atkeson.

[23] The 2008 post election auidt law has been repealed and replaced with a new audit law (see Appendix 2.5 for the new post election audit law's language).

> voting, if the results of the re-certification process produce an error rate that exceeds one and one-half percent or the error threshold approved for that machine, whichever is more restrictive, the ballots counted on that machine shall be recounted.

The New Mexico 2008 audit law mirrors laws in many states that require post-election audits. The focus of these laws is typically on verifying the accuracy of voting systems, tabulating machines, or other electronic voting devices through a hand count that is then compared for accuracy to the original machine count. Also, as in some states, the New Mexico law does not apply to all ballot questions or all election contests but instead applies to the most likely visible race during the biennial general election cycle: either the office of president or governor. The Secretary of State's guidelines for the post election audit are in Appendix 2.1 and provide rules about the selection of voting systems, transparency, minimum standard sizes for counting teams (2 members), minimum standards for chain of custody rules for ballots, hand-counting procedures, including voter intent issues, and reporting. According to policy guidelines developed by the Secretary of State, two percent of voting systems in each county must be randomly selected for the audit. The sample was to be drawn on the Monday immediately following the election by the Secretary of State and the machines selected were to be provided to the county clerks the following day. The random sampling of voting systems was also to be done publicly so that citizens would be able to observe the process and ensure its integrity.

The county clerks' responsibilities include choosing a public location for the audit, obtaining judicial approval to open the ballot boxes, maintaining ballot security, managing the hand counting procedures, and reporting the data to the Secretary of State and the public.

Upon examination of the audit results, the Secretary of State determines if the results require a recount as specified in the statute and places the results from all counties on her web site for public review.

The voting systems that were examined were found to have functioned correctly based upon the on and one-half percent rule in the statute, indicating the machines counted the votes correctly. Thus, the election audit was generally successful in its implementation and in verifying the accuracy of the machine counts, although certain glitches did arise.

A more detailed examination of the fundamental components of the post-lection audit in the counties we visited is presented below. Our intent is to provide an overview of the implementation process among all policy actors including the Secretary of State, the county clerks, legislators and activists, so that reflection and data will help to continue the process of improving elections in New Mexico. We focused on the following components of the post-election audit: sampling, processes (transparency and counting), and results, including reporting.

2.1. Sampling

New Mexico law is silent on how the 2% of voting systems should be selected for the audit. The Secretary of State strongly believed and included in her policy guidelines that the unit for selection of the voting systems should be the county because that is where accountability for the voting systems and their programming lies.

The sampling process itself, however, was not without problems. There was no public notice of when and where the sampling would take place, though it did take place within one week of the election, according to the published guidelines, on November 11. Despite the lack of public notice, members of *United Voters of New Mexico* were present for the initial selection of the audit sample due to an early morning phone call from the Secretary of State's office informing them that the selection of voting systems would take place later in the day.[24] Given that the post-election audit is implemented to ensure the integrity of the voting systems, it is imperative that the process be open and accessible, and that advance public notice is provided for this part of the audit process.

The Secretary used a very simple and reasonable method to select precincts. Her staff put together 33 yellow envelopes, one for each of the 33 New Mexico counties. In each envelope, she placed the serial numbers of each county's voting systems on a small piece of paper and placed those in the county designated envelope. Then, she picked 2% of machines from each county. This is a completely reasonable approach to sampling voting systems and represents good sampling methodology.

The problem, however, was that the list of serial numbers the Secretary of State used was incorrect because it included defunct and unused machines. For example, Bernalillo County's nine (9) selected voting systems included three (3) machines that were rain damaged months before and were not used for early or Election Day voting. Similarly, Santa Fe County had damaged and unused machines in their sample of selected voting systems, and other counties also had similar problems. This resulted in the Secretary of State having to go back into the envelopes and select replacement machines for the counties in which unused machines had been initially selected. This meant that the public was not able to observe the sampling process in entirety since this was done after the county clerks were provided with serial numbers for tabulating machines at which point they contacted the Secretary of State to explain the problem. Ultimately, the counties were allocated a set of machines for which they were required to complete a hand tally and audit the results. However, some counties had to request a third draw before they had the appropriate number of machines to audit. Nevertheless, in some cases unused back-up machines were audited.[25] These machines, of course, had zero (0) votes cast and were hence very simple to audit.

Unused machines should not be included in future post election audits. In addition, multiple sampling reduces the efficacy and perceived legitimacy of a public process when it has to be redone without public observation. According to the county clerks, they had provided a detailed list of machines used for ballot tabulation to the Secretary of State, a list that did not include these machines. Thus, there was some confusion between the county clerk and Secretary of State offices as to which machines should be on the list. Perhaps part of the procedures should

[24] Personal conversation with Paul Stokes, Representative of United Voters of New Mexico, nd, by Lonna Atkeson.
[25] This happened in both Santa Fe County and Bernalillo County.

include a specific date on which all county clerks must provide information on the voting systems that will be in use for tabulating early, Election Day and absentee votes.

Sampling Recommendations

1. The sampling of voting systems should be made public. A public announcement should be placed on the Secretary of State's web page noting the location and time the sampling will take place and an announcement should be published in the local media as well. This should happen as soon as possible and at least several days before the audit so interested parties have the necessary notification to plan to attend.

2. The Secretary of State should define a date at which all counties report the tabulating machines that will be in use for absentee, early and Election Day voting. These reports will form the basis of the sample for selection in the 2% audit.

3. Any voting machines that were reported as deployed on Election Day or for early or absentee voting to the Secretary of State prior to the election that were not used for tabulating votes, because of machine failure or because they were designated as back-ups that were not needed, should be reported to the Secretary of State prior to the sampling process. These machines should be removed from the sampling process or, if selected, should immediately be replaced with a new voting system. An alternative method to handle this potential problem would be to select 2% of voting systems in each county and then select one or two additional machines in case the machine failed prior to use or was an unused back-up tabulating system.

2.2. Audit Processes

Audit Transparency

Of the four (4) counties in our broader study of election administration in New Mexico, there was some transparency to the post election voting system audit process. In San Juan County, where we did not observe the post election process, and Santa Fe County the post election audit date, time, and location were prominently placed on the county clerk's web site (these appear in Appendix 2.2). In Doña Ana County, we never found any information about the post election audit on their county web site and had to contact county officials to determine the date, time, and location. In Bernalillo County, we were sent a personal email, as were many other interested parties, but we did not see a public announcement on their web site. In all cases, the audits themselves were public with varying public interest levels. In Bernalillo County, numerous people, including some political attorneys, observed the process for some amount of time. In Santa Fe County, besides our team members and county employees, there was only one other interested party who observed and ultimately participated in the ballot tabulating. In Doña Ana County, our audit observation team member was the only non-county employee witness.

Counting Procedures

Implementation of the audit varied across counties. Here, we describe the procedures in the three (3) counties where we observed the post election audit process. These counties included: Bernalillo, Doña Ana, and Santa Fe.

Bernalillo County

Bernalillo County had the largest number of voting systems and ballots to check and it had a very organized approach to the audit process. Bernalillo had nine (9) voting systems chosen by the Secretary of State for their post election machine performance audit: three (3) early voting M-100 machines and six (6) Election Day M-100 machines. These included the following precincts followed by the number of ballots tabulated by that machine in parentheses:

- precinct 568 (195 ballots),
- precinct 153 (197 ballots),
- precinct 453 (303 ballots),
- precinct 527 (56 ballots),
- precinct 13 (120 ballots),
- precinct 342 (63 ballots),
- early voting location CNM 3a (1581 ballots),
- early voting location Siesta Hill 15d (0 ballots), and
- early voting location Juan Tabo 10d (5454 ballots).

Given the large number of voting systems relative to smaller counties in the state and the even larger number of ballots they had to count, two voting systems with over 1,000 votes and one voting system with over 5000 votes, they employed multiple counting teams and maintained a strict chain of custody over the ballots. Security was maintained by having employees signing in and out ballot boxes as they needed to and by having employees verify the number of ballots used by each voting system at the beginning and end of their hand count. The counting team members were temporary employees and county staff managed the audit. Counting teams consisted of three (3) people: two (2) counters and one (1) caller. The process worked as follows.

1. The counting team first confirmed the number of ballots. If numbers were not confirmed, the ballot box was re-checked in and given to a new counting team.

2. Counting teams counted the ballots a minimum of twice at each counting table.

    a. First, the ballots were counted by the call and count method. In this method, one counter team member calls out the vote for the ballot question of interest, in the 2008 case that was the office of president, and another team member tallies the calls.

b. Second, counters tallied the ballots using a sort and stack method. In the sort and stack method one counter first sorts the ballot by the straight party option and then sorts other ballots by whether the voter voted for the Republican, Democratic, or third party candidate for president, the office being audited from the 2008 election audit. Then the stacks are counted separately and these summed numbers are used. In the sort and stack method, there is no caller. From our observation and our previous work in this area this method appears to be more reliable then the call and count method.[26]

3. The entire counting process took about three days to complete. The process, however, started late because no tally sheets were available until they were hand delivered later in the day. An example of the form used for the Election Day results is in the Appendix 2.3.

Doña Ana County

In Doña Ana County, the audit process went relatively quickly. The six (6) counters used in the audit were all regular employees of the Clerk's office. Counters audited three (3) voting systems and the number of ballots tabulated by each machine is in parentheses:

- precinct 34 (339 ballots),
- precinct 44 (196 ballots), and
- precinct 92 (68 ballots).

All six (6) counters were seated around a conference size table and counted their respective precincts at this table. The counting process worked as follows:

1. Each team of two (2) counters was seated right next to each other at the table. The counters did not count the total number of ballots or organize the ballots prior to tallying them.

2. They first counter sorted them into a neat pile, and then immediately began counting. One person would call out the result, and flip the ballot over into a separate pile, and one person tallied the vote onto the tally sheet.

    a. The tally sheet was designed by the Doña Ana County Clerk's office and did not include space for potential undervotes. This created some confusion that likely resulted in the miscount of precinct 34.

    b. Although the Secretary of State had ordered tally sheets from AES for the election audit they had not arrived by the time of the post election audit was to begin and therefore the Deputy Clerk created his own tally sheets.

[26] See Lonna Rae Atkeson, R. Michael Alvarez, Thad E. Hall, Lisa A. Bryant, Yann Kerevel, Morgan Llewellyn, David Odegaard. 2008. "The 2008 New Mexico Post Election Audit Report," typescript, University of New Mexico." Available at: www.unm.edu/~atkeson.

3. After they finished counting the ballots, each person on the team checked the totals of the tally marks, wrote the total on the tally sheet, and then found the machine tape totals and wrote those on the tally sheet as well.

4. The counting teams did have access to the machine tapes prior to hand counting the ballots, and the observer noted that some of the teams were examining the machine tape prior to beginning the audit.

5. The two counters then signed an additional Certificate of Returns form that was attached to the tally sheet.

One team (P044) had a questionable ballot where the voter intent on the straight party was unclear. This matter was resolved by asking the Deputy Clerk what to do and he chose to count it in the manner consistent with how the machine would have counted the vote.

The totals for precinct 34, the largest of the three precincts audited, did not match. There was no attempt to recount the ballots and they just accepted that the totals were off since the difference was under the 1.5% rule defined by statute. The entire counting process took about 25 minutes to complete. Copies of the tally sheet and the Certificate of Returns form are attached in the Appendix 2.3.

Santa Fe County

In Santa Fe County, the counting teams were regular county employees and the two observers present assisted in the counting process.[27] Two voting systems were audited and the number of ballots tabulated by each voting system are in parentheses:

- precinct 84, Edgewood, (314 ballots) and
- precinct 33, Alameda (251 ballots).

The audit process in the county worked as follows:

1. The machine tapes were examined for total and candidate counts and remained at the table with counting teams.

2. The number of ballots in each ballot box was confirmed.

3. One caller and one tallier worked together to hand count the ballots. The caller first called the result and then he or she split the ballots into piles by candidate vote: Democrat, Republican, or 3rd party candidate.

4. The ballots were then recounted from the candidate stacks and confirmed against the tally and the tape.

The first team's results matched the tape perfectly. The second team was one (1) ballot short of the known number of ballots in the box, as this total had been confirmed first, but it was decided

[27] The two observers only helped in the confirmation of the number of ballots in each ballot box examined.

not to recount them since the one (1) ballot error was within the 1.5% rule and therefore would not trigger a recount. The entire counting process took about two hours.

Process Recommendations

1. All counties should provide public notice of the location of the audit to promote transparent and public integrity in the post election audit. This should be done as soon as it is scheduled and at least several days before it begins. This should be posted on their web-site and/or in the local newspaper.

2. Counting teams should only have the total number of ballots from each voting system available to them before they begin the counting process. Machine tapes that provide vote totals for candidates should only be viewed after the counting is completed and only by the audit manager. This should allay any concerns that the count was somehow inappropriate because the counter knew the totals they were supposed to get in advance.

3. The tally sheets used by the counties should be uniform and distributed by the Secretary of State's office in time for the scheduled audits.

4. All counting teams should first confirm the total number of ballots prior to beginning the hand count.

5. Although we recognize cost constraints, having independent parties count the ballots reduces any conflict of interest concerns that might taint an otherwise successful post election audit. Therefore, we recommend that individuals in charge of the audit or counters be as independent from the county election staff as possible.

6. Given that each county developed their own standards and approach to the post election audit, we recommend that the Secretary of State develop post election audit guidelines to ensure counties meet minimal standards.

2.3 Audit Results and Reporting

Audit results were reported via email to the Secretary of State's office in all cases. As these came in they were posted in one file (see Appendix 2.4), which was posted on the Secretary of State's web site (see: http://www.sos.state.nm.us/). We did not find them posted on the websites for the various counties. We also did not find any evidence that the county or the Secretary of State released any press statements regarding the post election audits or their findings.

The audit results have four columns.

- The first column of the result identifies the county.
- The second column heading's title is time, date, and location of audit, but under the column heading, it says "complete" or "pending" except in the case of Sierra County, which provides a date, time, and location for the audit.
- The third column lists the voting systems audited by precinct or by early voting location. It, however, did not list serial numbers, which was how the Secretary of State chose the

sample.

- The fourth column listed the results, which were either statements of no variations between the voting system count and the hand count or the variation between the counts. For example, in Santa Fe County for the one (1) box where a disparity occurred, the report says, "Precinct 84 hand tally was 1 less than the Election Day tabulation."

Better reporting of the audit results is necessary. For example, the information does not allow an observer to confirm that the variance between counts was under the 1.5% limit. Indeed, the results, as reported, tell us nothing about the characteristics of the voting system counted, including the total number of ballots counted or the distribution of votes among the candidates in the machine and hand counts. Including the characteristics of each voting system's count and the hand tally count would provide the full information to evaluate the accuracy of each audited voting system and that any bias seen in the count is not systematically for or against a particular party or candidate.

The audit report also does not provide information on the total ballot count. So, for example, in Santa Fe County, confirmation of the total ballot number was first confirmed but in the hand count either the tallier or the counter missed a count or a call and ended up with one (1) less. Given that the first check on the voting system—that the number of ballots in the ballot box matched the number of ballots recorded by the machine was accurate—the error was made in the hand counts of the candidate votes. However, this information is not available in the report and, therefore, it appears possible that the machine recorded a ghost vote, which it did not. More detail in reporting would help to clarify the results and promote the integrity of the election process.

The results posted on the Secretary of State's website indicated that 31 out of 33 counties had performed their required post election audit of the voting systems, but not all of them completed the audit within five (5) days of completing the County Canvass. Cibola is the only county listed as "notification pending." We contacted Cibola and they told us that they had done the audit, but they did not know where those numbers were and would get back to us and never did.[28] We also contacted the Sierra County Clerk, whose audit information provides a scheduled date but no information on outcomes, and she assured us the audit had taken place and provided us with the results. [29]

Twenty-eight of the 32 counties reported no variation between the hand count and the machine count. Four counties reported differences:

1. Sierra County had a 1 vote variation compared to the County Canvass produced by the Secretary of State's office. However, the Sierra County Clerk said her records, including an

[28] Telephone conversation February 12, 2010.

[29] Phone Conversation with Lisa A. Bryant on February 12, 2010.

examination of the physical machine tape, indicated a perfect match between the machine and hand tallies.[30]

2. Doña Ana counted three (3) ballot boxes, two (2) of which were identical to the machine count and one (1) that varied by three (3) votes.

3. McKinley County reported that one (1) ballot box returned a one (1) ballot difference of the two that were audited.

4. Santa Fe County reported that one (1) ballot box returned a total vote of one (1) less than the voting system tallies on Election Day.

Audit Results and Reporting Recommendations

1. Counties should comply with the law and complete the audit within five (5) days of completing the County Canvass. Several counties did not finish within this time frame. Counties not complying should face penalties or legal action by the Secretary of State's office.

2. The results should include the date, time, and location where the post election audit was performed.

3. The results should provide more detail about the voting systems audited. It should show the total number of ballots recorded by machine, the total number of votes cast for each candidate by machine, the parallel data from the hand count, and the percentage difference between the machine and hand count. This level of detail will promote greater integrity of the process and allow observers to assess any differences and their characteristics.

4. The county clerks should report the results on their web sites or some other public place if they do not have a web site. The county clerks should also issue a press release or other public documents that not only reports the findings, but also explains the process and the findings. Because many voters are concerned about the voting systems and the possibility of voter fraud, information about the quality of the election needs to be disseminated as widely as possible.

2.4. Conclusion

We reviewed the audit process in four counties and observed the actual hand counts in three counties. Furthermore, we reviewed the sampling process and the reporting of results at the state level and the audit process, including the transparency of the process and counting procedures, at the county level. We found that the voting systems that were examined

[30] The Sierra County Clerk indicated the audit was completed on 11/26/08. For precinct 7, using a 2-person hand count. The results were Obama 64, McCain 90, McKinney 1, Baldwin 3, Nader 1.

functioned correctly in that hand counting of the ballots returned election outcomes that mirrored the machine count. Thus, the election audit was generally successful in its implementation and in verifying the accuracy of the machine counts, although there are ways in which state and local officials both could improve the process, especially in ways that would improve the transparency and smoothness of the process as discussed above.

However, the development of auditing regulations and procedures is ongoing in New Mexico and thus there will be continued opportunity for refinement and improvement. Indeed, a new audit law was passed in the 2009 New Mexico Legislature (see Appendix 2.5). This law expanded the number of offices covered and includes all federal offices, the governor, and one additional statewide office determined by the closeness of the race. The law also set specific standards for the number of machines audited based upon the closeness of the race. This will necessitate continued research and evaluation of the process as this new law is implemented and lessons learned from the 2008 election audit law are applied. Our intent as researchers is to continue to provide an overview of the implementation process among all policy actors, so that reflection and data will help to continue the process of improving elections in New Mexico.

Appendix 2.1. New Mexico Post Election Audit Guidelines NMSA § 1-14-13.2

1.10.23.9 "TWO PERCENT" AUDIT PROCEDURES: This section applies to audits of gubernatorial and presidential races in a general election, as required by Section 1-14-13.1 NMSA 1978.

A. Simple random sampling of voting systems required for audit. In selecting the voting systems to be used in an audit, the secretary of state shall obtain a random sample of two percent (2%) of voting systems from each county in accordance with the procedures in this subsection.

(1) By no later than 1:00 P.M. on the Monday immediately following election day, the secretary of state shall select the voting systems to be audited. The serial number of each voting system used prior to or on election day shall be placed on a separate piece of paper and the papers with the serial numbers shall be placed in a separate container for each county. The secretary of state shall pull voting system numbers at random from each container until two percent (2%) of voting systems from each county are drawn. If two percent (2%) of all voting systems in a county is less than one voting system, the secretary of state shall draw one voting system for that county.

(2) By no later than 1:00 P.M. on the Tuesday immediately following election day, the secretary of state shall notify the county clerks of the serial numbers of the voting systems that have been selected for auditing.

(3) The random sampling process shall be open to public observation. At least seven (7) days prior to the random sampling conducted pursuant to this subsection, the secretary of state shall post notice on its web site of the time, date, and location of the random sampling.

B. Time and place; ballot security.

(1) The county clerk shall choose a location for the audit that is accessible to the public.

(2) The county clerk shall arrange for transportation of ballots to the audit site and contact the sheriff or state police to move the ballot boxes from the current place of storage to the audit site.

(3) Prior to conducting the audit, the county clerk shall seek an order from the district judge permitting the county clerk to open those ballot boxes containing ballots from the voting systems selected for auditing.

(4) The county clerk shall assign counting teams of at least two members to particular voting systems. The team shall consist of one reader and one marker, not of the same political party whenever feasible.

(5) At least one person in addition to the county clerk shall witness all movement of ballots during the audit, and all movement of ballots from and to the ballot box during the audit process shall be logged. Each time that ballots are removed from or returned to a ballot box, the number of ballots shall be determined and compared to the number of ballots that should be in that particular ballot box. Any discrepancies shall be noted.

C. Hand counting procedures for audits. The ballots from the voting systems selected for auditing shall be hand tallied pursuant to the procedures in this subsection. The secretary of state shall provide tally sheets for only those races being tallied as part of the audit, and shall include options for marking undervotes and overvotes.

(1) The counting team shall ensure that the serial number for the voting system and the type of ballot to be counted are prominently displayed on the tally sheet.

(2) To count the votes, the reader shall read the vote to the marker and the marker shall observe whether the reader has correctly read the vote; the marker shall then mark the tally sheet of the appropriate precinct, and the reader shall observe whether the marker correctly marked the tally sheet. Upon completion of the recount of a voting system or portion of a voting system, the marker shall add the total number of votes for each candidate as well as any undervotes or overvotes. The reader shall confirm these amounts. Both the marker and the reader shall sign the tally form.

(3) If a ballot is marked indistinctly or not marked according to the instructions for that ballot type, the counting team shall as provided for in Subsection A and Paragraphs (1) through (4) of Subsection B of Section 1-9-4.2 NMSA 1978. In no case, shall the counting team mark or re-mark the ballot. 1.10.23.12 NMAC contains illustrative examples of how to discern voter intent.

D. Audit reconciliation procedures.

(1) Immediately upon the conclusion of the audit, the county clerk shall compare the results of the machine count with the results of the hand tally, provide the results to the secretary of state in writing, and make the results available to the public. The secretary of state shall combine the county files and place the results on the secretary of state's website.

(2) The secretary of state shall determine whether a recount is required pursuant to Subsection B of Section 1-14-13.1 NMSA 1978, and within five (5) days of the completion of the state canvass, file notice with the appropriate canvassing board(s) that a recount is required. In the notice, the secretary of state shall specify the office and precincts that shall be recounted. When a recount is required by Section 1-14-13.1 NMSA 1978, a recount shall be made in all precincts of the legislative district in which the discrepancy occurred.

Appendix 2.2. Example of County Audit Announcement

Copy of Email from Bernalillo County:

Good Afternoon,

Per NMAC 1.10.23.9 and in accordance with NMSA 1-14-13.1 a random recount (audit) of 2% of voting systems used in the General Election must be conducted.

Bernalillo County will begin this process on Monday, November 17, 2008 at 8:00am at our Voting Machine Warehouse, 2400 Broadway SE Building H. The process will continue until the 9 voting systems selected are audited (probably 3-4 days).

Members of the public are encouraged to attend.

Thanks!

Robert M. Adams
Deputy County Clerk

Bernalillo County New Mexico

One Civic Plaza, NW - 6th Floor
Albuquerque, New Mexico 87102
Phone: 505.468.1207
Fax: 505.768.4151
radams@bernco.gov

San Juan County's web announcement:

PUBLIC NOTICE

San Juan County Clerk, Fran Hanhardt, hereby gives public notice

On Tuesday, November 18, 2008

At 1:00 PM

In the County Commission Chambers, 100 S. Oliver

Aztec, NM

Pursuant to Section 1-14-13.1 NMSA 1978 and by Rule 1.10.23

An audit of the machines used in the November 4, 2008 Election will be held.

The audit will be based on a manual tally of the votes for President from

Precinct 10 and Precinct 24 which were

selected by random by the Secretary of State's office.

Santa Fe County's Web Announcement:

Santa Fe County Clerk

Valerie Espinoza

PRINT PAGE

QUICK LINKS ↓

Related Pages

Clerk's Office

Elections Information

Recording, Research and Marriage Information ↓

WEBXtender Document Imaging System

Search:

Go

Welcome...

vespinoza@co.santa-fe.nm.us

I'm honored to be entrusted with the responsibility of being your County Clerk. My staff is top notch and we are here to serve you. This site is designed to provide you with as much information as possible. If you have questions or if there is anything we can do to help, please call or email us.

Valerie Espinoza has a weekly television program entitled Santa Fe County Today which can be viewed on Channel 16 (Community Access). She also has a radio program on Que Suave Radio KSWV AM 810 that airs every Wednesday morning at 8:30 a.m.

View Valerie Espinoza's Biography

Valerie Espinoza featured in "Vista" Magazine! (view article)

Deputy Clerks:

Victoria L. Trujillo
Chief Deputy Clerk
vltrujillo@co.santa-fe.nm.us
(505) 995-6535

Denise Lamb
Chief Deputy Clerk for Elections
dlamb@co.santa-fe.nm.us
(505) 992-6755

For information on the status of you provisional ballot, please call 1-800-894-7028 and ask for the clerk's office, or dial direct at 986-6280

CLICK HERE FOR 2008 GENERAL ELECTION UNOFFICIAL RESULTS

PUBLIC NOTICE!

Pursuant to Section 1-14-13.1, NMSA 1978, the 2% audit of Santa Fe County's voting systems will take place on Wednesday, November 19, 2008, at 8:00 a.m. at 2600 Galisteo Street, Santa Fe, New Mexico

For more information on Registering to Vote in 2008 please Click Here.

Official 2008 Primary Election Results (New Mexico)

Santa Fe County Satellite Offices

Clerk's Office Contact Information

Santa Fe County meeting agendas

Appendix 2.3a. Sample of Bernalillo County Audit Log

Form A.4. Election Day Machine Count Log

Date: 11/17/08 Team: 2 & 3

Precinct/Batch# EV 18 - D JUAN TAFO

Machine ID# 220065

Total # of ballots read by machine: 5454

***Machine Count Results*:**

President

Party/Candidate	Total Votes
A. Democrat	3080
B. Republican	2324
C. Green	2
D. Constitution	6
E. Independent	24
F. Libertarian	15
G. Undervotes	3
H. Write-in candidate (only included in form when write-in candidate is an option)	Ø
Sum A+B+C (total should match "Total # of ballots read by machine" see above)	5454

33 1-
2321

Appendix 2.3b. Dõna Ana County Tally Sheet

TALLY SHEET
Voting System 228701
Precinct 34
Each Square is designed for fifteen tally marks
(add additional pages if necessary)

Page 1

Obama - Biden	McCain - Palin	McKinney - Clemente	Baldwin - Castle	Nader - Gonzalez	Barr - Root
𝍸 𝍸 𝍸 𝍸	𝍸 𝍸 𝍸 𝍸			𝍸	
𝍸 𝍸 𝍸 𝍸	𝍸 𝍸 𝍸 𝍸				
𝍸 𝍸 𝍸 𝍸	𝍸 𝍸 𝍸				
𝍸 𝍸 𝍸 𝍸	𝍸 𝍸 𝍸 𝍸				
𝍸 𝍸 𝍸 𝍸	𝍸 𝍸 𝍸 𝍸				
𝍸 𝍸 𝍸 𝍸	𝍸 𝍸 𝍸 𝍸				
𝍸 𝍸 𝍸 𝍸	𝍸 𝍸 𝍸 𝍸				
𝍸 𝍸 𝍸 𝍸					
𝍸 𝍸 𝍸 𝍸					
𝍸 𝍸 𝍸 𝍸					
TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
199	135 (1 AV)			5	
SYSTEM TOTAL	SYSTEM TOTAL	SYSTEM TOTAL	SYSTEM TOTAL	SYSTEM TOTAL	SYSTEM TOTAL
197	136			5	
VOTE DIFFERENCE	VOTE DIFFERENCE	VOTE DIFFERENCE	VOTE DIFFERENCE	VOTE DIFFERENCE	VOTE DIFFERENCE
+2	-1				
% DIFFERENCE	% DIFFERENCE	% DIFFERENCE	% DIFFERENCE	% DIFFERENCE	% DIFFERENCE

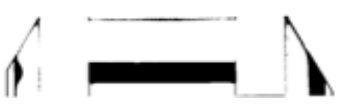
ALL VOTE COUNT TOTAL	339	
SYSTEM TOTAL	338	
VOTE DIFFERENCE	-1	
% DIFFERENCE		

Certificate of Returns

We, the undersigned, do hereby certify that we have correctly counted and tallied the votes cast for President in Dona Ana County voting system 228701, precinct 34, that the results of such count and tally are as shown herein, and that we have properly posted the totals to the appropriate line and column.

Bureau of Elections Auditor

Bureau of Elections Auditor



Appendix 2.4. Statewide Results of Audit Downloaded From the New Mexico Secretary of State's Office, May 6, 2009

RESULTS OF 2% AUDIT OF GENERAL ELECTION RESULTS PURSUANT TO SECTION 1-14-3.1 OF THE ELECTION CODE

County	Time, Date & Location of Audit	Precincts	Audit Results
Bernalillo	Completed	568, 153, Early Voting 3A, 453, Early Voting Siesta Hills 15D, 527, 13, 342, Early Voting Juan Tabo Plaza 10D	No variation between Election results and 2% audit hand tallies
Catron County	Completed	5c	No variation between Election results and 2% audit hand tallies
Chaves	Completed	33 and 91	No variation between Election results and 2% audit hand tallies
Cibola	Notification pending	13	
Colfax	Completed	3	No variation between Election results and 2% audit hand tallies
Curry County	Completed	35	No variation between Election results and 2% audit hand tallies
De Baca	Completed	2	No variation between Election results and 2% audit hand tallies
Dona Ana	Completed	92, 44 and 34	3 vote variation for Precinct 34; no variation between Election results and 2% audit tallies for Precincts 92 and 44
Eddy	Completed	34	No variation between Election results and 2% audit hand tally
Grant	Completed	24	No variation between Election results and 2% audit hand tally
Guadalupe	Completed	4	No variation between Election results and 2% audit hand tally
Harding	Completed	2	No variation between Election results and 2% audit hand tally
Hidalgo	Completed	4	No variation between Election results and 2% audit hand tally
Lea	Completed	16	No variation between Election results and 2% audit hand tally
Lincoln	Completed	14	No variation between Election results and 2% audit hand tally
Los Alamos	Completed	3	No variation between Election results and 2% audit hand tally
Luna	Completed	5	No variation between Election results and 2% audit hand tally
McKinley	Completed	55 and 56	1 vote variation between Election results and 2% audit hand tally
Mora	Completed	10	No variation between Election results and 2% audit hand tally

Otero	Completed	32	No variation between Election results and 2% audit hand tally
Quay	Completed	5	No variation between Election results and 2% audit hand tally
Rio Arriba	Completed	34	No variation between Election results and 2% audit hand tally
Roosevelt	Completed	8	No variation between Election results and 2% audit hand tally
San Juan	Completed	10 and 24	No variation between Election results and 2% audit hand tally
San Miguel	Completed	15	No variation between Election results and 2% audit hand tally
Sandoval	Completed	Early In Person and 71	No variation between Election results and 2% audit hand tally
Santa Fe	Completed	33 and 84	No variation between Election results and 2% audit hand tally for Precinct 33, Precinct 84 hand tally was 1 less than the Election Day tabulation
Sierra	9:00 am, Nov. 26 at Sierra County Courthouse, Truth or Consequences	7	
Socorro	Completed	11	No variation between Election results and 2% audit hand tally
Taos	Completed	34	No variation between Election results and 2% audit hand tally
Torrance	Completed	13	No variation between Election results and 2% audit hand tally
Union	Completed	9	No variation between Election results and 2% audit hand tally
Valencia	Completed	18	No variation between Election results and 2% audit hand tally

Appendix 2.5. New Mexico Audit Law Passed in 2009 Legislative Session

A. At least ninety days prior to each general election, the secretary of state shall contract with an auditor qualified by the state auditor to audit state agencies to oversee a check on the accuracy of precinct electronic vote tabulators, alternate voting location electronic vote tabulators and absent voter precinct electronic vote tabulators. The voting system check shall be conducted for all federal offices, for governor and for the statewide elective office, other than the office of the governor, for which the winning candidate won by the smallest percentage margin of all candidates for statewide office in New Mexico.

B. For each selected office, the auditor shall publicly select a random sample of precincts from a pool of all precincts in the state no later than twelve days after the election. The random sample shall be chosen in a process that will ensure, with at least ninety percent probability for the selected offices, that faulty tabulators would be detected if they would change the outcome of the election for a selected office. The auditor shall select precincts starting with the statewide office with the largest winning margin and ending with the precincts for the statewide office with the smallest winning margin and then, in the same manner, select precincts from each congressional district. The size of the random sample for each office shall be determined as provided in Table 1 of this subsection. When a precinct is selected for one office, it shall be used in lieu of selecting a different precinct when selecting precincts for another office in the same congressional district, or for any statewide office. If the winning margin in none of the offices for which a voting system check is required is less than fifteen percent, a voting system check for that general election shall not be required.

Table 1

Winning margin between top two candidates for the office according to the county canvasses	Number of precincts in the state to be tested for that office
Percent	
greater than 15	no precincts for that office
greater than 14 but less than or equal to 15	4
greater than 13	4

but less than or equal to 14	
greater than 12 but less than or equal to 13	5
greater than 11 but less than or equal to 12	5
greater than 10 but less than or equal to 11	6
greater than 9.0 but less than or equal to 10	6
greater than 8.0 but less than or equal to 9.0	7
greater than 7.0 but less than or equal to 8.0	9
greater than 6.0 but less than or equal to 7.0	10
greater than 5.5 but less than or equal to 6.0	11
greater than 5.0 but less than or equal to 5.5	13
greater than 4.5 but less than or equal to 5.0	14
greater than 4.0 but less than or equal to 4.5	16
greater than 3.5 but less than or equal to 4.0	18
greater than 3.0 but less than or equal to 3.5	22
greater than 2.5 but less than or equal to 3.0	26

greater than 2.0 but less than or equal to 2.5	32
greater than 1.8 but less than or equal to 2.0	37
greater than 1.6 but less than or equal to 1.8	42
greater than 1.4 but less than or equal to 1.6	47
greater than 1.2 but less than or equal to 1.4	54
greater than 1.1 but less than or equal to 1.2	59
greater than 1.0 but less than or equal to 1.1	65
greater than 0.9 but less than or equal to 1.0	73
greater than 0.8 but less than or equal to 0.9	82
greater than 0.7 but less than or equal to 0.8	93
greater than 0.6 but less than or equal to 0.7	109
greater than 0.5 but less than or equal to 0.6	130
0.5 or less	automatic recount for that office.

C. The auditor shall notify the appropriate county clerks of the precincts that are to be included in the voting system check upon their selection. The auditor shall direct the appropriate county clerks to compare the original machine count precinct vote totals, including early absentee and absentee by mail machine count vote totals, for candidates for offices subject to the voting system check from the selected precincts for each office with the

respective vote totals of a hand recount of the paper ballots from those precincts. The county clerks shall report their results to the auditor within ten days of the notice to conduct the voting system check.

D. Based on the results of the voting system check and any other auditing results, the auditor shall determine the error rate in the sample for each office. If the winning margin decreases and the error rate based on the difference between the vote totals of hand recounts of the paper ballots and the original precinct vote totals exceeds ninety percent of the winning margin for an office, another sample equal in size to the original sample shall be selected and the original precinct vote totals compared to the vote totals of hand recounts. The error rate based on the first and second sample shall be reported, and if it exceeds ninety percent of the winning margin for the office, the state canvassing board shall order that a full hand recount of the ballots for that office be conducted.

E. The auditor shall report the results of the voting system check to the secretary of state upon completion of the voting system check and release the results to the public.

F. Persons designated as county canvass observers may observe the hand recount described in Subsection C of this section. Observers shall comply with the procedures governing county canvass observers as provided in Section 1-2-31 NMSA 1978.

G. If a recount for an office selected for a voting system check is conducted pursuant to the provisions of Chapter 1, Article 14 NMSA 1978, the vote totals from the hand count of ballots for that office in precincts selected for the voting system check may be used in lieu of recounting the same ballots for the recount.

H. All costs of a voting system check or required hand recount shall be paid in the same manner as automatic recounts.

Part 3: Poll Worker Experiences

After the 2008 general election, we conducted a survey of poll workers in the four New Mexico counties we also observed: Bernalillo, Doña Ana, San Juan, and Santa Fe. The survey had a number of goals: (1) to study how poll workers generally view the election and election process, (2) to examine specific electoral administration issues and questions, (3) to gauge how poll workers implement specific laws, and (4) to determine how they view recent changes to state election laws.[31]

In New Mexico, the poll workers in each precinct are part of a precinct board, headed by a presiding judge who has had special training in the management of the election. Because of the importance of the presiding judge to the precinct environment, we included the presiding judge from every precinct in the counties we examined in our sample. Precinct presiding judges are responsible for the conduct of the election in their precinct and are the ones who handle provisional voters, decide the location of the equipment and signage, are responsible for opening and closing operations, for implementing the handling of spoiled ballots, determining where and what poll observers will do, returning the ballots box and other materials to the county at the end of Election Day, etc. As the authority in their precinct presiding judges are the poll worker most likely to engage the voter and the precinct system at all possible points. Therefore, we included each presiding judge in the four counties we examined in our sample to be sure to have adequate data on all aspects of the election process in the precinct.[32] When significant differences between the presiding judge and the clerks exist, we note them in the text. We also randomly selected two additional members of the precinct board--poll clerks--from every precinct in each county to include in the sample. In Bernalillo County, we also selected an additional two sample members from each precinct.[33] Table 3.1 shows information about each county and the total response rates.[34]

---

[31] We did a similar report in 2006, which we mention frequently for purposes of comparison. The 2006 report can be downloaded at: http://vote2006.unm.edu/

[32] In New Mexico technically there are 3 poll worker positions: the presiding judge, the election judge and the clerk. However, in terms of practice there is the presiding judge, who is the authority in the precinct and receives additional training to perform his job, and everyone else.

[33] We did this because Bernalillo County had a larger number of poll workers per precinct than other counties.

[34] "Total surveys received" in Table 1 reflects the total number of returned surveys we received, including those for which we were unable to determine a county location (n=181). County of location was keyed to a unique id number and it was missing in 10% of cases. In general, the response rate to surveys of poll workers tends to be relatively high.

Table 3.1. Information about the Sample of Poll Workers

	Bernalillo	Santa Fe	Doña Ana	San Juan	Total
Number of Precincts	423	86	115	86	710
Total Number of Registered Voters	393,922	97,704	108,747	65,376	665,749
Surveys Sent	2144	273	361	223	3001
Surveys Received	1304	204	219	162	2074
Response Rate	60.8	74.7	60.7	72.6	69.1

We conducted the survey between January 12, 2009 and June 1, 2009. After the election, the local county clerk sent each sampled poll worker an invitation letter informing them of the upcoming University of New Mexico survey and encouraging their participation.[35] The surveys were mailed from the University of New Mexico beginning January 12, 2009 and we continued accepting returned and completed surveys until June 1, 2009.[36] We sent a reminder postcard on January 29, 2009 to those individuals who had not responded. All individuals who had not returned a survey by February 18, 2009 were mailed a new survey and a second follow up reminder postcard was mailed on March 1.

The data are weighted to represent the population of poll workers in the 4 counties and in the combined sample. We weighted age, region, and poll worker job (presiding judge or clerk/judge).

This report has 14 parts:

- Part 1 provides background on the study.
- Part 2 describes the demographic characteristics of poll workers who responded.
- Part 3 provides information on how poll workers reported being recruited and their views about their fellow poll workers.
- Part 4 provides reported information on their training.

[35] Bernalillo County sent out its letter with its poll worker payment, nearly two months before we sent out our questionnaire. Doña Ana County did not send out an encouragement letter. Santa Fe and San Juan counties sent their letters approximately two weeks before we sent our questionnaire. We think that the early timing in Bernalillo County and the lack of the letter of encouragement in Doña Ana County are important factors in explaining the differences across counties in response rates. In Bernalillo County, we oversampled an extra 846 poll workers (two for each precinct), half of which were asked to only reply on-line. We found that the on-line group overall had a lower response rate than those that received a mail questionnaire.

[36] Surveys were returned at the following rate by month: January 41.8%, February 35.6%, March 19.9%, April 2.2%, May .4%. [These don't add to 100, only 99.9]

- Part 5 reviews their perceptions of election procedures.
- Part 6 covers polling place supplies and county responsiveness to poll workers.
- Part 7 covers problems and successes during the election.
- Part 8 examines the condition of polling place facilities.
- Part 9 describes the overall level of satisfaction poll workers had with their job and their confidence that the ballots were counted correctly.
- Part 10 examines poll worker attitudes toward voter identification.
- Part 11 assesses implementation of New Mexico's voter identification law.
- Part 12 takes a look at voter privacy issues.
- Part] 13 looks at poll worker attitudes toward election reform.
- Part 14 looks at poll worker attitudes toward election fraud.

3.1. Poll Worker Demographics

In Table 3.2, we see that the demographics of poll workers, including presiding judges and poll clerks, who responded to our survey differ across counties, except in regards to age.[37] Most poll workers in the state are women (69%) and are roughly 58 years old. Racially, San Juan County has the highest percentage of Native American poll workers (29%), which is somewhat representative of its Native American population characteristics (according to the Census, Native Americans make up 36% of the county's entire population, not just those of voting age). There are fewer Hispanic poll workers in San Juan County (7%), however, compared to their percent of the county's population (17%). Doña Ana County also has a lower percentage of Hispanic poll workers compared to its Hispanic population 29%), which approximates 65% of its population. In Bernalillo and Santa Fe counties, there are relatively high percentages of Hispanic poll workers (33% and 46% respectively). Hispanics and Whites make up roughly equal proportions of Bernalillo County residents at about 44% each. In Santa Fe, Hispanics represent about 50% of the population and whites represent about 44% of the population, thus Santa Fe poll workers are the closest to representing the underlying ethnic characteristics of its citizens.

On average, 80% of poll workers had at least some college education and in two counties—Doña Ana and Bernalillo—almost half of the poll workers were college graduates. Just over

[37] The demographic characteristics of the poll clerks and the presiding vary across several dimensions. Presiding judges are more likely to me male, except in San Juan County, have higher levels of education, are more likely to take Election Day off of work to perform their duty, and more likely to work a precinct other than the one where they cast a ballot.

20% of poll workers are employed full-time; most are retired. The survey also shows that a majority of poll workers have computer experience and Internet savvy. In all but San Juan County, the majority of poll workers said that they are very comfortable with computers and use the Internet one or more times a day.

Table 3.2: Demographics of Poll Workers by County (in %)

		Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Age and Gender	Average Age	58.8	56.2	60.1	58.5	58.3
	Percentage Male	32.2	17.1	33.7	21.8	30.7
Race	White	56.5	62.4	65.8	46.0	57.0
	African American	3.1	1.5	1.8	0.5	2.5
	Native American	2.7	28.5	0.6	4.5	4.4
	Hispanic	33.4	6.7	29.1	46.0	32.2
Education	High school or less	19.4	26.1	15.3	31	20.3
	Some college	35.3	55.7	37.1	37.4	37.3
	College degree or more	45.3	18.2	47.6	31.6	42.4
Employment Status	Full time	22.2	20.3	20.3	15.4	21.5
	Part time	12.4	13.4	7.4	14.0	11.9
	Unemployed	6.0	7.2	5.5	6.2	5.8
	Student	4.4	1.0	5.6	2.1	4.8
	Retired	48.7	38.4	51.4	54.3	48.2
	Homemaker	6.3	19.7	9.8	8.0	7.8
Time Off	Took day off	39.2	39.4	45.2	38.2	40.4
	Was normal day off	60.8	60.6	54.8	61.8	59.6
Comfort With Computers	Very comfortable	50.5	36.6	54.0	48.7	50.6
	Somewhat comfortable	30.2	35.0	28.4	30.7	29.8
	Not very comfortable	10.7	13.9	8.2	9.4	10.5
	Not at all comfortable	8.6	14.5	9.4	11.2	9.1
Frequency of Internet Use	Once or more a day	55.2	35.9	60.3	50.5	54.3
	A few times a week	16.3	21.1	11.5	13.5	15.9
	A few times a month	5.0	6.9	5.0	5.6	5.3
	Hardly ever	9.3	17.2	6.9	10.3	9.6
	Never	14.2	18.9	16.3	20.1	14.9

Table 3.3 shows there are also differences across counties in the party identification of poll workers. Bernalillo and Santa Fe counties tend to have Democratic poll workers. San Juan and Doña Ana counties have somewhat more balance between the two parties. To give some context to these findings, Santa Fe County is the most Democratic county of the four examined, with 63% of its voters self-identifying as Democrats, 17% as Republicans, and 20% as other or decline-to-state. San Juan County, by contrast, is the most Republican of the four examined, with 46% of voter self-Identifying with the GOP and 38% identifying as Democrats. In Doña Ana County nearly half (49%) of voters are registered Democratic,

only 28% are Republican, and 22% are other or decline to state. Bernalillo County is 48% Democratic, 32% are Republican and 20% are other or decline to state.[38]

Thus, the precinct workers reflect the underlying demographics of the county in which they live. However, non-major party members are especially under-represented. This is most likely due to the rules surrounding precinct board appointment, which require nearly equal representation across the major parties (See NMSA § 1-2-12); independent voters and poll workers are not discussed in the law. Ideologically, most poll workers in our survey are also middle-of-the-road, either identifying as moderates or somewhat liberal or somewhat conservative.

Table 3.3. Partisanship and Ideology of Poll Workers by County (in %)

		Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Party Identification	Democrat	61.5	42.4	49.2	68.6	59.1
	Independent	5.4	0.6	5.3	6.6	5.4
	Republican	30.8	54.3	42.8	21.8	33.1
Ideological Attitudes	Very liberal	14.8	7.1	5.6	14.7	13.2
	Somewhat liberal	22.2	9.6	19.5	26.7	21.8
	Moderate	29.1	25.1	20.7	33.8	28.5
	Somewhat conservative	18.2	22.4	25.8	14.2	18.5
	Very Conservative	11.4	23.9	21.7	7.8	13.2

3.2. Poll Worker Recruitment and Views of Colleagues

How do people become poll workers in New Mexico? Table 3.4 shows that, in general, most people seek out the job or are recruited by another poll worker. In Doña Ana County, political party officials also recruit many poll workers; in Bernalillo County, many poll workers are recruited through advertising.

When we asked poll workers why they were poll workers, the three statements most poll workers strongly agreed with were (1) "it is my duty as a citizen," (2) "I am the kind of person who does my share," and (3) "I wanted to learn about the election process."

[38] These data come from the voter registration report for the 2008 general election created by the Secretary of State and available at: http://www.sos.state.nm.us/sos-elections.html.

Table 3.4. Poll Worker Recruitment and Reasons for being a Poll Worker

		Bernalillo	San Juan	Doña Ana	Santa Fe	Total
How Recruited	I wasn't recruited by anyone, I sought the job on my own	38.7	34.5	31.9	43.3	37.9
	Another poll worker	25.2	28.7	17.2	30.1	25.4
	An advertisement in the local media	15.5	4.1	9	11.2	13.2
	Some other way	11.3	20.7	12.6	7.9	12
	A political party official	5.6	9.7	20.1	5.1	7.4
	An official job posting by the county	2.5	1.2	2.2	1.9	2.3
	A teacher or professor	0.6	0.0	1.6	0.0	0.7
	At a precinct caucus meeting	0.3	1.1	1.8	0.5	0.6
	I was a poll watcher or challenger and was recruited when a scheduled poll worker didn't arrive	0.3	0.0	3.6	0.0	0.5
Why they are a poll worker? Percent Saying Very Important	I think it is my duty as a citizen	69.8	75.9	66.2	71.7	69.6
	I am the kind of person who does my share	59.2	60.1	55.4	61.1	58.9
	I wanted to learn about the election process	58.5	59.3	49.1	56.3	56.9
	I found it exciting	43.5	56.1	38.0	46.0	43.6
	I get to meet new people	35.3	53.0	42.5	47.7	38.2
	I wanted to make some extra money	28.9	33.3	22.4	32.4	28.4
	I can be with people I enjoy	28.2	43.1	29.2	42.3	30.4
	I like to be with people who share my ideals	27.6	37.3	23.9	31.1	28.2
	I received recognition from people I respect	18.7	31.2	20.2	28.4	20.3
	I was asked by someone in my political party	12.1	18.4	19.8	14.6	13.6
	I did not want to say no to someone who asked	8.9	14.6	11.3	12.2	9.8

In Table 3.5, 95% of poll workers said they are either very likely (80%) or somewhat likely (15%) to be a poll worker again.[39] We also see that two-thirds of poll workers rated the overall performance of their colleagues a 9 (24%) or a 10 (42%) on a 1 to 10 scale (where 10 is excellent); only 14% were rated a seven (7) or lower. This rating is substantially higher than in 2006, when fully one-quarter of poll workers rated their colleagues seven (7) or lower and just over one-quarter (27%) rated their colleagues a 10. Perhaps better training and more experience with the relatively new optical scan machines helped to improve the overall evaluation. The poll workers were also asked to rate the presiding judge—the chief poll worker—in their precinct. Over half (53%) of poll workers who were not presiding judges rated their presiding judge excellent (a 10 on a 1 to 10 scale); only 14% rated their judge a five (5) or lower and less than a quarter (19%) rated the presiding judge 7 or lower. These generally high numbers speak well about the generally positive environment in most precincts during the 2008 general election.

Table 3.5. Evaluation of Fellow Poll Worker and Previous Work Activity

		Total
Likelihood of Being a Poll Worker Again	Very likely	80.1
	Somewhat likely	15.1
How would you rate the overall performance of your fellow poll workers? (1= Very Poor; 10=Excellent)	1 to 7	13.8
	8	20.3
	9	24.2
	10	41.7
How would you rate the overall performance of your presiding judge? (1= Very Poor; 10=Excellent, clerks only)	1 to 7	19.1
	8	10.8
	9	17.3
	10	52.8
Did you ever feel intimidated by the poll watchers and or poll challengers?	Yes	11.4
	No	88.6
First Election Worked	Before 1990	14.9
	1991-2000	20.3
	2001-2008	64.8
Number of Elections Worked	0	4.5
	1	29.7
	2 to 5	34.0
	6 to 10	19.1
	More than 10	12.7

When we asked poll workers about poll watchers and challengers, we find that there were sometimes problems with both. About one in 10 (11%) of poll workers at one point or

[39] We do not divide the data by county unless it is of substantive interest. County frequencies are detailed in the frequency report located in Appendix 3.1.

another felt intimidated by poll watchers or challengers. In Doña Ana, that rate was twice as high at over one in five (21%). Clear instructions should be provided to the poll judge regarding how to handle problematic poll watchers or challengers. Given that we saw several examples, during our Election Day observations, of poll challengers taking an active part in the election process, some attention needs to be given to this issue.

We also see that, contrary to popular opinion, most poll workers have not been working as poll workers for a long time. In fact, 65% started after the 2000 election. However, between 13% (Bernalillo County) and 22% (San Juan County) have been working at the job for more than 20 years. If we look at the number of elections worked, we see that most poll workers have worked in fewer than six elections.

3.3. Training

In Table 3.6, we see that almost all poll workers attended at least one training session and most of the poll workers who did not attend a training session were poll workers in previous elections. Importantly, presiding judges who are responsible for the management of the precinct were more likely to have had more training and to have worked more elections then precinct clerks. Only in Doña Ana County did more than 5% of poll workers report not attending at least one training session. Not only did most poll workers attend one training session, but nearly three in ten (30%) of poll workers attended two or more training sessions.[40] Between 89% and 96% of poll workers received a manual, booklet, or DVD at their training and about six in ten (62%) of the poll workers said that they actually read all of the materials before Election Day. In 2006, only 85% of poll workers received take-home items to examine during their training session. A majority of poll workers who received a DVD or video watched it before the election, which is roughly equivalent to what we saw in 2006. These data suggest that, over the two elections, there were some improvement in efforts to reach more poll workers with training materials. This improvement was not just a poll worker impression; election officials noted that they produced new training materials between 2006 and 2008.

The critical question with training is whether the poll workers felt that their training left them feeling confident in their ability to do their work on Election Day. In Table 3.7, we see that just over half of poll workers in Bernalillo and Doña Ana County, 65% of poll workers in Santa Fe County, and 73% of those in San Juan County strongly agreed they were confident in their ability to do their job. San Juan County poll workers were also the most likely to strongly agree that the training was easy to understand and that they were trained well to handle provisional ballots and spoiled ballots. We also see that 73% of poll workers in San Juan County –compared to just under half of those in Bernalillo County and Doña

[40] Some research has found little relationship between having poll workers attend more than one training session and their performance on Election Day, assuming the one session is effective. See Thad E. Hall, J. Quin Monson, and Kelly Patterson. "Poll Workers and American Democracy." In *Democracy in the States: Experiments in Election Reform*, by Bruce Cain, Todd Donovan and Caroline Tolbert. Washington, DC: Brookings Institution Press.

Ana County—stated that they strongly agreed that they were well-prepared for Election Day.

Table 3.6. Information on Poll Worker Training in Percentages by County

		Bernalillo	San Juan	Doña Ana	Santa Fe	Total
How many training sessions did you attend?	Zero	2.5	3.7	6.4	1.0	2.9
	One	72.2	50.1	57.4	60.9	67.6
	Two or More	25.3	46.2	36.2	38.1	29.5
Did you receive any manuals, booklets, or video/DVD at your training session	Yes	95.6	92.6	88.9	95.7	94.8
	No	2.8	3.7	6.7	3.8	3.2
	No training, no materials received	1.6	3.7	4.4	0.5	2.0
How much of the materials did you read before to Election Day?	All of them	61.4	72.2	66.0	61.9	62.4
	Most of them	24.7	15.5	15.4	26.9	23.6
	Some of them	9.5	6.9	8.1	9.1	9.3
	None of them	1.6	0.8	1.2	0.6	1.3
	I didn't receive any written materials	2.8	4.6	9.3	1.5	3.4
How much of the materials did you watch prior to Election Day?	All of them	40.0	39.0	33.7	17.6	37.7
	Most of them	11.9	13.8	11.1	12.4	11.7
	Some of them	5.9	8.0	8.6	3.1	6.0
	None of them	5.1	6.3	6.3	4.0	5.2
	I didn't receive any video materials	37.1	32.9	40.3	62.9	39.4

The survey data suggest that there are some differences between San Juan County and the other three counties in the training related to spoiled and provisional ballots. Given that a voter who either casts a provisional ballot or has a spoiled ballot is likely to be troubled by the experience, encountering a less than well-trained poll worker could exacerbate the voter's concerns about this process.

Why do the San Juan County poll workers feel more confident and prepared? Three factors may explain this. First, San Juan County poll workers were much more likely than the poll workers in the other counties to strongly agree that training was hands-on, not just a lecture. Other studies have found that poll workers in counties with more hands-on

training also feel more confident in their ability to do their job.[41] In addition, the poll workers in San Juan County were also much more likely than the poll workers in other counties to strongly agree that the training sessions spent enough time covering election law and procedures. San Juan County also had the highest number of experienced poll workers, which may have contributed to these difference as well.

Table 3.7. Poll Worker Evaluation of Training

	Percent Answering Strongly Agree				
	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
After the training, I was confident in my ability to do my job on Election Day	52.5	72.9	54.3	64.6	54.8
The training was easy to understand	57.5	75.5	57.4	60.5	59.0
The training was hands on, not just a lecture	38.3	48.2	29.8	39.8	38.4
The training sessions spent enough time covering election law and procedures	47.1	65.8	43.5	56.0	49.1
The training sessions were boring or too long	7.1	8.2	13.1	6.9	7.9
I would have liked more training	14.6	16.2	16.1	13.3	14.3
The training prepared me well for Election Day	36.7	57.8	45.4	48.1	40.5
The training prepared me well for handling provisional ballots	36.7	57.8	45.4	48.1	40.5
The training prepared me well for handling spoiled ballots	38.6	60.3	47.6	51.8	42.5

3.4. Election Day Procedures

Although poll workers are trained before Election Day, on Election Day all poll workers have a set of written instructions and procedures they must follow. In Table 3.8, we see that 74% of poll workers across the four counties thought that the instructions for opening the polls were very clear and just over two-thirds of poll workers thought that the procedures for closing the polls were clear. Three-fourths of poll workers thought that the instructions for securing the ballots during and after the election were clear. The weakest area, where the instructions were thought to be least clear, was in regards to the clarity of the procedures for reconciling the number of ballots cast and the number of voters who voted. A majority of poll workers—almost 60%—said that those instructions were clear but it was rated lowest of all of the areas examined. This finding is consistent with our Election Day observations, where we witnessed problems with voter reconciliation during the closing process. Better training in how to perform vote reconciliation needs to be developed. Finally, we see that about 55% of poll workers thought that the printed

[41] See Hall, Monson, Patterson (2009).

instruction materials used to answer procedural questions were very clear. In San Juan County, three-quarters of poll workers found the materials to be very clear, the highest among the four counties.

Table 3.8. Election Day Procedures by County

		Bernalillo	San Juan	Doña Ana	Santa Fe	Total
The instructions for opening the polls	Very clear	71.2	78.8	80.7	84.2	73.9
When to ask a voter for his or her identification before voting	Very clear	70.4	82.6	74.3	76.8	72.1
The instructions for closing the polls at the end of the day	Very clear	62.8	78.2	71.1	79.6	65.9
The printed instruction materials we used when we had a procedural question	Very clear	53.0	75.4	49.7	62.7	55.2
The instructions for reconciling the number of voters voting and the number of ballots cast	Very clear	56.4	73.4	54.1	71.9	58.5
Securing the ballots during and after the election	Very clear	72.6	86.0	77.7	86.1	75.1
How different was your training from your experience on Election Day?	Very different	5.3	4.8	3.3	1.5	4.9
	Somewhat different	25.9	21.4	21.2	21.5	25.1
	Not too different	42.9	37.1	49.2	41.7	42.9
	Not at all different	23.9	34.3	22.2	34.8	24.9
	I didn't attend training	2.0	2.4	4.1	0.5	2.2

When we compare the attitudes of poll workers regarding the quality of the training and instructions in 2008 to the poll worker evaluations from 2006, we generally see very similar numbers, indicating largely similar feelings across elections. However, it is important to note that in Doña Ana County, poll workers perceived major improvement in the quality of the poll opening instructions (69% in 2006 compared to 81% in 2008) and poll closing instructions (64% in 2006 compared to 71% in 2008). Santa Fe County also received higher marks for the quality of the instructions for securing the ballots in 2008 (81% in 2006 to 86% in 2008).

However, all three counties examined in 2006 showed a decline in the evaluation of the instructions for reconciling the ballots at the end of the day. The evaluation on this metric

in Bernalillo County declined from 71% in 2006 to 56% in 2008. In Doña Ana County, it declined from 74% to 54% and in Santa Fe County, it declined from 78% to 72%. As the Secretary of State looks forward to 2010, reconciliation is one area where instructions need to be improved, to be made clear and easy to follow.. These differences over time emphasize how incorrect instructions or poor training can alter the poll worker evaluation of the election process.

One clear way of evaluating the quality of training is to know if the poll workers perceived their Election Day experiences as being different from the training that they received. Very few poll workers thought that their election experiences were very different from their training but between 23% (in San Juan, Doña Ana, and Santa Fe counties) and 30% (in Bernalillo County) thought that their training was very or somewhat different from their Election Day experience. Equally important, these numbers declined between 2006 and 2008. Although the question wording was slightly different, we found that fully one-quarter of poll workers thought that the difference between training and the Election Day experience in 2006 was "a lot" different compared to a mere one in twenty in 2008 who thought it was "very different."[42]

3.5. Polling Place Supplies and Responsiveness of County Election Office

So how did the poll workers experience Election Day in terms of getting all of the supplies, materials, and support from their fellow poll workers and the county election office staff? In Table 3.9, we see that, except for Doña Ana, more than 91% of poll workers thought that they had enough poll workers at their polling place. Across counties, between 78% and 90% of poll workers said that all of their poll workers showed up on time. In Doña Ana County, over one-third (36%) of poll workers stated that there were conflicts between poll workers; in Bernalillo County 23% of poll workers said there were conflicts between poll workers. On a more positive note, almost all poll workers said that the legal oath of office was administered to them.

We also see that a small but significant number of poll workers said that there were problems with voting equipment, ballots, and the procedures associated with handling ballots. Just over 20% of poll workers said that they had a problem with their AutoMARK voting device over the course of the day. Similar numbers of poll workers noted problems with their optical scan ballot reader over the course of their day. Only 12% of poll workers said that their polling place was missing supplies. Poll workers reported that over seven in ten voters in San Juan and Santa Fe counties who were tagged as inactive voters filled out a new voter registration form but not quite half did so in Bernalillo or Doña Ana counties.

How often did poll workers have to contact the county election office? The answer is simply, a lot. About three in four poll workers said that they called the county election

[42] In 2006, we asked this as a 2 part question, first asking if it was different and then how different. By removing the not at all different category from the 2008 numbers and recalculating the percents, we create roughly comparable measures.

office during the day; 92% of San Juan County poll workers said that they contacted the office during the day. There is great variation across counties in how easy it was to get through to their county office and how responsive they viewed the county office to their concerns. Only 43% of Doña Ana County poll workers thought their county election office was easy to contact compared to 61% in Bernalillo County, 89% in San Juan County, and 85% in Santa Fe County. However, once they got through, about 85% of all poll workers thought that the county clerks were very responsive. Some counties should consider implementing a rapid response center for taking calls and returning calls from poll workers on Election Day to improve the likelihood of a quick contact and response.

Table 3.9. Polling Place Supplies and County Clerk Responsiveness

	Percent Answering "Yes"				
	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Did your polling location have all of the poll workers you needed?	91.7	94.6	80.4	94.2	91.0
Did all of the poll workers arrive on time?	79.9	84.7	77.5	90.4	81.1
Did the AutoMARK work the whole day?	76.4	76.2	80.2	77.0	77.4
Were there ever any conflicts between any of the poll workers?	23.1	12.4	35.8	17.0	23.3
Were you administered the oath of office?	94.6	97.9	90.4	97.4	94.7
Did any voters who were tagged as inactive voters fill out a voter registration form?	44.4	70.1	47.5	75.2	49.0
Did your optical scan ballot reader work the whole day?	78.6	76.9	87.2	78.0	79.2
Were you missing any supplies at your polling location?	12.4	3.8	14.3	6.4	11.6
Did you or another poll worker need to call the clerk or the county election office at any time while you were working?	75.9	91.5	73.8	77.0	76.5
If yes, was it very easy to get through (Percent very easy)	60.7	89.4	43.1	85.0	62.8
If yes, how responsive was the county election office? (Percent Very Responsive)	83.2	94.6	79.9	97.2	84.5

Compared to 2006, similar numbers of poll workers reported missing supplies. Doña Ana and Bernalillo Counties improved on having the correct number of poll workers in precincts.[43] These improvements demonstrate better administrative support in

[43] In 2006, 82% of Bernalillo County poll workers thought there was the correct number of poll workers in the precinct but in 2008 it was 92%. In 2006, 59% of poll workers in Doña Ana County thought there was the correct number of poll workers but this improved to 82% in 2008.

preparation for the 2008 election. Contacting the county clerk's office was even more common in 2008 than in 2006, suggesting that providing for good communications between the polling place and the central election office is an important part of Election Day operations.

3.6. Problems and Successes on Election Day

In Table 3.10, we can see how the poll workers evaluated activities on Election Day. We first see that 90% of poll workers said that there were no problems setting up the optical scanners and similar percentages said there were no problems shutting down the optical scanners. Likewise, most poll workers said that the AutoMARK was easy to set up. However, the result that 10% of poll workers find the equipment somewhat or very problematic to set up or shut down is high. There is only one scanner per precinct and a problem setting it up or closing it down could affect the election process, and potentially the result, in a high profile election.

We also see that most poll workers either strongly (25%) or somewhat (55%) agreed that the AutoMARK worked well, but fewer than 4 in 10 (36%) encouraged voters who made mistakes and spoiled their ballot to use the machine to cast their second ballot. Given that the AutoMARK is present to assist voters, poll worker training should include specific references to when poll workers should encourage voters to use it as an alternative to the normal pen and paper method.

We found that 92% of the poll workers thought that voters were very satisfied or somewhat satisfied with the optical scan voting system. However, San Juan County poll workers felt significantly different from the other counties' poll workers on this matter; only about four in five (79%) indicated that they strongly or somewhat agreed that voters were satisfied with the optical scan voting system.

Table 3.10. Poll Worker Evaluations of Election Day by County (in %)

		Total
There were problems setting up the optical ballot scanner in my voting location	Somewhat disagree	50.3
	Strongly disagree	39.9
There were problems shutting down the optical ballot scanner at the end of the day and reporting the results	Somewhat disagree	50.0
	Strongly disagree	42.6
There were many provisional ballots resulting from voter identification challenges	Somewhat disagree	53.1
	Strongly disagree	31.2
There were problems setting up the AutoMARK in my voting location	Somewhat disagree	49.5
	Strongly disagree	39.8
Voters who used the AutoMARK thought it worked well	Strongly agree	24.8
	Somewhat agree	54.9
	Somewhat disagree	10.5
	Strongly disagree	9.8
We encouraged voters who spoiled a ballot to vote using the AutoMARK	Strongly agree	9.1
	Somewhat agree	27.0
	Somewhat disagree	42.6
	Strongly disagree	21.3
Generally speaking voters were satisfied with the paper ballots and optical scan voting process	Strongly agree	46.0
	Somewhat agree	46.2
	Somewhat disagree	4.6
	Strongly disagree	3.2

3.7. Polling Place Facilities

Table 3.11 shows the poll worker evaluations of the quality of the polling places across counties. Here, we see that just fewer than 60% of poll workers trated their polling place as "excellent" for access by individuals with disabilities. In general, 46% to 60% of poll workers rated the temperature, noise, parking, space, and lighting in the polling place to be excellent. The accessibility issue is especially important because recent analyses of accessibility by the Government Accountability Office (GAO), estimated,

> 27 percent of polling places had no features that might impede access to the voting area for people with disabilities…45 percent of the polling places had potential impediments but offered curbside voting; and the remaining 27 percent of polling places had potential impediments and did not offer curbside voting…16 percent—had four or more potential impediments in 2008.[44]

This question used a five-point scale anchored with a score of one (1) signifying a poor rating and a five (5) signifying an excellent rating. Scores of one (1) and two (2) represent lower than average scores and in the four counties studied, between 3% and 7% of poll workers rated their polling places a one or two. Given that a small but significant number of polling places are viewed by poll workers as being inaccessible (or having other deficiencies), election officials across the state should consider determining the reasons why some polling places are seen as inaccessible by poll workers. To assist election officials using this report, we provide in Appendix 3.2 a list of problem precincts identified by poll workers.

Comparatively, the number of problem precincts identified in 2008 was lower than what was reported in 2006. In 2008, we see that, in general, the percentage of facilities rated a 1 or a 2 dropped by roughly half.

Table 3.11. Evaluation of Polling Place Facilities by County (in %)

	Percent Rating Facilities Excellent				
	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Its accessibility for people with disabilities	58.0	56.8	68.7	61.0	59.5
The general condition of the facility	52.3	55.3	61.6	52.5	54.0
The noise level of the facility	50.7	56.6	48.4	45.0	51.0
The availability of parking at the facility	58.6	61.4	63.8	60.3	60.0
Adequate space to operate the polls	58.2	62.9	54.6	66.5	59.1
The temperature	45.9	46.5	50.5	43.0	46.4
The lighting	55.4	57.2	59.8	47.2	55.2

[44] See Government Accountability Office, "Voters with Disabilities: More Polling Places Had No Potential Impediments Than in 2000, but Challenges Remain," June 2009. Available online at http://www.gao.gov/new.items/d09685.pdf, last accessed June 28, 2009.

3.8. Confidence and Satisfaction

One key bottom line metric for evaluating the experience of poll workers on Election Day is to consider their satisfaction with their own performance as a poll worker and their confidence that the votes in the election were counted accurately. We see in Table 3.12 that, in 2008, almost all poll workers were very satisfied or somewhat satisfied with their performance as a poll worker. These performance ratings are significantly higher than the poll worker evaluations from 2006. In 2006, not quite two-thirds (64%) of Bernalillo County poll workers were "very satisfied," six in ten (57%) in Doña Ana County were "very satisfied, and three-quarters (78%) in Santa Fe County were "very satisfied." The increase by over 20 percentage points for both Doña Ana and Bernalillo Counties, and a 12-percentage point increase in Santa Fe County, is a strong indicator of performance improvement between 2006 and 2008.

To examine poll worker confidence that the votes were counted accurately, we asked three separate confidence questions. First, we asked if the poll workers thought that the votes were counted accurately *in their voting location*. Second, we asked if the poll workers were confident that votes were counted correctly in other polling locations in the county. Third, we asked the poll workers if they were confident that the votes were counted accurately in other counties in New Mexico.

We ask these questions because the implementation of the election process is highly decentralized and, on Election Day, it is the poll workers who implement the election in precincts all across a given jurisdiction. These workers are, in many ways, the best people to evaluate the election process because (1) they can evaluate the experience at the polling place that others cannon easily observe, (2) they have been with other poll workers in training and have a sense of the quality of workers in other locations, and (3) they have a sense of the overall quality of the state laws and procedures that have to be implemented to make elections function well. Given the research on poll worker quality and their role in the voting process—and because they are in a position to evaluate that process—we ask these questions across multiple contexts.

At the level of the poll worker's voting location, there is a high level of confidence among the poll workers. Approximately 86% of the poll workers were very confident that the votes were counted accurately in their polling place. Santa Fe County was slightly above the overall average, at 94%. None of the poll workers sampled from San Juan County and Santa Fe Counties stated that they were "not very" or "not at all" confident that the votes in their polling place were counted accurately. In Bernalillo and Doña Ana counties, only 1.2% and 2.8% of poll workers respectively expressed that they were "not very" or "not at all" confident that the votes in their polling place were counted correctly.

These confidence percentages are much higher than what was reported in 2006. In 2006, only 57% of poll workers in Bernalillo County, 58% in Doña Ana County, and 75% in Santa

Fe County indicated that they were "very confident" that the ballots in their voting location were counted correctly. The confidence levels in 2008—in the 82% to 94% range—suggests more confidence in 2008 in the optical scan machines compared to 2006, when confidence was only between 57% and 75%. Because optical scan voting was first used in 2006 in New Mexico, the added poll worker experience with the optical scan machines may have created a higher comfort level with the machines that improved evaluations of poll worker confidence.[45]

It is not surprising that poll workers might be confident that the ballots were counted correctly in their own precinct. After all, they are being asked if they have confidence in themselves. In order to tap into other aspects of confidence and allow us to determine how familiarity with the process influences attitudes about the election administration process more generally, we asked a second question: if the poll workers were confident that votes were counted accurately in other polling locations in the county. Here, we see large differences in confidence across the counties. The San Juan County poll workers were the most confident that the votes in the other polling places in the county were counted accurately. The poll workers in Doña Ana County were least likely to answer that they were very confident that the votes in other precincts in the county were counted accurately; the most common answer in Doña Ana County was "somewhat confident."

Table 3.12. Poll Worker Satisfaction in Percentages by County

		Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Satisfaction with Performance as Poll Worker	Very Satisfied	85.0	88.0	81.2	90.6	85.1
	Somewhat Satisfied	13.7	11.1	18.0	9.4	13.9
	Somewhat Dissatisfied	0.8	0.9	0.0	0.0	0.6
	Very Dissatisfied	0.5	0.0	0.8	0.0	0.4
Confidence Votes Counted Accurately in Their Voting Location	Very confident	86.9	90.1	81.7	93.6	86.4
	Somewhat confident	10.4	8.3	13.6	6.2	10.7
	Not very confident	0.9	0.0	2.2	0.0	1.0
	Not at all confident	0.3	0.0	0.6	0.0	0.3
	Don't know	1.5	1.6	1.9	0.2	1.6
Confidence Votes Counted Accurately in Other Voting Locations in County	Very confident	41.1	71.2	28.2	56.5	43.0
	Somewhat confident	36.0	18.2	39.9	22.0	34.5
	Not very confident	2.9	0.0	3.7	0.6	2.7
	Not at all confident	0.7	0.6	1.6	0.6	0.7
	Don't know	19.3	10.0	26.6	20.3	19.1
Confidence Votes Counted Accurately in Other Counties in New Mexico	Very confident	23.4	25.7	16.3	28.3	23.5
	Somewhat confident	41.9	34.7	34.5	32.9	40.0
	Not very confident	5.9	10.8	9.1	8.6	6.8
	Not at all confident	1.7	4.4	3.2	1.6	2.0
	Don't know	27.1	24.4	36.9	28.6	27.7

[45] See Atkeson, Lonna Rae, R. Michael Alvarez, Thad E. Hall, Lisa A. Bryant, Yann Kereval, Morgan Llewellyn, David Odegaard. 2008. "The 2008 New Mexico Post Election Audit Report," Typescript, University of New Mexico."

Third, we asked the poll workers if they were confident that the votes were counted accurately in other counties in New Mexico. Across all of the counties, the most common answer among the poll workers across all four counties was somewhat confident in vote counting accuracy across other counties in New Mexico. Just under one-quarter (24%) of the poll workers said that they were very confident that the votes were counted accurately across the other counties.

Compared to New Mexico voters, who we also surveyed, poll workers were much more confident that the votes in their polling place were counted accurately. Only 65% of voters, but nearly 9 in 10 poll workers, indicated they were very confident that the votes in their polling place were counted accurately. However, when it came to confidence in vote counting in other precincts in the county and in other counties, this was not the case. Although many poll workers were still very confident and this was the most common response, many poll workers also opted for, "don't know" to this question, something that voters typically did not do. Even fewer poll workers, however, relative to voters indicated they were not very confident or not confident at all.

3.9. Voter Identification Attitudes

We asked three questions to learn more about poll worker attitudes toward voter identification. We did this for two reasons. First, we did this so we could compare voter and poll worker attitudes. Because poll workers experienced the process from an alternative perspective, as street level bureaucrats, poll worker attitudes may be distinctly different. Second, because attitudes are often related to behavior, we wanted to see if attitudes toward voter identification influenced voter identification procedures at the polling place.

Similar to voters, a large majority (72%) of poll workers agree that photo identification should be required of each voter. However, this is somewhat lower than voters who agreed 85% with the proposition that photo identification should be required of each voter at the polls to prevent voter fraud. Both voters and poll workers equally were likely to believe that proof of citizenship should be required of each voter when they register to vote (see Appendix 3.1). However, when we ask which is more important ensuring that everyone who is eligible has the right to vote or protecting the system against fraud—almost two-thirds (64%) of poll workers say ensuring the franchise is more important than protecting the system against fraud. This is significantly higher than voters where only 52% of voters believed that ensuring the franchise is more important than protecting the system against fraud. Thus, poll workers were somewhat less supportive of voter identification and slightly more supportive of ensuring the franchise than voters.

Interestingly, we find that a number poll worker characteristics help explain these differences in attitudes. Table 3.13 shows agreement and disagreement with requiring photo identification and proof of citizenship compared by race. We have not included the

"which is more important question here" because there is no difference among poll workers with different racial backgrounds on this question. For the other questions, we found that Native Americans show the strongest support for more restrictive policies followed by Hispanics. Whites, in both cases, are the most likely to disagree that photo identification or proof of citizenship should be necessary in order to vote or register to vote. We also find that, among Hispanics, there is a rather large difference in their attitudes toward showing proof of citizenship. Those of Mexican ancestry agreed with this statement nearly 6 in 10 times (59%) but those of Spanish ancestry agreed with this statement about 7 in 10 times (72%). Overall, minority poll workers are more supportive of restrictive voter identification policies compared to non-minorities.

Table 3.13. Poll Worker Attitudes Toward Voter Identification

		African American (n=45)	Native American (n=85)	Hispanic (n=580)	White (N=1142)
Photo identification should be required of each voter at the polls to prevent voter fraud	Agree	62.6	79.7	75.5	69.8
	Neither agree nor Disagree	23.0	10.2	14.1	10.2
	Disagree	14.4	10.2	10.3	20.0
Proof of citizenship should be required of each voter when they register to prevent voter fraud	Agree	61.4	71.5	68.5	62.6
	Neither agree nor Disagree	13.9	14.4	16.0	11.5
	Disagree	24.7	14.2	15.6	26.0

We also see important differences in these attitudes by partisanship, differences that are consistent with elite rhetoric about voter identification.[46] Democratic leaders tend to be less supportive of voter identification policies and Republican leaders tend to be more supportive. Table 3.14 shows that, in all cases, Republican poll workers support policies that are more restrictive compared to Democratic poll workers. The gap between the partisan groups is large, 25 points for the proof of citizenship question and 20 points for the question asking which is more important. Nevertheless, even a majority (54%) of GOP poll workers believe that ensuring the franchise is more important than protecting the system against fraud.

Similar to the pattern we see for partisanship, when we look at ideology, we see that more conservative poll workers are more likely to support more restrictive voter identification policies. A bare majority of very liberal poll workers disagree with the proof of citizenship policy (51%) and about two in five (41%) agree that photo identification should be presented and about half (49%) disagree that photo identification should be presented. However, 9 in 10 (91%) self-identified very conservative poll workers agree that voters

[46] See Liebschutz, Sarah and Daniel J. Palazzolo. 2005. "HAVA and the State," *Publius* Fall: 497-514.

should present photo identification and 87% agree that proof of citizenship should be required. Meanwhile, a majority (57%) of those poll workers who self-identified as being very conservative thought that it is more important to protect the system against fraud but a minority of all other ideological groups shared that opinion. For those who self-identify as being very liberal, only 16% believed that protecting the system against fraud is more important.

Table 3.14. Poll Worker Attitudes Toward Voter Identification

		Democrat	Independent / Non-Major Party	Republican
Photo identification should be required of each voter at the polls to prevent voter fraud	Agree	64.3	77.5	84.4
	Neither agree nor Disagree	13.1	5.6	11.0
	Disagree	22.7	17.0	4.6
Proof of citizenship should be required of each voter when they register to prevent voter fraud	Agree	55.3	67.2	80.1
	Neither agree nor Disagree	14.2	13.2	12.0
	Disagree	30.6	19.6	7.9
Which is more important?	Ensuring that everyone who is eligible has the right to vote	74.5	64.2	53.9
	Protecting the voting system against fraud	25.5	35.8	46.2

We also find an interesting effect for age. Although there is no difference across age groups for the photo identification question, 71% of older poll workers (65 and over) agreed that proof of citizenship was a good policy, but only a bare majority (50%) of young poll workers (18 to 34) shared this opinion. However, only about three in five (58%) of younger poll workers favored ensuring the franchise over protecting the system against fraud but seven in ten (70%) of older poll workers share that view. Thus, although all poll workers favor protecting the franchise over protecting the system against fraud, as age increases this view becomes more widespread.

Last, we consider the effect of education on attitudes regarding voter identification at the polls. Once again, poll workers and voters show similar attitudes on the general policy questions about photo voter identification and proof of citizenship. Individuals with higher levels of education show less support for these policies. For example, 79% of poll workers with a high school education or less supported photo-identification policies and 71% supported proof of citizenship. However, only 61% of poll workers with more than a college degree supported photo identification and 55% supported proof of citizenship. There is a large gap between poll workers with higher and lower levels of education. However, education attainment did not affect attitudes regarding the comparative question of which is more important.

3.10. Voter Identification Implementation

New Mexico requires that all voters be identified at the polls (§ 1-12-7.1 (D)). However, there is a range of acceptable forms of identification allowed under New Mexico law (§ 1-1-24).

First, a voter can show a physical form of identification, including an original or copy of a current and valid photo identification with or without an address (if there is an address, it does not have to match the voter rolls). Identification can also include any of the following physical forms that include both a name and address (again, the address is not required to match the address that appears on the voter rolls): (1) utility bill, (2) bank statement, (3) government check, (4) paycheck, (5) student identification card, or (6) other government documents (e.g. ID issued by an Indian nation, tribe, or Pueblo). Second, a voter can merely provide a verbal or written statement of his or her name, address, and year of birth.

In Table 3.15, we see the ways in which poll workers asked voters to provide identification, assuming that the voter did not approach the poll worker and present identification. This was an area where we saw significant differences between presiding judges and poll clerks. Presiding judges were significantly more likely to ask for the correct identification (name, address and birth year), to ask for proper identification from first time voters who by law are supposed provide additional identification, and significantly less likely to ask for ID for hearing reasons, to verify voter information. But, unfortunately, they were also more likely to ask voters to look up their number in the voter rolls. According to the statute, poll workers can use many methods for identifying voters. However, it is the voter, not the poll worker, who has the choice of determining the way to authenticate herself to the poll worker. The minimal requirement under law is for the voter to state his/her name, address, and birth year. However, it was more prevalent for voters to be asked for their name or their name and address. Table 3.15 shows the frequency and the average score of requests for different forms of identification. The average score is coded from one (1) through four (4) such that a higher number means more often and the options in the table are ordered from most to least frequent forms of identification used. As Table 3.15 makes clear, many different forms of identification were requested by the poll workers—which were inappropriate as a first-level means of identifying voters—including photo identification, which was requested over one-third of the time either very (17%) or somewhat (19%) often. Even identification methods such as "had the voters look up their number in the rolls," were used by poll workers either "somewhat often" or "very often" nearly 20% of the time.

The lack of consistency in the voter identification process is also confirmed by a follow-up question we asked, "Did you ask a voter for any identification for any of the following reasons?" Table 3.16 shows all the reasons and the average of yes responses. Of course, first time voters by law have to provide identification that includes their address, so the fact that 59% of poll workers verified the identity of first time voters is consistent with the law.

Table 3.15. Poll Workers Reported Use of Voter Identification Methods

	Very Often	Somewhat Often	Not Very Often	Not At All Often	Average
State Name	65.2	15.1	9.7	10.0	3.4
State Name & Address	45.4	22.7	19.2	12.7	3.0
State Name and Birth Year	29.6	20.3	26.7	23.4	2.6
State Name, Address & Birth Year	27.6	16.8	26.6	29.0	2.4
Photo ID	16.6	19.4	35.1	28.9	2.2
Registration Card	13.3	19.7	35.9	31.1	2.2
Had voters look up their number in rolls	7.6	11.1	23.3	58.0	1.7
None, knew the voter personally	4.4	8.4	18.1	69.1	1.5

However, what is troubling is that 41% of poll workers indicated they did not check the identification of first-time voters. Moreover, it is troubling that nearly half of poll workers indicated that they were required by law to identify voters. All in-person voters must be authenticated verbally, but only first time voters must be authenticated with physical identification. All of the other reasons to ask for identification are incorrect. If the voter cannot be found in the voter rolls, the voter should move to provisional balloting status but this does not mandate further identification. Lack of recognition of the voter should not influence whether a poll worker asks for ID or not. Likewise, poll workers should be following the law and thus, authenticating voters to "prevent fraud" is inappropriate, but over one-third (37%) of poll workers did so. Finally, about one in five poll workers (21%) asked for identification because they could not hear well or because it was easier to read the voter's name from a physical form of identification. Thus, this confirms what we saw on Election Day: the voter identification law was not always administered consistently or correctly.

Of course, one important question is whether certain types of poll workers may be more likely to request a physical form of identification then others. We find that minority poll workers were significantly more likely to ask for a physical form of ID than were white poll workers across as many as eight (8) of our voter identification variables. We can say conclusively that white poll workers appear to be the least likely to ask for identification.

However, when we compare the means by partisanship, a different picture emerges. We consistently find that Independents are the least likely to ask for alternative forms of identification and Republicans are the most likely. For example, the average score for the photo ID request on the 5 point score with a higher number indicating more often is 2.20 for Democrats, 2.31 for Republicans, and 2.19 for Independents. Similarly, for the registration card identification we see that the Democratic average is 2.12, the Republican average is 2.26, and the non-major party/Independent average is 1.91. Thus, there does appear to be some relationship between partisanship and voter identification requests.

Table 3.16. Reasons for Requesting Voter Identification

	Percentage Yes
Verify identity of first time voters	59.2
Couldn't find the voter in the rolls	54.7
Verify identity of provisional voter	49.7
Information didn't match the voter rolls	38.3
It's required by law to verify the identity of voters	44.7
I did not recognize the voter	20.6
To prevent fraud	36.9
Trouble hearing/Easier to read name from ID	20.5

In addition, when we examine the relationship between attitudes and behavior, we find that poll workers who were more likely to agree that photo ID should be required of each voter at the poll to prevent voter fraud were significantly more likely to ask voters for photo id.

Interestingly, poll workers indicated that they were very well trained regarding what to ask for voter identification. Nearly 95% of poll workers indicated that "when to ask a voter for his or her identification before voting," was very (72%) or somewhat (23%) clear and only 5% indicated it was not very clear (4%) or not at all clear (1%). Nevertheless, the training poll workers received appears to be inadequate given the variation seen in responses to the voter identification questions and their answers to questions on the poll worker survey.

3.11. Privacy

During our Election Day observations, we noted that privacy was an issue in many precincts. This was due to many factors, including the use of an optical scan counting machine and procedures that necessitate that a poll worker watch each voter insert the ballot to ensure that the machine tabulates each ballot. The data we collected from poll workers confirms these observations on a broader scale: voter privacy needs improvement.

We asked a number of questions to determine how poll workers gauged voter privacy. We asked poll workers if they "strongly agree," "somewhat agree," "somewhat disagree," or "strongly disagree" with the following question: "Voter ballot privacy was NOT compromised when a voter cast his or her ballot." We found that poll workers see some problem with privacy; 7.3% of poll workers strongly disagreed and 7.4% somewhat disagreed with this question. Thus, about 15% of poll workers see some problem with ballot privacy. Although the percentage sizes do not appear to be overwhelmingly large, it suggests that there may be a larger concern related to voter privacy. To understand this issue more specifically, we asked three yes/no questions to identify specific problems

related to voter privacy that may exist. The responses to these questions are shown in Table 3.17. Each figure is the percent of "yes" responses.

Table 3.17. Frequency of Specific Voter Privacy Issues

	Percentage Yes
Did you ever look at a voter's completed ballot, a spoiled ballot, or a provisional ballot?	18.9
Did you ever help a voter find a problem with their ballot?	42.2
Did you ever help a voter complete a ballot?	16.6

About two in five (42%) of poll workers indicated that they helped a voter find a problem with their ballot. Unless these voters explicitly asked the poll worker to help in this way—which was not the general process that was observed in precincts on Election Day—this finding suggests that up to half of the poll workers may have violated a voter's privacy. In addition, almost 20% of poll workers stated that they looked at a voter's completed, spoiled, or provisional ballot. Again, this finding suggests that some poll workers may have violated voter privacy. Given these numbers, it is clear that poll workers, for various reasons, are not as aware as they should be about the need to maintain voter privacy. The survey also found that 17% of poll workers helped a voter complete a ballot. Such help can be very important and it is critical that the poll workers document these events correctly. Better training and careful consideration of privacy issues with the use of a paper ballot need to be considered.

3.12. Election Reform

We asked poll workers about their attitudes regarding four different types of potential election reforms, just as we did on the voter survey. We did this to gauge how the experience of the process may alter attitudes towards election reform. Poll workers and voters were asked how they felt about (1) all-mail elections, (2) Election Day registration, (3) automatic voter registration by the government, and (4) Internet voting. Except for automatic voter registration by the government, a majority of poll workers and voters opposed these proposed election reforms. Support for all mail elections and Internet voting was particularly low. Only 8% of voters and 15% of poll workers preferred all mail elections and about 13% of voters and 16% of poll workers supported Internet voting. About 30% of poll workers and voters supported Election Day registration. The one area where we found a difference between poll workers and voters was in support for government involvement in the automatic registration of all citizens over 18 years of age. Nearly 60% of poll workers supported automatic registration; only 44% of voters held the same view.

Table 3.18 shows how poll worker opinions differed by party. Democrats were slightly more likely to support all mail elections and Internet voting, but much more likely to support same day registration and government registration over individual registration. Independents tend to be closer to Republicans on these issues than Democrats.

When we examine support for election reform among various ethnic sub-groups of poll workers in Table 3.19, we see some interesting trends. African-American and Native-American poll workers are, overall, more supportive of election reform than are Hispanics and Anglos/Whites. Somewhat surprisingly, Hispanics look very much like Whites in their support for the different election reforms. Forty-one percent of African-Americans and 52% of Native-Americans support EDR, compared to only about 26% of Hispanics and 30% of Whites. African-Americans and Native-Americans also show stronger support for Internet voting, with 26% of Native Americans and 32% of African Americans favoring voting online compared to only about 16% of Whites and Hispanics. A majority of all four ethnic groups support automatic registration, although Whites seem to be the least supportive of this compared to the other three groups.

Table 3.18. Poll Worker Opinions about Election Reforms by Partisanship

		Democrats	Independents/ Other Partisans	Republicans
I would prefer all mail elections	Agree	17.9	9.7	11.7
	Neither Agree nor Disagree	24.0	18.5	20.4
	Disagree	58.1	71.8	68.0
Voters should be able to register on Election Day to vote	Agree	41.7	24.6	12.6
	Neither Agree nor Disagree	8.9	11.9	7.9
	Disagree	49.4	63.5	79.5
The government should be able to register all citizens over 18 to vote	Agree	70.0	53.3	42.9
	Neither Agree nor Disagree	14.4	18.1	18.5
	Disagree	15.6	28.7	38.6
Voters should be able to vote over the Internet	Agree	20.2	12.0	9.9
	Neither Agree nor Disagree	14.3	7.4	9.9
	Disagree	65.5	80.7	80.1

Table 3.19. Poll Worker Opinions about Election Reforms by Worker's Race

		African American	Native American	Hispanic	White
I would prefer all mail elections	Agree	16.6	19.9	12.1	16.3
	Neither Agree nor Disagree	28.9	32.0	24.4	20.5
	Disagree	54.5	48.1	63.5	63.2
Voters should be able to register on Election Day to vote	Agree	40.8	52.2	25.9	30.2
	Neither Agree nor Disagree	15.4	10.3	9.2	8.2
	Disagree	43.7	37.5	64.9	61.6
The government should be able to register all citizens over 18 to vote	Agree	65.1	71.6	66.1	55.1
	Neither Agree nor Disagree	20.6	12.3	14.6	16.3
	Disagree	14.3	16.1	19.3	28.6
Voters should be able to vote over the Internet	Agree	32.1	26.3	13.7	15.8
	Neither Agree nor Disagree	19.5	22.8	11.8	11.4
	Disagree	48.4	50.9	74.5	72.8

Looking at poll worker support for election reform by age group, we continue to find some interesting variation among different sub-groups. Younger poll workers (18 to 34 years of age) seem to be generally more supportive of election reform than are other age groups.

Nearly half (47%) of 18 to 34 year old poll workers support Election Day registration compared to only 25% of poll workers 65 years and older. Younger poll workers are also more supportive of Internet voting, with 28% of young poll workers in favor of it compared to only 10% of poll workers over 65. There is much less variation among the various age groups in terms of support for all mail elections and automatic registration.

Regarding the level of education and poll worker attitudes towards election reform, there is slightly more support for reform among those poll workers with at least some graduate level education. The largest difference is seen among attitudes towards Election Day registration, where 38% of poll workers with some graduate-level education support EDR, compared to only 23% of poll workers with a high school education or less. There is virtually no difference in support for automatic registration by the level of education received. In terms of all mail elections, 18% of those with some graduate education support all mail elections compared to 14% with a high school education, and 21% of those with a graduate education support Internet voting, compared to 12% of poll workers with a high school degree or less.

3.13. Election Fraud

We asked poll workers and voters similar questions about their perceptions of different types of election fraud that may take place in their counties. We did this so that we could compare how being a street level bureaucrat compares to voter attitudes as the experience with the election process may help to shape and alter attitudes.

We asked each group how often they think (1) voters cast more than one ballot, (2) how often individuals tamper with ballots to change votes, (3) how often someone pretends to be another person and cast a vote for that person, and (4) how often a non-U.S. citizen votes. A majority of poll workers and voters think these types of election fraud rarely or never take place in their communities. However, there is still a large difference between voter and poll worker perceptions of fraud. In general, voters think much more fraud takes place than do poll workers, suggesting that experience with the process of administration alters attitudes. Around 14% and 11% of poll workers, respectively, think either that voters cast more than one ballot or that ballots are tampered with at least some of the time, compared to approximately 34% to 31% of voters, respectively, who think the same. In addition, 18% of poll workers think that, at least some of the time, someone pretends to be another person and votes for them or a non-U.S. citizen votes. Approximately 44% of voters hold the attitude about voter impersonation. Among poll workers, as among voters, there is a greater perception that individuals pretend to be someone they are not in order to vote and that non-citizens vote, compared to multiple voting or ballot tampering.

Importantly presiding judges are significantly less likely to think voters cast multiple ballots or ballot tampering occurs than poll workers, though they are not indistinguishable on the other two questions.

Some of the variation among poll worker perceptions of fraud can be explained by partisan and demographic characteristics. There are also some consistent differences in attitudes toward fraud across counties. Partisanship is likely the most important factor explaining differences in attitudes about fraud. In Table 3.20, we see that Democratic poll workers are much less likely to think that various types of fraud occur at least some of the time compared to Independents and, especially, Republicans. Nearly 30% of Republicans think that non-US citizens vote at least some of the time, compared to only 11% of Democrats. We also see that 26% of Republican poll workers think people impersonate others to vote compared to about 11% of Democratic poll workers and over 22% of Republicans think voters cast more than one ballot at least some of the time compared to about 8% of Democrats. Independents tend to perceive similar, but slightly lower, levels of fraud than Republicans.

Table 3.20. Poll Worker Attitudes about Election Fraud by Partisanship

		Democrats	Independents/ Other Partisans	Republicans
A voter casts more than one ballot	All/Some of the time	8.2	20.1	21.6
	Not much of the time/Never	60.5	46.8	50.2
	Don't Know	31.3	33.1	28.2

Tampering with ballots to change votes	All/Some of the time	8.1	12.6	16.1
	Not much of the time/Never	59.4	50.4	55.0
	Don't Know	32.4	37.0	29.0
Someone pretends to be another person and casts a vote for them	All/Some of the time	11.1	23.8	26.4
	Not much of the time/Never	57.1	39.0	46.0
	Don't Know	31.8	37.3	27.6
A non-US citizen votes	All/Some of the time	11.0	25.9	29.8
	Not much of the time/Never	51.4	38.9	39.2
	Don't Know	37.6	35.3	31.0

When we examine poll workers by their demographic characteristics, we see some variation in attitudes about fraud by age, but not nearly as much as we do across partisan groups. Younger poll workers tend to perceive more fraud than do older poll workers. For example, 22% of poll workers aged 18 to 34 think voters cast more than one ballot at least some of the time, compared to 11% of poll workers over 65. In addition, 31% of younger poll workers feel that impersonation of others to vote takes place at least some of the time compared to only 12% of poll workers over 65. In regards to ballot tampering and non-citizen voting, younger poll workers perceive slightly more fraud than older poll workers, although these differences are not quite so large.

When we look at the education and ethnicity of poll workers, we do not find many substantial differences in their attitudes toward fraud. Native American and White poll workers perceive slightly more fraud than their African-American and Hispanic counterparts, although the differences across ethnic groups do not generally appear to be very large. We also found that more educated poll workers perceived slightly more election fraud, but the differences do not appear to be substantively significant.[47]

[47] It also does not appear to be a linear relationship. It looks like college level poll workers perceive more fraud than high school educated poll workers and poll workers with graduate education.

Table 3.21. Poll Worker Attitudes about Election Fraud by Age

		18 to 24	35 to 49	50 to 64	65+	Total
A voter casts more than one ballot	All/Some of the time	22.6	15.3	12.3	11.8	13.7
	Not much of the time/Never	64.5	61.0	57.2	50.4	55.9
	Don't Know	12.9	23.6	30.5	37.8	30.4
Tampering with ballots to change votes	All/Some of the time	19.1	11.7	12.3	7.9	7.9
	Not much of the time/Never	58.4	63.4	58.1	53.7	53.7
	Don't Know	22.5	25.0	29.6	38.4	31.6
Someone pretends to be another person and casts a vote for them	All/Some of the time	32.9	19.2	17.2	12.0	17.3
	Not much of the time/Never	52.2	53.6	52.6	50.7	51.9
	Don't Know	14.9	27.2	30.3	37.3	30.8
A non-US citizen votes	All/Some of the time	22.7	21.9	18.8	15.8	18.5
	No much of the time/Never	59.8	46.8	46.6	41.4	46.2
	Don't Know	17.6	31.4	34.6	42.7	35.3

3.14. Conclusion

On the positive side, nearly all the poll workers in our study were confident that the ballots were counted accurately in the election and were satisfied with their experience on Election Day. In this area, we saw a huge improvement over the 2006 election. The survey also identified several shortcomings in the current election system in New Mexico. The lack of clarity among poll workers regarding when to ask voters for identification is a serious issue, as is the general disconnect some poll workers saw between the poll worker training and the actual Election Day experience. This disconnect may be responsible for other problems poll workers reported, such as problems opening and closing the polling place as well as with ballot reconciliation. Voter privacy is also an important issue that needs more attention. Election officials should examine their training processes and methods to see if they can address the issues identified by the poll workers in this study.

Appendix 3.1. 2008 Poll Worker Survey Frequency Report

1. Were you the election official in charge/presiding judge or were you an assistant to the election official in charge (e.g. a clerk or judge)?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Election official in charge/Presiding judge	14.9	19.9	18.6	19.0	15.6
Election official assistant/Clerk or judge	85.1	80.1	81.4	81.0	84.4

2. Did you work at an early voting location or on Election Day at a precinct or both?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Early voting location	3.9	1.2	4.5	4.9	4.1
Election Day	90.3	85.8	82.2	81.6	88.1
Early voting location and Election Day	5.8	13.0	13.3	13.5	7.8

3. Overall, how satisfied are you with your job performance as an election worker in the November 4th election?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very Satisfied	85.0	88.0	81.2	90.6	85.1
Somewhat Satisfied	13.7	11.1	18.0	9.4	13.9
Somewhat Dissatisfied	0.8	0.9	0.0	0.0	0.6
Very Dissatisfied	0.5	0.0	0.8	0.0	0.4

4. How confident are you that votes in the voting location you worked in during the November general election were counted correctly?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very confident	86.9	90.1	81.7	93.6	86.4
Somewhat confident	10.4	8.3	13.6	6.2	10.7
Not very confident	0.9	0.0	2.2	0.0	1.0
Not at all confident	0.3	0.0	0.6	0.0	0.3
Don't know	1.5	1.6	1.9	0.2	1.6

5. How confident are you that votes in other precincts in your county during the November general election were counted correctly?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very confident	41.1	71.2	28.2	56.5	43.0
Somewhat confident	36.0	18.2	39.9	22.0	34.5
Not very confident	2.9	0.0	3.7	0.6	2.7
Not at all confident	0.7	0.6	1.6	0.6	0.7
Don't know	19.3	10.0	26.6	20.3	19.1

6. How confident are you that votes in other counties in New Mexico were counted correctly during the November general election?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very confident	23.4	25.7	16.3	28.3	23.5
Somewhat confident	41.9	34.7	34.5	32.9	40.0
Not very confident	5.9	10.8	9.1	8.6	6.8
Not at all confident	1.7	4.4	3.2	1.6	2.0
Don't know	27.1	24.4	36.9	28.6	27.7

7. How were you first recruited as a poll worker? Were you recruited by:

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
A political party official	5.6	9.7	20.1	5.1	7.4
Another poll worker	25.2	28.7	17.2	30.1	25.4
An advertisement in the local media	15.5	4.1	9.0	11.2	13.2
A teacher or professor	0.6	0.0	1.6	0.0	0.7
An official job posting by the county	2.5	1.2	2.2	1.9	2.3
At a precinct caucus meeting	0.3	1.1	1.8	0.5	0.6
I was a poll watcher or challenger and was recruited when a scheduled poll worker didn't arrive	0.3	0.0	3.6	0.0	0.5
I wasn't recruited by anyone, I sought the job on my own	38.7	34.5	31.9	43.3	37.9
Some other way	11.3	20.7	12.6	7.9	12.0

8. Thinking about your decision to be a poll worker, please mark if each of these reasons was very important, somewhat important, not very important, or not at all important in your decision to be a poll worker

8a. I found it exciting

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very important	43.5	56.1	38.0	46.0	43.6
Somewhat important	32.6	26.1	35.6	33.7	32.5
Not very Important	16.0	13.2	14.2	14.2	15.5
Not at all important	7.5	4.6	12.2	5.0	8.0
Don't know	0.4	0.0	0.0	1.1	0.4

8b. I wanted to learn about the election process

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very important	58.5	59.3	49.1	56.3	56.9
Somewhat important	30.2	27.1	34.6	30.7	30.6
Not very Important	6.4	8.4	9.4	8.3	7.6
Not at all important	4.6	4.6	6.2	3.6	4.5
Don't know	0.3	0.6	0.7	1.1	0.4

8c. I was asked by someone in my political party

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very important	12.1	18.4	19.8	14.6	13.6
Somewhat important	12.8	19.3	24.1	11.1	15.0
Not very Important	15.8	14.6	16.5	17.8	16.6
Not at all important	48.9	39.4	31.5	48.5	45.2
Don't know	10.4	8.3	8.1	8.0	9.6

8d. I like to be with people who share my ideals

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very important	27.6	37.3	23.9	31.1	28.2
Somewhat important	28.4	32.2	28.4	23.0	28.3
Not very Important	21.9	11.7	30.1	27.3	22.6
Not at all important	20.6	18.5	15.9	17.3	19.5
Don't know	1.5	0.3	1.7	1.3	1.4

8e. I think it is my duty as a citizen

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very important	69.8	75.9	66.2	71.7	69.6
Somewhat important	23.6	21.2	30.2	21.8	24.4
Not very Important	3.7	0.6	1.3	1.8	3.0
Not at all important	2.6	2.3	2.3	4.7	2.8
Don't know	0.3	0.0	0.0	0.0	0.2

8f. I am the kind of person who does my share

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very important	59.2	60.1	55.4	61.1	58.9
Somewhat important	30.1	30.0	34.3	31.3	30.9
Not very Important	6.7	4.6	6.4	5.0	6.3
Not at all important	3.5	5.3	2.8	1.2	3.3
Don't know	0.5	0.0	1.1	1.4	0.6

8g. I wanted to make some extra money

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very important	28.9	33.3	22.4	32.4	28.4
Somewhat important	31.3	22.9	29.3	32.3	31.3
Not very Important	23.1	22.3	28.4	20.7	23.2
Not at all important	16.1	21.5	19.1	13.4	16.6
Don't know	0.6	0.0	0.8	1.2	0.5

8h. I received recognition from people I respect

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very important	18.7	31.2	20.2	28.4	20.3
Somewhat important	22.9	21.1	24.2	23.4	23.1
Not very Important	26.8	18.3	25.6	29.1	26.2
Not at all important	28.6	26.6	27.5	17.5	27.5
Don't know	3.0	2.8	2.5	1.6	2.9

8i. I can be with people I enjoy

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very important	28.2	43.1	29.2	42.3	30.4
Somewhat important	34.4	33.4	29.1	30.1	33.5
Not very Important	19.5	11.3	27.9	17.3	19.5
Not at all important	15.9	10.1	13.8	9.0	14.8
Don't know	2.0	2.1	0.0	1.3	1.8

8j. I get to meet new people

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very important	35.3	53.0	42.5	47.7	38.2
Somewhat important	41.5	32.9	32.0	30.7	39.2
Not very Important	14.1	7.6	17.7	13.8	14.0
Not at all important	8.6	6.3	7.8	5.9	8.2
Don't know	0.5	0.2	0.0	1.9	0.4

8k. I did not want to say no to someone who asked

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very important	8.9	14.6	11.3	12.2	9.8
Somewhat important	8.6	15.3	12.1	8.5	9.7
Not very Important	17.5	21.2	21.4	17.2	18.1
Not at all important	58.2	45.6	52.0	55.5	56.2
Don't know	6.8	3.3	3.2	6.6	6.2

9. How likely are you to work as a poll worker in the next election?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very likely	79.3	81.2	77.1	86.9	80.1
Somewhat likely	16.3	14.5	14.3	8.5	15.1
Not very likely	2.1	1.8	4.2	2.3	2.2
Not at all likely	0.6	1.1	1.5	0.2	0.8
Don't know	1.7	1.4	2.9	2.1	1.8

10. On a scale from 1 to 10 where 1 is "very poor" and 10 is "excellent," how would you rate the overall performance of your fellow poll workers?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
1	0.5	1.0	0.6	0.0	0.5
2	0.1	0.0	0.0	0.0	0.1
3	0.5	1.8	0.2	1.1	0.6
4	1.5	0.8	2.9	1.2	1.7
5	2.9	0.0	3.4	0.0	2.6
6	3.0	4.7	1.3	1.1	2.8
7	5.4	4.8	4.1	8.0	5.6
8	21.7	14.7	16.4	14.3	20.2
9	25.5	22.6	24.8	21.0	24.2
10	38.9	49.6	46.3	53.3	41.7
Mean	8.7	8.9	8.8	9.1	8.7

11. On a scale from 1 to 10 where 1 is "very poor" and 10 is "excellent," how would you rate the overall performance of your presiding judge?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
1	3.1	2.4	6.1	0.0	3.0
2	3.3	5.0	0.0	0.6	3.2
3	2.4	0.0	0.7	0.0	1.8
4	1.5	1.9	2.9	2.7	1.9
5	4.5	1.3	4.7	0.0	4.0
6	3.0	3.2	2.9	1.4	2.7
7	5.9	2.9	1.5	2.1	5.0
8	10.3	8.1	13.1	14.5	10.8
9	17.8	12.4	13.3	18.7	16.7
10	48.2	62.8	54.8	60.0	50.9
Mean	8.3	8.7	8.4	9.2	8.4

12. In what election year did you first work as a poll worker? (If you are not sure, give the best estimation possible)

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
1940-1950	0.4	0.0	0.0	0.0	0.3
1951-1960	1.0	0.6	2.4	0.5	1.1
1961-1970	1.7	0.9	2.7	3.4	2.2
1971-1980	3.8	9.2	5.3	5.6	4.4
1981-1990	6.4	13.4	5.1	8.8	6.9
1991-2000	20.3	23.7	17.7	23.2	20.3
2001-2008	66.4	52.2	66.8	58.5	64.8

13. Including the recent 2008 November general election, in how many elections have you worked as a poll worker?(If you are not sure, give the best estimation possible)

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
0	5.6	0.6	2.5	3.1	4.5
1	32.5	18.7	22.8	16.1	29.7
2-5	31.7	36.0	44.9	41.1	34.0
6-10	18.1	26.3	19.3	19.0	19.1
More than 10	12.1	18.4	10.5	20.7	12.7

14. Your local election official sponsored training sessions for election workers prior to the election to teach workers about election procedures and how to use the bubble paper ballot machines. How many training sessions did you attend?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Zero training sessions	2.5	3.7	6.4	1.0	2.9
One training session	72.2	50.1	57.4	60.9	67.6
Two training sessions	10.8	28.8	18.8	16.5	13.6
Three training sessions	3.3	2.1	6.1	1.6	3.7
More than three training sessions	11.2	15.3	11.3	20.0	12.2

15. Did you receive any manuals, booklets, or video/DVD at your training session or from your county clerk to help you learn more about the election procedures?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	95.6	92.6	88.9	95.7	94.8
No	2.8	3.7	6.7	3.8	3.2
I didn't attend a training session or receive any materials from my county clerk	1.6	3.7	4.4	0.5	2.0

16. How much of the materials did you read prior to Election Day?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
All of them	61.4	72.2	66.0	61.9	62.4
Most of them	24.7	15.5	15.4	26.9	23.6
Some of them	9.5	6.9	8.1	9.1	9.3
None of them	1.6	0.8	1.2	0.6	1.3
I didn't receive any written materials	2.8	4.6	9.3	1.5	3.4

17. How much of the materials did you watch prior to Election Day?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
All of them	40.0	39.0	33.7	17.6	37.7
Most of them	11.9	13.8	11.1	12.4	11.7
Some of them	5.9	8.0	8.6	3.1	6.0
None of them	5.1	6.3	6.3	4.0	5.2
I didn't receive any video materials	37.1	32.9	40.3	62.9	39.4

18. Thinking back on your poll worker and presiding judge training, please tell us whether you agree or disagree with each of the following statements

18a. After the training, I was confident in my ability to do my job on Election Day

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	52.5	72.9	54.3	64.6	54.8
Somewhat agree	40.6	26.0	41.4	32.9	39.4
Somewhat disagree	5.7	0.2	2.1	2.3	4.7
Strongly disagree	1.2	0.9	2.2	0.2	1.1

18b. The training was easy to understand

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	57.5	75.5	57.4	60.5	59.0
Somewhat agree	35.6	24.5	33.6	31.5	34.5
Somewhat disagree	5.8	0.0	8.3	7.2	5.6
Strongly disagree	1.1	0.0	0.7	0.8	0.9

18c. The training was hands on, not just a lecture

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	38.3	48.2	29.8	39.8	38.4
Somewhat agree	35.2	30.7	26.1	23.4	32.6
Somewhat disagree	16.4	15.2	21.0	15.8	17.4
Strongly disagree	10.1	5.9	23.1	21.0	11.6

18d. The training sessions spent enough time covering election law and procedures

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	47.1	65.8	43.5	56.0	49.1
Somewhat agree	38.5	27.0	36.2	31.2	36.7
Somewhat disagree	11.0	7.2	17.6	10.5	11.3
Strongly disagree	3.4	0.0	2.7	2.3	2.9

18e. The training sessions were boring or too long

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	7.1	8.2	13.1	6.9	7.9
Somewhat agree	23.7	27.8	18.1	25.8	24.2
Somewhat disagree	36.5	23.3	36.4	32.1	35.3
Strongly disagree	32.7	40.7	32.4	35.2	32.6

18f. I would have liked more training

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	14.6	16.2	16.1	13.3	14.3
Somewhat agree	31.8	22.4	34.4	31.2	31.2
Somewhat disagree	33.4	34.0	27.4	31.5	32.9
Strongly disagree	20.2	27.4	22.1	24.0	21.6

18g. The training prepared me well for Election Day

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	46.7	69.8	47.2	52.9	49.1
Somewhat agree	43.9	25.2	43.9	38.3	42.2
Somewhat disagree	8.1	5.0	6.1	7.3	7.4
Strongly disagree	1.3	0.0	2.8	1.5	1.3

18h. The training prepared me well for handling provisional ballots

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	36.7	57.8	45.4	48.1	40.5
Somewhat agree	39.2	30.2	37.1	35.9	37.7
Somewhat disagree	18.6	9.1	14.0	12.1	16.9
Strongly disagree	5.5	2.9	3.5	3.9	4.9

18i. The training prepared me well for handling spoiled ballots

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	38.6	60.3	47.6	51.8	42.5
Somewhat agree	38.0	29.6	38.8	34.3	37.2
Somewhat disagree	18.1	7.5	10.1	12.8	15.9
Strongly disagree	5.3	2.6	3.5	1.1	4.4

19. Were the instructions and training for the following jobs you performed on Election Day very clear, somewhat clear, not very clear or not at all clear?

19a. The instructions for reconciling the number of voters voting and the number of ballots cast

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very clear	56.4	73.4	54.1	71.9	58.5
Somewhat clear	34.2	20.8	38.5	21.2	32.9
Not very clear	7.4	4.9	6.0	5.0	6.8
Not at all clear	2.0	0.9	1.4	1.9	1.8

19b. The instructions for opening the polls

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very clear	71.2	78.8	80.7	84.2	73.9
Somewhat clear	24.2	20.6	17.1	13.1	22.2
Not very clear	3.3	0.6	2.2	2.1	2.9
Not at all clear	1.3	0.0	0.0	0.6	1.0

19c. When to ask a voter for his or her identification before voting

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very clear	70.4	82.6	74.3	76.8	72.1
Somewhat clear	24.2	15.4	20.4	16.5	22.9
Not very clear	4.2	2.0	3.5	4.8	3.9
Not at all clear	1.2	0.0	1.8	1.9	1.1

19d. The instructions for closing the polls at the end of the day

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very clear	62.8	78.2	71.1	79.6	65.9
Somewhat clear	29.4	19.3	22.9	16.4	27.4
Not very clear	5.6	2.5	6.0	2.4	5.0
Not at all clear	2.2	0.0	0.0	1.6	1.7

19e. The printed instruction materials we used when we had a procedural question

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very clear	53.0	75.4	49.7	62.7	55.2
Somewhat clear	38.6	21.5	42.9	31.2	37.1
Not very clear	6.6	3.1	6.1	5.0	6.2
Not at all clear	1.8	0.0	1.3	1.1	1.5

19f. Securing the ballots during and after the election

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very clear	72.6	86.0	77.7	86.1	75.1
Somewhat clear	22.4	14.0	19.3	12.6	20.8
Not very clear	4.2	0.0	3.0	1.3	3.5
Not at all clear	0.8	0.0	0.0	0.0	0.6

20. How different was your training from your experience on Election Day?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very different	5.3	4.8	3.3	1.5	4.9
Somewhat different	25.9	21.4	21.2	21.5	25.1
Not too different	42.9	37.1	49.2	41.7	42.9
Not at all different	23.9	34.3	22.2	34.8	24.9
I didn't attend training	2.0	2.4	4.1	0.5	2.2

21. On a scale from 1 to 5, where 1 is very poor and 5 is excellent, how would you rate your polling facility in regards to the following?

21a. Its accessibility for people with disabilities

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
1	2.2	1.2	1.1	0.2	1.9
2	2.8	3.2	1.5	0.5	2.6
3	8.2	7.0	4.9	9.0	8.1
4	28.8	31.8	23.8	29.3	27.9
5	58.0	56.8	68.7	61.0	59.5
Mean	4.4	4.4	4.6	4.5	4.4

21b. The general condition of the facility

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
1	1.2	0.6	0.6	1.4	1.1
2	2.2	1.6	1.1	2.5	2.0
3	11.1	8.1	8.8	11.7	10.8
4	33.2	34.4	27.9	31.9	32.1
5	52.3	55.3	61.6	52.5	54.0
Mean	4.3	4.4	4.5	4.3	4.4

21c. The noise level of the facility

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
1	1.9	0.9	2.0	1.6	1.8
2	3.5	2.4	3.7	2.3	3.4
3	11.4	8.2	12.1	13.8	11.3
4	32.5	31.9	33.8	37.3	32.5
5	50.7	56.6	48.4	45.0	51.0
Mean	4.3	4.4	4.2	4.2	4.3

21d. The availability of parking at the facility

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
1	2.1	0.3	1.4	3.7	1.8
2	4.6	1.1	1.5	2.4	3.8
3	9.4	8.0	8.7	7.0	9.3
4	25.3	29.2	24.6	26.6	25.1
5	58.6	61.4	63.8	60.3	60.0
Mean	4.3	4.5	4.5	4.4	4.4

21e. Adequate space to operate the polls

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
1	2.4	2.9	2.7	2.3	2.4
2	4.5	1.5	5.8	4.5	4.3
3	10.5	7.5	10.7	11.9	10.6
4	24.4	25.2	26.2	14.8	23.6
5	58.2	62.9	54.6	66.5	59.1
Mean	4.3	4.4	4.2	4.4	4.3

21f. The temperature

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
1	2.5	4.2	1.2	2.4	2.5
2	4.6	4.8	4.2	6.8	4.8
3	13.3	12.3	10.5	16.0	13.1
4	33.7	32.2	33.6	31.8	33.2
5	45.9	46.5	50.5	43.0	46.4
Mean	4.2	4.1	4.3	4.1	4.2

21g. The lighting

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
1	2.0	5.6	2.2	4.6	2.4
2	2.3	0.8	1.8	4.0	2.4
3	10.7	11.2	8.5	12.2	10.5
4	29.6	25.2	27.7	32.0	29.5
5	55.4	57.2	59.8	47.2	55.2
Mean	4.3	4.3	4.4	4.1	4.3

22. Please answer yes or no to each of the following questions:

22a. Did your polling location have all of the poll workers you needed?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	91.7	94.6	80.4	94.2	91.0
No	7.0	5.2	18.4	4.7	7.8
Don't know	1.3	0.2	1.2	1.1	1.2

22b. Did all of the poll workers arrive on time?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	79.9	84.7	77.5	90.4	81.1
No	17.9	13.9	21.9	7.5	16.9
Don't know	2.2	1.4	0.6	2.1	2.0

22c. Did the AutoMARK work the whole day?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	76.4	76.2	80.2	77.0	77.4
No	13.4	4.0	1.7	3.8	10.4
Don't know	10.2	19.8	18.1	19.2	12.2

22d. Were there ever any conflicts between any of the poll workers?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	23.1	12.4	35.8	17.0	23.3
No	71.9	83.1	61.2	79.5	72.1
Don't know	5.0	4.5	3.0	3.5	4.6

22e. Were you administered the oath of office?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	94.6	97.9	90.4	97.4	94.7
No	3.5	2.1	8.9	0.9	3.6
Don't know	1.9	0.0	0.7	1.7	1.7

22f. Did you ever look at a voter's completed ballot or a spoiled ballot or a provisional ballot?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	20.2	21.6	10.5	13.4	18.9
No	78.2	76.4	88.9	86.6	79.6
Don't know	1.6	2.0	0.6	0.0	1.5

22g. Did you ever help a voter find a problem with their ballot?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	43.4	45.1	35.9	34.8	42.2
No	55.1	53.6	62.0	62.6	56.1
Don't know	1.5	1.3	2.1	2.6	1.7

22h. Did you ever help a voter complete a ballot?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	17.9	15.4	17.1	6.5	16.6
No	81.3	83.6	82.9	92.4	82.7
Don't know	0.8	1.0	0.0	1.1	0.7

22i. Did any voters who were tagged as inactive voters fill out a voter registration form?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	44.4	70.1	47.5	75.2	49.0
No	21.9	16.5	24.3	9.5	20.9
Don't know	33.7	13.4	28.2	15.3	30.1

22j. Did your optical scan ballot reader work the whole day?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	78.6	76.9	87.2	78.0	79.2
No	9.4	7.5	3.8	7.0	8.6
Don't know	12.0	15.6	9.0	15.0	12.2

23. Were you missing any supplies at your polling location?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	12.4	3.8	14.3	6.4	11.6
No	79.6	90.3	80.5	90.8	81.0
Don't know	8.0	5.9	5.2	2.8	7.4

23a. If you were missing any supplies at your polling location what was it? (Note: This is calculated on only those that were missing supplies.)

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
"I Voted" Stickers	16.0	0.0	0.0	0.0	13.0
Office Supplies/Pens	29.0	30.1	54.2	59.9	33.5
Magnifying Sheets	27.5	0.0	0.0	0.0	22.6
Posters/Signs	6.4	7.6	27.9	23.6	10.7
Bags/Envelopes for ballots/tapes	2.1	10.7	0.0	0.0	1.7
Voter Registration Cards	0.7	0.0	0.0	0.0	0.5
Ballots	2.4	0.0	15.9	0.0	4.2
Forms (Early Voting ,Closing, etc)	6.8	0.0	0.0	0.0	4.8
Optical Scan Machine/M100	2.3	0.0	0.0	16.5	2.4
Keys/AutoMARK accessories					
Privacy booths	0.0	21.5	2.0	0.0	0.7
Other	6.8	30.1	0.0	0.0	5.9

24. Did you or another poll worker need to call the clerk or the county election office at any time while you were working?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	75.9	91.5	73.8	77.0	76.5
No	14.7	6.7	20.1	15.4	14.9
Don't know	9.4	1.8	6.1	7.6	8.6

24a. If you or another poll worker needed to call the clerk or the county election office while you were working how easy was it to get a hold of them?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very easy	60.7	89.4	43.1	85.0	62.8
Somewhat easy	34.7	9.7	41.0	15.0	31.6
Not too easy	3.6	0.9	9.9	0.0	4.0
Not easy at all	1.0	0.0	6.0	0.0	1.6

24b. If you or another poll worker needed to call the clerk or the county election office while you were working were they very responsive, somewhat responsive, not too responsive, or not at all responsive?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very responsive	83.2	94.6	79.9	97.2	84.5
Somewhat responsive	14.9	4.4	16.3	2.8	13.5
Not too responsive	1.5	0.0	1.8	0.0	1.4
Not at all responsive	0.4	1.0	2.0	0.0	0.6

25. Was there a problem balancing the number of voters with the number of ballots cast at the end of the night?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	14.0	6.8	19.7	8.7	13.7
No	81.8	90.9	75.7	88.4	82.2
Don't know	4.2	2.3	4.6	2.9	4.1

25a. If there was a problem balancing the number of voters with the number of ballots cast at the end of the night how was that problem resolved?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Other	26.0	23.1	13.0	27.0	23.5
Don't know how resolved	8.6	0.0	7.5	0.0	7.5
Compared signature list with tabulator totals	1.8	9.4	8.7	0.0	4.7
Adding/removing spoiled or provisional ballots from count	9.6	4.7	10.8	5.5	9.1
Adding/removing absentee ballots from count	0.4	0.0	0.0	0.0	0.2
Hand counted ballots	0.7	0.0	0.0	0.0	0.5
Recounted everything	25.9	48.8	22.8	40.6	26.3
Added a new counter/worker to count process	3.6	4.6	7.9	7.0	4.8
Presiding judge fixed alone	3.8	0.0	3.4	5.9	3.4
Called County Clerk	5.8	0.0	4.6	0.0	4.8
Referred to instructions/ instructions unclear	3.2	0.0	0.0	14.0	2.9
Never reconciled	10.6	9.4	21.3	0.0	12.3

26. Many voters offered a physical form of identification, like a driver's license or voter registration card, without being asked. How often did this happen in your voting location?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very often	32.8	32.9	53.2	25.5	34.9
Somewhat often	41.6	49.9	32.4	49.7	41.6
Hardly at all	15.6	13.4	10.7	16.2	14.9
Never	0.8	0.6	0.2	0.7	0.7
Don't know	9.2	3.2	3.5	7.9	7.9

27. When a voter approached without any form of identification, how often did you use each of the following methods to identify a voter at your polling location?

27a. Asked voters to show their registration card

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very often	10.6	10.1	20.0	13.5	11.7
Somewhat often	14.6	30.3	22.9	15.5	17.3
Not very often	32.3	32.1	29.5	28.8	31.7
Not at all	28.4	19.1	24.0	33.6	27.4
Don't know	14.1	8.4	3.6	8.6	11.9

27b. Asked voters to show a form of photo identification

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very often	14.4	13.7	19.5	12.2	14.7
Somewhat often	15.1	20.7	26.9	14.2	17.2
Not very often	31.8	32.3	25.5	27.8	31.0
Not at all	25.4	26.1	23.7	34.6	25.5
Don't know	13.3	7.2	4.4	11.2	11.6

27c. Asked voters to state their name

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very often	58.4	56.3	53.1	71.3	58.7
Somewhat often	12.3	22.1	18.3	6.8	13.5
Not very often	9.2	10.5	9.6	3.1	8.8
Not at all	8.7	5.3	13.9	9.5	9.0
Don't know	11.4	5.8	5.1	9.3	10.0

27d. Asked voters to state their name and address

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very often	40.8	36.8	35.8	51.3	40.6
Somewhat often	19.3	22.8	20.3	18.0	20.3
Not very often	16.8	21.1	20.5	12.4	17.2
Not at all	11.1	12.9	17.2	8.3	11.4
Don't know	12.0	6.4	6.2	10.0	10.5

27e. Asked voters to state their name and birth year

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very often	23.5	31.9	22.9	50.0	25.9
Somewhat often	16.4	25.6	18.0	17.8	17.8
Not very often	24.1	23.6	26.2	13.7	23.3
Not at all	21.6	12.3	23.9	9.8	20.5
Don't know	14.4	6.6	9.0	8.7	12.5

27f. Asked voters to state their name, address, and birth year

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very often	22.9	25.1	22.8	37.8	23.9
Somewhat often	12.8	15.3	15.2	18.1	14.6
Not very often	22.9	34.6	22.0	20.1	23.1
Not at all	25.9	20.7	29.8	14.4	25.1
Don't know	15.5	4.3	10.2	9.6	13.3

27g. I knew the voter personally and didn't ask for any form of identification

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very often	2.7	12.7	4.5	6.9	3.9
Somewhat often	6.3	14.8	6.0	9.8	7.4
Not very often	14.8	21.2	10.5	21.4	15.8
Not at all	61.9	44.7	71.2	51.5	60.5
Don't know	14.3	6.6	7.8	10.4	12.4

27h. Asked voters to look-up their number in the voter rolls

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very often	6.2	15.4	7.8	4.0	6.7
Somewhat often	9.5	14.7	4.9	10.1	9.8
Not very often	20.6	25.5	17.1	16.9	20.4
Not at all	50.1	37.2	60.7	59.3	51.0
Don't know	13.6	7.2	9.5	9.7	12.1

28. Did you ask a voter for any identification for any of the following reasons?

28a. Trouble hearing/Easier to read name from ID

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	17.1	24.9	36.3	26.1	20.5
No	68.4	66.1	57.5	62.7	66.9
Don't know	14.5	9.0	6.2	11.2	12.6

28b. Verify identity of first time voter

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	56.2	74.0	70.6	57.2	59.2
No	29.0	17.1	23.9	27.9	27.8
Don't know	14.8	8.9	5.5	14.9	13.0

28c. Verify identity of provisional voter

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	46.1	65.8	62.8	51.1	49.7
No	30.7	22.9	28.6	32.3	30.1
Don't know	23.2	11.3	8.6	17.6	20.2

28d. It's required by law to verify the identity of voters

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	42.4	54.8	50.5	47.3	44.7
No	41.6	33.6	33.4	34.4	39.9
Don't know	16.0	11.6	16.1	18.3	15.4

28e. To prevent fraud

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	34.6	44.4	43.5	40.1	36.9
No	46.8	42.4	42.4	41.4	45.7
Don't know	18.6	13.2	14.1	18.5	17.4

28f. I did not recognize the voter

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	17.4	33.9	23.9	26.8	20.6
No	64.2	53.2	60.6	58.2	62.3
Don't know	18.4	12.9	15.5	15.0	17.1

28g. The information they gave didn't match the voter rolls

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	34.3	48.5	51.9	45.8	38.3
No	46.2	33.9	37.6	38.1	44.1
Don't know	19.5	17.6	10.5	16.1	17.6

28h. I couldn't find the voter in the voter rolls

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	50.4	57.9	71.7	58.4	54.7
No	32.7	26.6	17.7	30.5	30.2
Don't know	16.9	15.5	10.6	11.1	15.1

29. Thinking back on your experience during the 2008 November general election, please tell us whether you agree or disagree with the following statements

29a. There were problems setting up the optical ballot scanner in my voting location

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	2.7	1.1	5.5	3.2	3.0
Somewhat agree	7.6	4.0	6.6	1.8	6.8
Somewhat disagree	52.5	53.5	37.9	41.9	50.3
Strongly disagree	37.2	41.4	50.0	53.1	39.9

29b. There were problems shutting down the optical ballot scanner at the end of the day and reporting the results

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	2.7	1.0	4.1	2.6	2.7
Somewhat agree	4.9	5.3	2.3	3.2	4.7
Somewhat disagree	52.2	52.8	39.3	41.8	50.0
Strongly disagree	40.2	40.9	54.3	52.4	42.6

29c. There were many provisional ballots resulting from voter identification challenges

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	3.1	3.6	6.2	4.2	3.6
Somewhat agree	12.1	11.2	16.2	5.7	12.1
Somewhat disagree	54.9	53.7	42.4	51.7	53.1
Strongly disagree	29.9	31.5	35.2	38.4	31.2

29d. There were problems setting up the AutoMARK in my voting location

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	3.7	1.3	6.2	2.2	3.8
Somewhat agree	8.5	7.0	2.6	0.7	6.9
Somewhat disagree	51.5	47.4	36.9	46.9	49.5
Strongly disagree	36.3	44.3	54.3	50.2	39.8

29e. Voters who used the AutoMARK thought it worked well

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	24.9	18.5	26.6	29.4	24.8
Somewhat agree	55.8	54.2	55.7	44.9	54.9
Somewhat disagree	10.6	14.2	7.5	12.5	10.5
Strongly disagree	8.7	13.1	10.2	13.2	9.8

29f. We encouraged voters who spoiled a ballot to vote using the AutoMARK

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	9.8	3.9	9.2	10.8	9.1
Somewhat agree	30.1	21.1	25.4	13.2	27.0
Somewhat disagree	41.5	49.2	40.0	46.8	42.6
Strongly disagree	18.6	25.8	25.4	29.2	21.3

29g. Voter ballot privacy was NOT compromised when a voter cast his or her ballot

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	58.5	54.9	63.7	61.9	58.8
Somewhat agree	27.5	25.7	21.2	21.9	26.5
Somewhat disagree	7.1	9.6	5.9	8.9	7.4
Strongly disagree	6.9	9.8	9.2	7.3	7.3

29h. Generally speaking voters were satisfied with the paper ballots and optical scan voting process

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	45.5	35.5	56.7	47.5	46.0
Somewhat agree	47.5	45.3	39.6	43.4	46.2
Somewhat disagree	4.4	11.8	2.3	3.7	4.6
Strongly disagree	2.6	7.4	1.4	5.4	3.2

30. Which party members worked as poll watchers or poll challengers at your voting location?
(Note: Numbers do not add to 100 because multiple options apply. Each entry is percentage present at location)

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Democratic Poll Watcher	57.0	46.4	74.5	79.4	59.9
Democratic Poll Challenger	30.5	28.9	51.3	59.0	34.9
Republican Poll Watcher	44.7	66.6	68.1	61.6	49.4
Republican Poll Challenger	28.9	22.5	59.9	48.6	33.2

31. Did you ever feel intimidated by the poll watchers and/or poll challengers?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Yes	9.9	7.8	23.0	10.5	11.4
No	90.1	92.2	77.0	89.5	88.6

32. About how many ballots were spoiled in your voting location?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
0	1.6	2.8	2.4	3.8	1.9
1	2.2	3.5	5.8	1.4	2.8
2-5	42.6	63.0	47.4	47.6	45.3
6-10	30.3	20.3	21.1	27.7	28.2
More than 10	23.3	10.4	23.3	19.5	21.8
Median	6.0	5.0	5.0	6.0	6.0

33. About how many provisional ballots were completed in your voting location? (PRESIDING JUDGE RESPONSE ONLY)

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
0	3.4	4.1	0.3	5.6	3.5
1	4.9	2.7	0.8	4.2	4.4
2-5	40.3	45.9	23.0	40.3	38.2
6-10	26.5	26.5	22.8	31.7	26.6
More than 10	24.9	20.8	53.1	18.2	27.3
Median	6.0	4.5	12.0	6.0	7.0

34. About how many voters used the AutoMARK in your voting location? (PRESIDING JUDGE RESPONSE ONLY)

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
0	24.5	51.2	49.3	61.2	32.4
1	12.3	6.0	16.1	11.3	12.3
2-5	42.7	24.6	17.4	12.9	36.2
6-10	10.9	3.1	2.9	3.4	9.0
More than 10	9.6	15.1	14.3	11.2	10.1
Median	2.0	0.0	0.0	0.0	0.0

35. [Election Day poll workers only] About how many voters showed up to vote in your precinct incorrectly and had to be directed to another precinct location? (PRESIDING JUDGE RESPONSE ONLY)

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
0	3.7	3.4	6.6	7.1	4.2
1	2.1	0.0	0.3	3.4	1.7
2-5	33.7	33.7	26.9	38.2	33.6
6-10	26.4	26.9	25.6	27.7	26.3
More than 10	34.1	36.0	40.6	23.6	34.2
Median	10.0	8.5	10.0	5.0	8.0

36. Please indicate whether you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree, or strongly disagree with the following:

36a. Photo identification should be required of each voter at the polls to prevent voter fraud

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	52.8	50.8	66.0	40.3	53.1
Somewhat agree	19.0	18.6	14.4	28.3	19.2
Neither agree or disagree	11.5	18.0	7.9	13.1	11.7
Somewhat disagree	7.1	6.6	4.0	4.7	6.4
Strongly agree	9.6	6.0	7.7	13.6	9.6

36b. Proof of citizenship should be required of each voter when they register to prevent voter fraud

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	47.1	56.4	52.6	36.8	47.0
Somewhat agree	18.0	13.5	15.6	20.1	17.6
Neither agree or disagree	12.5	13.4	10.7	19.6	13.4
Somewhat disagree	8.6	9.9	4.7	8.2	8.3
Strongly disagree	13.8	6.8	16.4	15.3	13.7

36c. Public officials don't care much what people like me think

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	14.3	13.6	27.9	13.5	16.1
Somewhat agree	25.4	26.1	22.7	26.6	24.8
Neither agree or disagree	26.8	24.7	23.8	30.0	26.7
Somewhat disagree	19.0	23.1	12.4	14.4	18.1
Strongly agree	14.5	12.5	13.2	15.5	14.3

36d. I consider myself well qualified to participate in politics

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	44.5	33.1	50.7	44.1	44.5
Somewhat agree	30.5	32.6	23.3	26.9	29.2
Neither agree or disagree	16.9	28.0	18.4	24.2	18.5
Somewhat disagree	4.8	3.8	4.3	3.5	4.6
Strongly agree	3.3	2.5	3.3	1.3	3.2

36e. I would prefer all mail elections

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	5.1	3.1	6.7	3.0	5.0
Somewhat agree	10.8	11.9	7.0	7.8	10.2
Neither agree or disagree	22.8	28.4	18.3	26.1	22.2
Somewhat disagree	19.2	20.4	14.1	22.1	19.3
Strongly agree	42.1	36.2	53.9	41.0	43.3

36f. Voters should be able to register on Election Day to vote

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	15.5	9.4	13.8	20.7	15.3
Somewhat agree	16.0	11.9	10.2	17.0	15.1
Neither agree or disagree	8.1	14.7	6.9	10.6	8.8
Somewhat disagree	18.1	16.8	17.7	13.8	17.5
Strongly agree	42.3	47.2	51.4	37.9	43.3

36g. The government should be able to register all citizens over 18 to vote

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	37.7	27.7	41.4	43.9	37.6
Somewhat agree	21.8	21.1	21.3	21.3	21.8
Neither agree or disagree	16.1	19.0	14.1	17.2	16.1

Somewhat disagree	9.3	12.3	9.6	6.3	9.5
Strongly agree	15.1	19.9	13.6	11.3	15.0

36h. Voters should be able to vote over the Internet

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strongly agree	6.8	8.4	5.8	4.7	6.5
Somewhat agree	9.4	5.3	9.5	13.2	9.5
Neither agree or disagree	11.3	15.8	11.9	14.7	12.3
Somewhat disagree	15.7	10.3	14.4	14.4	15.1
Strongly agree	56.8	60.2	58.4	53.0	56.6

37. Which is more important?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Ensuring that everyone who is eligible has the right to vote	63.5	57.9	66.9	69.7	63.2
Protecting the voting system against fraud	31.8	35.7	26.5	24.4	31.5
Don't know	4.7	6.4	6.6	5.9	5.3

38. Below is a list of possible illegal election activities that may or may not take place in your community Please tell me how often you think each event occurs in your county?

38a. A voter casts more than one ballot

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
All or most of the time	1.9	0.6	3.5	0.6	1.8
Some of the time	11.4	4.3	16.1	9.5	11.9
Not much of the time	33.5	31.9	30.5	17.5	31.6
Never	22.3	38.5	15.2	42.4	24.3
Don’t know	30.9	24.7	34.7	30.0	30.4

38b. Tampering with ballots to change votes

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
All or most of the time	0.8	1.7	3.1	1.5	1.2
Some of the time	10.6	1.4	14.1	4.8	10.0
Not much of the time	27.1	18.1	16.5	9.0	23.8
Never	29.0	53.1	30.9	54.0	33.2
Don’t know	32.5	25.7	35.4	30.7	31.8

38c. Someone pretends to be another person and casts a vote for them

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
All or most of the time	1.6	1.7	2.8	0.6	1.6
Some of the time	16.2	8.2	19.7	6.0	15.7
Not much of the time	30.8	23.7	25.6	16.4	28.2
Never	20.0	44.9	13.8	46.2	23.7
Don’t know	31.4	21.5	38.1	30.8	30.9

38d. A non US citizen votes

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
All or most of the time	3.3	0.9	7.4	1.3	3.5
Some of the time	15.8	8.0	20.8	8.4	15.1
Not much of the time	25.7	19.5	18.8	16.9	23.8
Never	18.7	41.3	16.9	39.6	22.3
Don’t know	36.5	30.3	36.1	33.8	35.3

39. How much of the time do you think you can trust the government in Washington to do what is right?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
All or most of the time	11.4	14.6	11.4	11.8	12.0
Some of the time	56.8	41.6	51.9	52.2	54.2
Not much of the time	25.4	36.4	26.5	26.3	26.4
Never	2.9	3.1	4.8	2.5	3.1
Don't know	3.5	4.3	5.4	7.2	4.3

40. How old are you?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
18 to 34	10.7	11.0	11.6	8.9	12.0
35 to 49	13.2	21.1	8.5	10.2	12.8
50 to 64	36.3	33.9	32.2	39.9	35.2
65 years or more	39.8	34.0	47.7	41.0	40.0
Mean	58.8	56.2	60.1	58.5	58.3

41. Are you:

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Male	32.2	17.1	33.7	21.8	30.7
Female	67.8	82.9	66.3	78.2	69.3

42. Generally speaking, do you consider yourself to be a(n):

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Strong Democrat	34.2	19.9	26.5	36.9	32.2
Democrat, not so strong	15.2	17.5	16.0	19.0	16.0
Independent leaning Democrat	12.1	5.0	6.7	12.7	10.9
Independent	5.4	0.6	5.3	6.6	5.4
Independent leaning Republican	4.7	5.7	6.3	2.0	4.7
Republican, not so strong	11.2	14.3	13.2	8.4	11.6
Strong Republican	14.9	34.3	23.3	11.4	16.8
Other	2.3	2.7	2.7	3.0	2.4

43. Thinking in political terms, would you say that you are very liberal, somewhat liberal, moderate, somewhat conservative, or very conservative?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very liberal	14.8	7.1	5.6	14.7	13.2
Somewhat liberal	22.2	9.6	19.5	26.7	21.8
Moderate	29.1	25.1	20.7	33.8	28.5
Somewhat conservative	18.2	22.4	25.8	14.2	18.5
Very conservative	11.4	23.9	21.7	7.8	13.2
Don't know	4.3	11.9	6.7	2.8	4.8

44. What is the highest grade of education you have completed?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Less than a High School degree	3.4	7.3	6.3	5.5	4.1
High School degree	16.0	18.8	9.0	25.5	16.2
Some college	26.1	49.0	28.3	28.4	28.2
Completed trade school/associates degree	9.2	6.7	8.8	9.0	9.1
College degree	16.4	6.6	16.6	9.5	15.1
Some graduate	8.1	5.9	7.5	3.2	7.4
Completed masters or professional degree	15.9	5.1	19.0	12.7	15.3
Advanced graduate work (MD PhD)	4.9	0.6	4.5	6.2	4.6

45. Not counting religious organizations, how many civic or community organizations, like the Kiwanis Club, PTA, League of Women Voters, do you belong to?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
0	50.8	54.0	49.2	56.5	51.7
1	20.9	16.3	20.1	15.3	19.9
2	18.0	22.7	17.1	16.4	17.7
3	6.4	4.1	10.8	7.8	6.8
4	2.0	2.0	2.2	2.3	2.1
5 or more	1.9	0.9	0.6	1.7	1.8
Mean	0.9	0.9	1.0	0.9	0.9

46. How often to you attend religious services? Do you go to religious services every week, almost every week, once or twice a month, a few times a year or never?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Every week	40.2	40.2	39.5	37.3	39.5
Almost every week	12.7	19.1	14.7	11.4	13.0
Once or twice a month	7.1	5.5	8.3	10.7	7.9
A few times a year	22.1	20.6	17.0	20.0	21.1
Never	17.9	14.6	20.5	20.6	18.5

47. How would you describe your current employment status?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Employed full time	22.2	20.3	20.3	15.4	21.5
Employed part time	12.4	13.4	7.4	14.0	11.9
Unemployed/Looking for work	6.0	7.2	5.5	6.2	5.8
Student	4.4	1.0	5.6	2.1	4.8
Retired	48.7	38.4	51.4	54.3	48.2
Homemaker	6.3	19.7	9.8	8.0	7.8

48. What racial or ethnic group best describes you?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Black/African-American	3.1	1.5	1.8	0.5	2.5
Native American/American Indian	2.7	28.5	0.6	4.5	4.4
Hispanic/Latino	33.4	6.7	29.1	46.0	32.2
Asian	0.7	0.9	0.7	0.0	0.7
White/Anglo	56.5	62.4	65.8	46.0	57.0
Other	3.6	0.0	2.0	3.0	3.2

48a. If you indicated Hispanic/Latino, would you describe your Hispanic/Latino origin as:

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Mexican	15.0	0.0	58.7	4.0	19.0
Central American	0.7	0.0	0.0	1.3	0.7
South American	4.2	0.0	2.1	6.0	3.8
Puerto Rican	1.7	0.0	3.2	1.2	1.8
Spanish	73.9	95.2	31.5	85.1	70.3
Something else	4.5	4.8	4.5	2.4	4.4

49. Did you take time off your job to work at the polls or was Election Day your regular day off?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
I took Election Day off	39.2	39.4	45.2	38.2	40.4
Election Day was my normal day off	60.8	60.6	54.8	61.8	59.6

50. How often do you use the Internet?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Once or more a day	55.2	35.9	60.3	50.5	54.3
A few times a week	16.3	21.1	11.5	13.5	15.9
A few times a month	5.0	6.9	5.0	5.6	5.3
Hardly ever	9.3	17.2	6.9	10.3	9.6
Never	14.2	18.9	16.3	20.1	14.9

51. Generally speaking, how comfortable do you feel with a computer?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
Very comfortable	50.5	36.6	54.0	48.7	50.6
Somewhat comfortable	30.2	35.0	28.4	30.7	29.8
Not very comfortable	10.7	13.9	8.2	9.4	10.5
Not at all comfortable	8.6	14.5	9.4	11.2	9.1

52. Did you work at the polling location where you would normally vote on Election Day or were you at a different location?

	Bernalillo	San Juan	Doña Ana	Santa Fe	Total
I worked at the polling location where I normally vote on Election Day	57.5	56.4	53.9	46.5	57.0
I worked at a different polling location	42.5	43.6	46.1	53.5	43.0

Appendix 3.2. Precincts Perceived as Problematic by Poll Workers

Appendix Table 3.2A. San Juan County

Facility Access	Facility Condition	Facility Noise	Facility Parking	Facility Space	Facility Lighting	Facility Temperature
PCT 1 SANOSTEE CHAPTER FACILITIES	PCT 1 SANOSTEE CHAPTER FACILITIES	PCT 1 SANOSTEE CHAPTER FACILITIES	PCT 1 SANOSTEE CHAPTER FACILITIES	PCT 57 OJO AMARILLO FIRE STATION	PCT 1 SANOSTEE CHAPTER FACILITIES	PCT 1 SANOSTEE CHAPTER FACILITIES
PCT 11 RUTH N. BOND ELEMENTARY SCHOOL	PCT 13 WATERFLOW COMMUNITY HALL	PCT 13 WATERFLOW COMMUNITY HALL	PCT 27 FARMINGTON CITY HALL	PCT 6 NASCHITTI CHAPTER FACILITIES	PCT 13 WATERFLOW COMMUNITY HALL	PCT 13 WATERFLOW COMMUNITY HALL
PCT 13 WATERFLOW COMMUNITY HALL	PCT 3 FOUR CORNERS COMMUNITY CHURCH	PCT 25 LADERA DEL NORTE ELEMENTARY SCHOOL	PCT 7 CRYSTAL CHAPTER FACILITIES	PCT 7 CRYSTAL CHAPTER FACILITIES	PCT 24 BETHANY CHRISTIAN CHURCH	PCT 22 CROSSROADS COMMUNITY CHURCH
PCT 3 FOUR CORNERS COMMUNITY CHURCH	PCT 81 UPPER FRUITLAND CHAPTER FACILITIES	PCT 3 FOUR CORNERS COMMUNITY CHURCH		PCT 9 BECLABITO CHAPTER FACILITIES	PCT 3 FOUR CORNERS COMMUNITY CHURCH	PCT 28 NORTHSIDE CHURCH OF CHRIST
PCT 47 FLORA VISTA FIRE STATION	PCT 9 BECLABITO CHAPTER FACILITIES	PCT 72 BLANCO FIRE STATION			PCT 64 1ST METHODIST CHURCH ANNEX	PCT 3 FOUR CORNERS COMMUNITY CHURCH
PCT 49 HEIGHTS MIDDLE SCHOOL		PCT 84 HUERFANO CHAPTER FACILITIES			PCT 81 UPPER FRUITLAND CHAPTER FACILITIES	PCT 30 LAPLATA COMMUNITY CENTER
PCT 65 CEDAR HILL FIRE STATION					PCT 85 NAGEEZI CHAPTER FACILITIES	PCT 40 ROCINANTE HIGH SCHOOL
PCT 81 UPPER FRUITLAND CHAPTER FACILITIES					PCT 9 BECLABITO CHAPTER FACILITIES	PCT 54 FARMINGTON RECREATION CENTER
						PCT 7 CRYSTAL CHAPTER FACILITIES
						PCT 79 WEST HAMMOND WATERS USERS ASSOCIATION
						PCT 81 UPPER FRUITLAND CHAPTER FACILITIES
						PCT 84 HUERFANO CHAPTER FACILITIES
						PCT 85 NAGEEZI CHAPTER FACILITIES
						PCT 9 BECLABITO CHAPTER FACILITIES

Appendix Table 3.2B. Santa Fe County

Facility Access	Facility Condition	Facility Noise	Facility Parking	Facility Space	Facility Lighting	Facility Temperature
Fair	ALAMEDA MIDDLE SCHOOL 33	ALAMEDA MIDDLE SCHOOL 33	ALAMEDA MIDDLE SCHOOL 33	ALAMEDA MIDDLE SCHOOL 33	ALAMEDA MIDDLE SCHOOL 33	ACEQUIA MADRE ELEMENTARY 9
FORT MARCY COMPLEX 22	CAPSHAW MIDDLE SCHOOL 54	CAPSHAW MIDDLE SCHOOL 54	chambers	chambers	CAPSHAW MIDDLE SCHOOL 54	AGUA FRIA ELEMENTARY 66
	CUNDIYO FIRE STATION 4	chambers	edgewood	edgewood	edgewood	CAPSHAW MIDDLE SCHOOL 54
	Fair	CHAPARRAL ELEMENTARY 77	Fair	Fair	ELKS B P O E 460 LODGE 55	CHAPARRAL ELEMENTARY 76
	FORT MARCY COMPLEX 22	E J MARTINEZ ELEMENTARY 52	FORT MARCY COMPLEX 22	FORT MARCY COMPLEX 22	Fair	E J MARTINEZ ELEMENTARY 52
	FORT MARCY COMPLEX 28	Fair	KEARNY ELEMENTARY 74	KEARNY ELEMENTARY 74	FORT MARCY COMPLEX 22	ELKS B P O E 460 LODGE 55
	KEARNY ELEMENTARY 49	FORT MARCY COMPLEX 22	POJOAQUE MIDDLE SCHOOL 59	NAMBE HEADSTART 61	KEARNY ELEMENTARY 49	Fair
	ORTIZ MIDDLE SCHOOL 86	FORT MARCY COMPLEX 28	Santa Cruz	SALAZAR ELEMENTARY 34	NAMBE HEADSTART 61	FORT MARCY COMPLEX 22
		KEARNY ELEMENTARY 49	SOUTH MOUNTAIN ELEMENTARY 16	SANTA FE COUNTY FAIR BLDG 56	PUBLIC SCHOOL ADMINISTRATION BLDG 43	KEARNY ELEMENTARY 49
					SALAZAR ELEMENTARY 32	NAMBE HEADSTART 61
					SALAZAR ELEMENTARY 34	ORTIZ MIDDLE SCHOOL 86
					SANTA FE COUNTY FAIR BLDG 29	SANTA FE COUNTY FAIR BLDG 56
						SOMBRILLO ELEMENTARY 1
						SOUTH MOUNTAIN ELEMENTARY 15

Appendix Table 3.2C. Doña Ana County

Facility Access	Facility Condition	Facility Noise	Facility Parking	Facility Space	Facility Lighting	Facility Temperature
24 - LC 7TH DAY ADVENTIST CHURCH	35 - ST. GENEVIEVES PARISH HALL	1 - GARFIELD ELEMENTARY SCHOOL	28- BOOKER T. WASHINGTON ELEMENTARY SCHOOL	20 - VISTA MIDDLE SCHOOL	110 - NM FARM AND RANCH MUSEUM	114 - LAS ALTURAS FIRE STATION
35 - ST. GENEVIEVES PARISH HALL	69 - HILLRISE ELEMENTARY SCHOOL	34-SIERRA MIDDLE SCHOOL	35 - ST. GENEVIEVES PARISH HALL	35 - ST. GENEVIEVES PARISH HALL	114 - LAS ALTURAS FIRE STATION	24 - LC 7TH DAY ADVENTIST CHURCH
72 - MISSOURI AVE FIRE STATION	78 - OUR LADY OF GUADALUPE CHURCH	35 - ST. GENEVIEVES PARISH HALL	72 - MISSOURI AVE FIRE STATION	39 - CITY OFFICE CENTER	35 - ST. GENEVIEVES PARISH HALL	35 - ST. GENEVIEVES PARISH HALL
91 - MIRA VISTA APARTMENTS	91 - MIRA VISTA APARTMENTS	47 - CONLEE ELEMENTARY SCHOOL	EV - SUNLAND PARK LIBRARY	47 - CONLEE ELEMENTARY SCHOOL	55 - MESILLA PARK REC CENTER	39 - CITY OFFICE CENTER
EV - SONOMA ELEMENTARY SCHOOL		71 - HILLRISE ELEMENTARY SCHOOL		48 - VALLEY VIEW ELEMENTARY	68 - TELSHOR APARTMENTS OFFICE	55 - MESILLA PARK REC CENTER
		73 - GOOD SAMARITAN SOCIAL CENTER		66 - ONATE HIGH SCHOOL	78 - OUR LADY OF GUADALUPE CHURCH	64 - ORGAN FIRE STATION
		78 - OUR LADY OF GUADALUPE CHURCH		71 - HILLRISE ELEMENTARY SCHOOL	90 - MAYFIELD HIGH SCHOOL	78 - OUR LADY OF GUADALUPE CHURCH
		84 - MAYFIELD HIGH SCHOOL		84 - MAYFIELD HIGH SCHOOL		
		91 - MIRA VISTA APARTMENTS		85 - VISTA MIDDLE SCHOOL		
		EV - SONOMA ELEMENTARY SCHOOL		87 - EAST PICACHO ELEMENTARY		
				90 - MAYFIELD HIGH SCHOOL		
				91 - MIRA VISTA APARTMENTS		
				EV - SONOMA ELEMENTARY SCHOOL		

Appendix Table 3.2D. Bernalillo County

Facility Access	Facility Condition	Facility Noise	Facility Parking	Facility Space	Facility Lighting	Facility Temperature
A HOPPES AFRICAN/AMER PAV - PCT 312	A HOPPES AFRICAN/AMER PAV - PCT 312	4-H CENTER - PCT 197	4-H CENTER - PCT 197	A HOPPES AFRICAN/AMER PAV - PCT 312	A HOPPES AFRICAN/AMER PAV - PCT 312	4-H CENTER - PCT 197
ACOMA E S - PCT 546	ARMIJO E S - PCT 064	A HOPPES AFRICAN/AMER PAV - PCT 312	A HOPPES AFRICAN/AMER PAV - PCT 312	APACHE E S - PCT 297	ACOMA E S - PCT 546	A HOPPES AFRICAN/AMER PAV - PCT 312
ALAMEDA E S - PCT 086	BOYS & GIRLS CLUB ALBUQ - PCT 433	ALAMOSA E S - PCT 051	ALAMEDA E S - PCT 086	ARMIJO E S - PCT 065	ALBUQ MEADOWS MHP - PCT 410	A MONTOYA E S - PCT 303
ALBUQUERQUE H S - PCT 212	CIBOLA H S - PCT 089	ARROYO DEL OSO E S - PCT 420	ALAMOSA E S - PCT 032	ARROYO DEL OSO E S - PCT 420	CNM BRASHER HALL - PCT 223	ALAMEDA E S - PCT 006
ARMIJO E S - PCT 064	DEL NORTE H S - PCT 408	BANDELIER E S - PCT 251	ALAMOSA E S - PCT 051	BANDELIER E S - PCT 251	CORONADO VLG MHP - PCT 010	APS AZTEC CPX - PCT 504
ARMIJO E S - PCT 065	DEL NORTE H S - PCT 409	BOYS & GIRLS CLUB ALBUQ - PCT 433	ARMIJO E S - PCT 064	BANDELIER E S - PCT 255	DEL NORTE H S - PCT 408	ARROYO DEL OSO E S - PCT 420
CARLOS REY E S - PCT 041	DEL NORTE H S - PCT 440	COLLET PARK E S - PCT 531	ARMIJO E S - PCT 065	CHAPARRAL E S - PCT 024	DEL NORTE H S - PCT 409	BARELAS C.C. - PCT 135
CARLOS REY E S - PCT 042	EAST SAN JOSE E S - PCT 106	DEL NORTE H S - PCT 408	BARCELONA E S - PCT 073	CIBOLA H S - PCT 003	EAST SAN JOSE E S - PCT 106	CHAMIZA E S - PCT 082
CNM BRASHER HALL - PCT 101	EISENHOWER M S - PCT 452	DEL NORTE H S - PCT 409	BOYS & GIRLS CLUB ALBUQ - PCT 433	CIBOLA H S - PCT 089	EISENHOWER M S - PCT 451	CHAPARRAL E S - PCT 026
COLLET PARK E S - PCT 532	ELDORADO H S - PCT 480	DEL NORTE H S - PCT 440	CH GOOD SHEPHERD - PCT 602	CNM BRASHER HALL - PCT 241	ELDORADO H S - PCT 480	CIBOLA H S - PCT 089
DEL NORTE H S - PCT 408	ERNIE PYLE M S - PCT 072	DENNIS CHAVEZ E S - PCT 426	COLLET PARK E S - PCT 531	DEL NORTE H S - PCT 408	ERNIE PYLE M S - PCT 072	CLEVELAND M S - PCT 498
DEL NORTE H S - PCT 440	EUBANK E S - PCT 465	DOLORES GONZALES E S - PCT 122	DEL NORTE H S - PCT 408	DEL NORTE H S - PCT 440	EUBANK E S - PCT 463	CNM BRASHER HALL - PCT 223
DURANES E S - PCT 153	EV620 - CLERKS OFFICE EARLY PCT	DOLORES GONZALES E S - PCT 124	DEL NORTE H S - PCT 440	DURANES E S - PCT 152	EUBANK E S - PCT 465	COLLET PARK E S - PCT 532
EAST SAN JOSE E S - PCT 106	EV622 - PARADISE HILLS CC EARLY PCT	DURANES E S - PCT 153	DENNIS CHAVEZ E S - PCT 426	EAST SAN JOSE E S - PCT 106	EV622 - PARADISE HILLS CC EARLY PCT	DEL NORTE H S - PCT 408
EISENHOWER M S - PCT 451	EV625 - INTEGRITY EARLY PCT	EAST SAN JOSE E S - PCT 106	DOLORES GONZALES E S - PCT 122	ELDORADO H S - PCT 480	EV625 - INTEGRITY EARLY PCT	DURANES E S - PCT 150
EISENHOWER M S - PCT 452	EV632 - UNM EARLY PCT	ELDORADO H S - PCT 480	DURANES E S - PCT 153	ENCINO TERRACE - PCT 216	EV626 - PLAZA PASEO DEL NORTE EARLY PCT	EAST SAN JOSE E S - PCT 106
ELDORADO H S - PCT 480	FOUR HILLS MHP (HS) - PCT 330	ENCINO TERRACE - PCT 216	EAST SAN JOSE E S - PCT 095	ERNIE PYLE M S - PCT 071	FIRST PRESBYTERIAN CH - PCT 214	EISENHOWER M S - PCT 449
ELDORADO H S - PCT 521	FOUR HILLS MHP (HS) - PCT 331	ERNIE PYLE M S - PCT 072	EAST SAN JOSE E S - PCT 106	ERNIE PYLE M S - PCT 072	FOUR HILLS COUNTRY CLUB - PCT 333	EISENHOWER M S - PCT 451
ERNIE PYLE M S - PCT 071	GARFIELD M S - PCT 187	EUBANK E S - PCT 465	EISENHOWER M S - PCT 451	EV620 - CLERKS OFFICE EARLY PCT	FOUR HILLS MHP (HS) - PCT 330	EISENHOWER M S - PCT 483
ERNIE PYLE M S - PCT 072	GOVERNOR BENT E S - PCT 406	EV620 - CLERKS OFFICE EARLY PCT	EISENHOWER M S - PCT 483	EV622 - PARADISE HILLS CC EARLY PCT	FOUR HILLS MHP (HS) - PCT 331	ELDORADO H S - PCT 480
EUBANK E S - PCT 465	LOMAS TRAMWAY LIBRARY - PCT 304	EV622 - PARADISE HILLS CC EARLY PCT	ELDORADO H S - PCT 480	EV623 - LOS RANCHOS VILLA EARLY PCT	FREEDOM H S - PCT 411	EMERSON E S - PCT 283

Appendix Table 3.2D. Bernalillo County (Continued)

Facility Access	Facility Condition	Facility Noise	Facility Parking	Facility Space	Facility Lighting	Facility Temperature
EV622 - PARADISE HILLS CC EARLY PCT	MADISON M S - PCT 495	EV623 - LOS RANCHOS VILLA EARLY PCT	ENCINO TERRACE - PCT 216	EV626 - PLAZA PASEO DEL NORTE EARLY PCT	GARFIELD M S - PCT 187	EMERSON E S - PCT 285
EV625 - INTEGRITY EARLY PCT	MANZANO MESA MULTI CTR - PCT 329	EV625 - INTEGRITY EARLY PCT	ERNIE PYLE M S - PCT 072	EV629 - DASKALOS EARLY PCT	GOVERNOR BENT E S - PCT 406	ERNIE PYLE M S - PCT 072
EV632 - UNM EARLY PCT	MARIE HUGHES E S - PCT 111	EV628 - DEL NORTE EARLY PCT	EUBANK E S - PCT 465	EV632 - UNM EARLY PCT	ISLETA ELDERLY KIVA RM - PCT 093	EUBANK E S - PCT 465
FOUR HILLS MHP (HS) - PCT 330	MARK TWAIN E S - PCT 313	EV631 - CNM EARLY PCT	EV620 - CLERKS OFFICE EARLY PCT	EV633 - MARKET CENTER EAST EARLY PCT	LA MESA E S - PCT 318	EV622 - PARADISE HILLS CC EARLY PCT
FOUR HILLS MHP (HS) - PCT 331	PETROGLYPH E S - PCT 084	EV632 - UNM EARLY PCT	EV622 - PARADISE HILLS CC EARLY PCT	FIRST PRESBYTERIAN CH - PCT 214	MADISON M S - PCT 523	EV626 - PLAZA PASEO DEL NORTE EARLY PCT
GARFIELD M S - PCT 187	POLK M S - PCT 097	FELLOWSHIP CHR RFMD CH - PCT 372	EV624 - COORS PLAZA EARLY PCT	FOUR HILLS MHP (HS) - PCT 330	MANZANO MESA MULTI CTR - PCT 329	EV629 - DASKALOS EARLY PCT
HAYES M S - PCT 316	SOMBRA DEL MONTE E S - PCT 462	FIRST PRESBYTERIAN CH - PCT 214	EV626 - PLAZA PASEO DEL NORTE EARLY PCT	FOUR HILLS MHP (HS) - PCT 331	MARIE HUGHES E S - PCT 020	EV632 - UNM EARLY PCT
HERMAN SANCHEZ C.C. - PCT 104	SUSIE RAYOS MARMON E S - PCT 023	FOUR HILLS COUNTRY CLUB - PCT 333	EV627 - SIESTA HILLS EARLY PCT	GARFIELD M S - PCT 187	MARIE HUGHES E S - PCT 022	FIRST PRESBYTERIAN CH - PCT 214
JACKSON M S - PCT 534	TAFT M S - PCT 108	FOUR HILLS MHP (HS) - PCT 330	EV632 - UNM EARLY PCT	GRACE LUTHERAN CH - PCT 560	MARIE HUGHES E S - PCT 081	FOUR HILLS COUNTRY CLUB - PCT 333
JEFFERSON M S - PCT 355	WELLS PARK C.C. - PCT 163	FOUR HILLS MHP (HS) - PCT 331	FOUR HILLS MHP (HS) - PCT 331	GRANT M S - PCT 476	MARIE HUGHES E S - PCT 111	FOUR HILLS MHP (HS) - PCT 331
LA MESA E S - PCT 318	ZIA E S - PCT 386	GARFIELD M S - PCT 187	GARFIELD M S - PCT 187	HAYES M S - PCT 316	MARK TWAIN E S - PCT 314	FREEDOM H S - PCT 441
LOMAS TRAMWAY LIBRARY - PCT 304	ZUNI E S - PCT 491	GOVERNOR BENT E S - PCT 406	H H HUMPHREY E S - PCT 568	HIGHLAND H S - PCT 272	MARK TWAIN E S - PCT 315	GARFIELD M S - PCT 187
MADISON M S - PCT 523		H H HUMPHREY E S - PCT 568	HEIGHTS C.C. - PCT 242	INEZ E S - PCT 413	MATHESON PARK E S - PCT 503	GOVERNOR BENT E S - PCT 406
MANZANO MESA MULTI CTR - PCT 329		INEZ E S - PCT 417	HEIGHTS C.C. - PCT 245	JACKSON M S - PCT 534	MCCOLLUM E S - PCT 543	GRACE LUTHERAN CH - PCT 560
MARIE HUGHES E S - PCT 111		JEFFERSON M S - PCT 357	HERMAN SANCHEZ C.C. - PCT 103	LA CUEVA H S - PCT 423	MONTEREY BAPT CH - PCT 305	GRANT M S - PCT 476
MARK TWAIN E S - PCT 313		MANZANO MESA MULTI CTR - PCT 329	HODGIN E S - PCT 346	LA LUZ E S - PCT 192	MONTEZUMA E S - PCT 342	HIGHLAND H S - PCT 271
MATHESON PARK E S - PCT 503		MARIE HUGHES E S - PCT 020	HODGIN E S - PCT 437	LAS COLINAS VILLAGE - PCT 293	NORTH STAR E S - PCT 447	HOOVER M S - PCT 518
MONTE VISTA E S - PCT 244		MARK TWAIN E S - PCT 313	INEZ E S - PCT 413	LOMAS TRAMWAY LIBRARY - PCT 302	PAJARITO E S - PCT 090	JACKSON M S - PCT 534
MONTEZUMA E S - PCT 342		MARK TWAIN E S - PCT 314	INEZ E S - PCT 417	LOMAS TRAMWAY LIBRARY - PCT 304	PETROGLYPH E S - PCT 084	JACKSON M S - PCT 535

Appendix Table 3.2D. Bernalillo County (Continued)

Facility Access	Facility Condition	Facility Noise	Facility Parking	Facility Space	Facility Lighting	Facility Temperature
ONATE E S - PCT 561		MATHESON PARK E S - PCT 503	JACKSON M S - PCT 534	MADISON M S - PCT 523	POLK M S - PCT 088	KENNEDY M S - PCT 292
PAINTED SKY E S - PCT 057		MATHESON PARK E S - PCT 505	KENNEDY M S - PCT 292	MANZANO MESA MULTI CTR - PCT 329	RIO GRANDE H S - PCT 043	LOMAS TRAMWAY LIBRARY - PCT 304
PAJARITO E S - PCT 090		MCCOLLUM E S - PCT 542	LA MESA E S - PCT 318	MARIE HUGHES E S - PCT 020	RIO GRANDE H S - PCT 044	LYNDON B JOHNSON M S - PCT 110
POLK M S - PCT 097		MONTEZUMA E S - PCT 342	LA MESA E S - PCT 323	MARIE HUGHES E S - PCT 022	SAN ANTONITO E S - PCT 559	MADISON M S - PCT 523
RIO GRANDE H S - PCT 044		NEW LIFE PRES CH - PCT 450	LAVALAND E S - PCT 034	MARIE HUGHES E S - PCT 111	SEVEN BAR E S - PCT 002	MANZANO MESA MULTI CTR - PCT 329
ROOSEVELT M S - PCT 555		NEW LIFE PRES CH - PCT 512	LAVALAND E S - PCT 035	MARK TWAIN E S - PCT 313	SOMBRA DEL MONTE E S - PCT 462	MARIE HUGHES E S - PCT 111
SAN ANTONITO E S - PCT 559		PAINTED SKY E S - PCT 029	MANZANO MESA MULTI CTR - PCT 329	MATHESON PARK E S - PCT 503	SUSIE RAYOS MARMON E S - PCT 119	MARK TWAIN E S - PCT 313
SOMBRA DEL MONTE E S - PCT 461		SEVEN BAR E S - PCT 002	MARIE HUGHES E S - PCT 020	MATHESON PARK E S - PCT 519	WELLS PARK C.C. - PCT 163	MARK TWAIN E S - PCT 314
SUSIE RAYOS MARMON E S - PCT 023		SUSIE RAYOS MARMON E S - PCT 120	MATHESON PARK E S - PCT 503	MCCOLLUM E S - PCT 542	WYOMING TERRACE MHP - PCT 327	MARK TWAIN E S - PCT 315
SUSIE RAYOS MARMON E S - PCT 028		TAFT M S - PCT 108	MATHESON PARK E S - PCT 505	MCCOLLUM E S - PCT 543	ZIA E S - PCT 386	MATHESON PARK E S - PCT 503
VENTANA RANCH WEST E S - PCT 117		TIJERAS CITY HALL - PCT 558	MONTE VISTA E S - PCT 244	MONTE VISTA E S - PCT 244	ZUNI E S - PCT 402	MCCOLLUM E S - PCT 542
ZIA E S - PCT 383		UNM CONTINUING ED - PCT 341	MONTEREY BAPT CH - PCT 305	MONTEREY BAPT CH - PCT 305		MCCOLLUM E S - PCT 543
ZIA E S - PCT 386		VAN BUREN M S - PCT 286	MONTEZUMA E S - PCT 343	NEW LIFE PRES CH - PCT 450		MCKINLEY M S - PCT 431
ZUNI E S - PCT 491		VENTANA RANCH WEST E S - PCT 117	ONATE E S - PCT 530	NM ACTIVITIES ASSOC - PCT 418		MCKINLEY M S - PCT 435
		WASHINGTON M S - PCT 121	ONATE E S - PCT 561	PETROGLYPH E S - PCT 079		MONTE VISTA E S - PCT 244
		WELLS PARK C.C. - PCT 163	PARADISE HILLS C.C. - PCT 019	RIO GRANDE H S - PCT 043		MONTEREY BAPT CH - PCT 305
		ZIA E S - PCT 386	POLK M S - PCT 097	RIO GRANDE H S - PCT 044		MONTEZUMA E S - PCT 342
		ZUNI E S - PCT 402	RIO GRANDE H S - PCT 043	SUSIE RAYOS MARMON E S - PCT 023		MONTEZUMA E S - PCT 343
			SUSIE RAYOS MARMON E S - PCT 028	SUSIE RAYOS MARMON E S - PCT 028		PAINTED SKY E S - PCT 029
			SUSIE RAYOS MARMON E S - PCT 120	SUSIE RAYOS MARMON E S - PCT 119		PAJARITO E S - PCT 090
			UNM STUDENT RES CNTR - PCT 358	SUSIE RAYOS MARMON E S - PCT 120		POLK M S - PCT 088

Table 3.2D. Bernalillo County (Continued)

Facility Access	Facility Condition	Facility Noise	Facility Parking	Facility Space	Facility Lighting	Facility Temperature
			VENTANA RANCH WEST E S - PCT 117	VAN BUREN M S - PCT 326		SAN ANTONITO E S - PCT 559
			WILSON M S - PCT 284	VENTANA RANCH WEST E S - PCT 115		SEVEN BAR E S - PCT 002
			ZIA E S - PCT 383	WELLS PARK C.C. - PCT 163		SEVEN BAR E S - PCT 116
			ZIA E S - PCT 386	WELLS PARK C.C. - PCT 165		SOMBRA DEL MONTE E S - PCT 461
				ZIA E S - PCT 386		SOMBRA DEL MONTE E S - PCT 462
				ZUNI E S - PCT 491		SUSIE RAYOS MARMON E S - PCT 028
						SUSIE RAYOS MARMON E S - PCT 120
						TAFT M S - PCT 016
						TIJERAS CITY HALL - PCT 553
						VAN BUREN M S - PCT 286
						WASHINGTON M S - PCT 121
						WASHINGTON M S - PCT 166
						WELLS PARK C.C. - PCT 165
						WHITTIER E S - PCT 254
						ZIA E S - PCT 386
						ZUNI E S - PCT 491

Part 4: Statewide Voter Experiences

This report on the 2008 elections in New Mexico focuses on the assessments and experiences of voters in New Mexico with the election process. In 2008, the voter survey included 800 New Mexico voters, randomly selected from all over the state and not just in the four counties we examined in earlier parts of the report, who were interviewed by telephone and 636 voters who answered the survey over the Internet or by US mail after the election. They were asked about their voting experience, their confidence in the voting process, their attitudes toward voter identification, their feelings about fraud, and their attitudes toward alternative voting methods and requirements. The telephone survey was conducted in both English and Spanish between November 6th and November 24th, 2008 and the Internet survey was in the field between November 24th and December 20th. Both surveys employed random sampling from the statewide voter registration file provided by the Secretary of State after the final registration day for the November 2008 election (see Appendix 4.1 for the survey methodology details). In addition, to the closed survey questions, we also employed several open-ended questions. Where appropriate we rely on these statements to highlight issues that were concerns of voters. Although these are voter anecdotes they help to identify specific issues voter faced and given the overall small number of open-ended responses we receive in a small survey, represent key issues that likely numerous voters faced over the election.

Except when noted, the results presented below are from the phone survey.

This report has 5 parts.

- Part 1 examines the voter experience with the election and the election administration process, including average wait times in line to vote, voter-ballot interactions, poll worker interactions, absentee balloting, location of polling place, and differences between voting modes.
- Part 2 examines examine voter confidence that their ballot was counted as intended as well as voter confidence in votes in their county and the entire state being counted as intended. We also examine voter confidence and voter satisfaction over time, comparing the 2006 results with those in 2008.
- Part 3 examines voters' reports concerning the implementation of New Mexico's voter identification law.
- Part 4 examines voter attitudes toward fraud, including who voters think commit it, how often voters think it happens, and how voters think it can be solved.
- Part 5 examines opinions toward alternative election reform proposals.

4.1. The Voter Experience

The voting experience is a key factor in understanding the effectiveness and efficiency of election administration. Voter experience with the ballot, the quality of the polling site, and the quality of the interaction with poll workers provide important evidence about the voting process. These experiences are the primary means through which election officials influence voter confidence. When voters have problems voting—for example, because the ballot is confusing or too long, or poll workers are unhelpful—they are likely to feel less confident that their vote will be counted.[48] Therefore, this report begins with an examination of attitudes surrounding the voting experience. This will provide a broad look at the overall quality of the vote experience as assessed by New Mexico voters.

Wait Times

New Mexican voters, on average, reported waiting 12 minutes in line to vote during the 2008 presidential election.[49] However, the average wait time depends to a large extent on whether the individual voted before the election in early voting, or on Election Day:

- Election Day voters reported waiting, on average, 5 minutes to vote.
- Early voters waited substantially longer, with an average reported wait of 16 minutes.[50]

This pattern of longer wait times for early voting compared to Election Day voting is seen in most New Mexico counties but appears especially pronounced in the state's larger counties.

- For example, in Santa Fe County, which includes the city of Santa Fe, the average wait was 25 minutes for early voters compared to about 8 minutes for Election Day voters.
- Sandoval County, which includes the city of Rio Rancho, had the largest difference in wait times between early and Election Day voting, with early voters waiting on average 50 minutes, compared to only 7 minutes for Election Day voters.

In addition, there is a great deal of variability in reported waiting times, with some early and Election Day voters waiting no time in line and other Election Day voters waiting as much as 2 hours in line.[51]

---

[48] See Lonna Rae Atkeson and Kyle L. Saunders. 2007, "Voter Confidence: A Local Matter?" *PS: Political Science & Politics* 40(October):655-660. Also see: www.vote2006.unm.edu and Thad E. Hall, J. Quin Monson, and Kelly D. Patterson. 2007. "Poll Workers and the Vitality of Democracy: An Early Assessment." *PS: Political Science and Society*, 647-654. Thad E. Hall, J. Quin Monson, and Kelly D. Patterson. "The Human Dimension of Elections: How Poll Workers Shape Public Confidence in Elections." *Political Research Quarterly* 62(2): 507-522.

[49] Questions related to wait times combines the phone and Internet samples.

[50] The difference in wait times between early and Election Day voters is statistically significant at p <001.

[51] Unfortunately, we do not have any data on the locations where voters waited in long lines. Election officials should closely look at their own data on this after the election and consider opening new voting locations in areas where there was particularly heavy turnout.

Over the past several election cycles, early voting has become increasingly popular in New Mexico. This is especially true when competitive races work to mobilize voters and encourage voters to vote early or absentee. This was the case in both 2004 and 2008 and is seems to be reflected in the percentage of voters choosing alternative voting modes such as voting early or by absentee. In 2004, approximately three in ten voters (31%) voted early. In 2008, this number soared to just over four in ten voters (42%).[52] In 2006 when the only competitive race was in the First Congressional District, early voting made up only a quarter of the votes statewide.

The popularity of early voting and its potential benefits for relieving pressures on Election Day precinct voting makes it an important component of election administration in New Mexico. The fact that wait times are significantly longer in early voting attests to both the popularity of this method and a need for expansion. Therefore, it is important to be responsive to these needs.

Policy makers should consider how early voting operations could be expanded and better resourced—especially in the large counties where there are sometimes very long wait times. This may require better election funding at the state level and an increased number of early voting locations to better serve voters.

Voter-Ballot Interaction Issues: Early and Election Day Voters

There were few problems reported by voters concerning their paper ballots. Election Day and early voters were asked if they made a mistake on a ballot and had to get a new one. Very few voters reported problems filling out their paper ballot. In the survey data, only 3% of voters indicated that they had to get a new ballot; two-thirds of these voters had made a mistake and over-voted.

Of course, 3% of early and Election Day voters is nearly 20,000 people.[53] Even though voters who had problems with their ballots are a relatively small percentage of the total number of voters, it is a large number of affected voters. Therefore, it is important to consider ways to improve the process.

One helpful response to reduce over-votes would be to encourage greater use of the AutoMARK voting machines. In the Election Day and early voting observations, the research teams found that the AutoMARKs were underutilized and that poll workers were not well trained on how to use it or which voters should be encouraged to use it. There were several instances where voters had visible problems working through the paper ballot with pen or pencil and the AutoMARK would have helped these voters. However, poll workers did not seem to think to suggest voting on the AutoMARK as an option. More

---

[52] These data come from the New Mexico Secretary of State's web page and are available at: http://www.sos.state.nm.us/Results.html, accessed January 26, 2009.

[53] This is our best estimate of the number who had problems. The margin of error is 1.1%, which implies that the potential number of voters with problems lies roughly between 13000 and 26,500.

training should go into how poll workers can assist voters by offering voters the option of voting on the AutoMARK.

Voter-Ballot Interaction Issues: Absentee Voters

Absentee voters also had few problems with their ballots. Absentee voters were asked how easy it was to follow the absentee voting ballot instructions.

- 70% of absentee voters indicated it was very easy to follow the instructions and an additional 23% indicated that it was somewhat easy to follow the instructions.
- Only about 6% of voters indicated they felt the instructions were "somewhat hard" and no one felt they were very hard.
- Only 3% of absentee voters felt that they encountered any problems that would have interfered with their ballot being counted.

However, the types of problems or concerns these voters reported in the voter survey are valuable and suggestive of possible improvements to the election system. Many of these concerns involve the production of better instructions and clarifying how the process works to ensure voter privacy.

- Voters also complained about their "voter number" and indicated they were supposed to include it on the form but were not sure what number this was.
- Voters were also unsure about the ticket at the bottom of the ballot and whether they should tear it off and keep it or leave it there.
- Absentee voters also indicated they had problems putting the package together correctly.
- Some voters indicated they did not receive their ballots before Election Day.
- Voters were concerned with the information they had to provide at the top of the inner envelope because, to the voters, it appeared they were providing information that could link them to their ballot.

These problems suggest specific areas where election administration relating to absentee voting might be improved. Clearer instructions regarding the information required for completing an absentee ballot, the packaging of the absentee ballot, and the fact that these rules are in place to ensure the voter's privacy could improve the absentee voter experience.

Voter-Ballot Interaction Issues: Straight Party Voting

Although most voters indicate that they understand how to use the straight party option on the optical scan ballot, about 14% of voters indicate that they do not. Given that the straight

party option provides an easy means for voters who are predominantly voting for one party to complete the ballot, voter education on how straight party option voting works is recommended.

Voter-Poll Worker Interactions

Poll worker-voter interactions are a key component of election administration and it is important that this interaction be a positive experience for the voter. Election Day and early voters were asked, "How helpful were the poll workers at your voting location?" The survey results show that, overall, the poll worker-voter interaction was very positive.

- 84% percent of voters found their poll workers to be very helpful and another 13% found them to be somewhat helpful.
- Only 2% of voters found their poll workers to be not too helpful or not at all helpful, which amounts to an estimated13,000 poor voter-poll worker interactions in 2008.[54]
- Using a 4 point sale, where 4 equals very helpful and 1 equals not at all helpful, the average evaluation of poll workers is 3.8.

Finding Polling Places

Both early and Election Day voters reported that they easily found their voting location. These voters were asked, "How hard was it to find your polling place to vote?"

- More than 9 in 10 (92%) voters indicate that it was very easy to find their early vote location or their precinct on Election Day.
- Only 2.2% of voters found it very or somewhat hard to find their voting location.
- Older voters were more likely than younger voters to find their polling location easily. Older voters are more likely to be habitual voters and therefore more likely to be familiar with their polling place and its various locations in different election cycles and previous early voter locations.[55]
- Based on the survey results, three counties stood out in which voters reported having a particularly difficult time locating polling places: Curry, San Miguel, and Sandoval. County clerks in these locations may need to make an extra effort to publicize their precinct and early voting locations.
- There were no differences between Election Day and early voters in their ability to find their polling location. There were also no differences between first-time voters

[54] This is our best estimate of the number who had problems. The margin of error is .97%, which implies that the potential number of voters with problems lies roughly between 6,600 and 20,000 voters.
[55] We say various locations because in New Mexico precincts are consolidated depending on the expected turnout levels.

and repeat voters, between men and women, across different education groups, and across voters who were contacted and encouraged to vote and those who were not.

- Hispanics indicated they had an easier time than non-Hispanics finding their polling place but there is no clear explanation for this difference.

It appears that, overall, County Clerks did an excellent job getting information to voters about both early voting locations and Election Day precincts.

4.2. Voter Confidence

Voter confidence is a necessary component of a democratic society. Voter confidence represents a fundamental belief in the fairness of the electoral process and ultimately the legitimacy of the government. Even if citizens are unhappy with the choices their leaders are making, they should feel confident that the process that placed those individuals into power was fair and honest and that future election can result in a change of leadership.

This portion of the study focuses on three levels of voter confidence.

- The first level is the most important because it represents how the voter feels about her own voting experience and its accuracy. Voters were asked, "How confident are you that YOUR VOTE in the November 2008 election was counted as you intended? Response options included, "very confident, somewhat confident, not too confident and not at all confident."
- The second level is voter confidence in the county's election system. The county is the election administrative unit for the state and is responsible for all matters related to election administration including: poll worker training, logic and accuracy testing of the tabulating machines, the counting of ballots, the qualification of provisional ballots, the county canvass, etc. Here, voters were asked, "How confident are you that all the votes in the November 2008 election in your county were counted as the voters intended?"
- The third level of confidence is confidence in the process at the state level in New Mexico. Here, voters were asked, "How confident are you that all the votes in the November 2008 election in the state were counted as the voters intended?"

The results are presented in Table 4.1 and show both the frequency of response and the variable average for each voting mode (Election Day, early, and absentee). The variables are coded on a 4-point scale so that a higher response indicates greater confidence. Overall, the results show that voters have very high confidence that their vote was counted correctly.

- Two-thirds (66%) of voters were very confident and another quarter (25%) were somewhat confident that their vote was counted correctly.

- Only about one in ten voters (9%), or about 75,000 voters, were not too confident (5%) or not at all confident (4%).

The results also show that, moving up from (1) a personal vote being counted as intended to (2) all the votes in the county being counted as intended to (3) all the votes in the state being counted as intended, voter confidence significantly declines.[56]

- For example, 66% of voters are very confident that their vote was counted as intended.
- Only 51% of voters are very confident in the process at the county level.
- Only 39% of voters are very confident in the process at the state level.

In each case, however, a large majority of voters are either very or somewhat confident that their vote was counted as intended and, conversely, a relatively small minority of voters is either not too confident or not at all confident. This is clearly seen by the mean of each confidence measure, which rests between somewhat and very confident.

Table 4.1. Personal, County, and State Voter Confidence (in %)

	Your Vote	Votes in your county	Votes across the State
Frequency			
(4) Very confident	65.9	50.6	38.6
(3) Somewhat confident	25.1	39.7	45.1
(2) Not too confident	5.2	6.4	12.3
(1) Not at all confident	3.8	3.3	4.0
Total	100.0	100.0	100.0
Averages			
Election Day voters	3.43	3.32	3.12
Early voters	3.64	3.43	3.20
Absentee voters	3.49	3.38	3.24
Overall Mean	3.55	3.39	3.18

Table 4.1 also breaks down voter confidence by voting mode. Previous research has found that voting mode can influence voter confidence.[57] Specifically, studies have noted that especially absentee voters appear to be less confident than other voters that their ballots were counted correctly. In 2006, absentee voters in New Mexico were significantly less confident than other types of voters. In 2008, however, early voters are the most personally confident and are significantly different from absentee and Election Day voters. Election Day voters and early voters were not significantly different from one another in

[56] A paired t-test shows that there are significant declines across all voting modes as we move from personal voter confidence to county and state level voter confidence (most of these are $p < .001$). The one exception is with absentee-by mail voters where there is a much smaller n (n=106). In the case of absentee voters, the decline between personal vote confidence and county vote confidence is significant at only the $p < .08$).

[57] See Atkeson and Saunders, 2007; R. Michael Alvarez, Thad E. Hall and Morgan Llewellyn (2008), "Are Americans Confident Their Ballots are counted?" *The Journal of Politics* 70, 3: 754–766.

regard to personal voter confidence. At the county and state level, differences between confidences measures across voting mode are not statistically different.

Voter Confidence 2006 and 2008

Fortunately, in this study it is possible to make a comparison between voter confidence in 2006 and voter confidence in 2008. For purposes of comparison, we examine the First Congressional District, since that is all we examined in 2006. As Table 4.2 shows, voter confidence appears to be influenced by survey mode. Voters who interact with an interviewer are more confident than voters who responded independently on-line.[58] Therefore, we focus our attention on the last two columns that compare voter confidence by the same survey mode. The data show that voter confidence has increased between 2006 and 2008. In 2006 39% of voters were very confident, but in 2008 54% of voters were very confident, a difference of 15 points. The mean difference also reflects the increase in voter confidence with a mean change in voter confidence from 3.20 to 3.46, a significant increase of .26 on a 4 point scale.

Table 4.2. Percentage and Average Voter Confidence Over Time

	2008 Voter Confidence Congressional District 1 Telephone Survey	2008 Voter Confidence Congressional District 1 Internet/Mail Survey	2006 Voter Confidence Congressional District 1 Internet/Mail Survey
Very confident	66.9	53.5	39.4
Somewhat confident	28.6	40.1	44.9
Not too confident	1.8	4.9	11.8
Not at all confident	2.7	1.5	3.9
Total	100.0	100.0	100.0
Averages	3.60	3.46	3.20

Voter Experiences and Voter Confidence

Because voting experience is a key factor in understanding voter confidence,[59] experience with the ballot, the polling site, and interactions with poll workers are the objective experiences the voter has with the voting process. These experiences are the core local factors that influence voter confidence. When voters have problems voting such as making a mistake on a ballot, having difficulty understanding the instructions, being unable find their polling place, having to deal with unhelpful poll workers, or perhaps having to wait too long in line, voters are likely to feel less confident that their vote will be counted.

[58] This may be due to social desirability that is cued in a person-to-person interview.

[59] See Atkeson and Saunders, 2007. Also see, Hall, Thad E., J. Quin Monson, and Kelly D. Patterson. 2007. "Poll Workers and the Vitality of Democracy: An Early Assessment. *PS: Political Science and Society*, 647-654

Therefore, we examine the possible relationships between voter confidence and these local factors.

Voter Confidence and Poll Workers

The interaction with poll workers forms the basis of the voter's personal voting experience and is a likely influence on voter's confidence that their ballot is counted. Table 4.3 shows the relationship between voter confidence (collapsed into a 3 point scale, with "not at all confident" and "not too confident" combined), and the perceived helpfulness of the poll worker at the voting location, collapsed into a 2-point scale ("not helpful at all" and "not too helpful" are combined and "somewhat helpful" and "very helpful" are combined).

Table 4.3. Crosstabulation of Voter Confidence by Perceived Helpfulness of Poll Workers

	Very or Somewhat Helpful	Not too or Not at all Helpful
Very Confident	67.9	19.5
Somewhat Confident	23.8	51.3
Not too or Not at All Confident	8.3	29.2
Total	100.0	19.5

The results show that voters who report poor interactions with poll workers have lower confidence.

- About one-fifth (20%) of voters who thought poll workers were not too helpful or not at all helpful were very confident that their vote was counted as intended.
- Nearly seven in ten (68%) voters who perceived their poll workers as being very helpful or somewhat helpful were very confident.

The clear association between voter confidence and the voter poll worker interaction suggest that county clerks need well-trained, knowledgeable, polite, and helpful poll workers interacting with voters.

Voter Confidence and Polling Locations

Because context matters so much in understanding the voter experience, it might be expected that difficulty finding their polling location is associated with voter confidence. However, there is no relationship between the two in the survey data. Similarly, it also might be expected that long waits are associated with lower voter confidence, but again there is no evidence for such effects. When comparing average voter confidence levels between voters who waited above the average or median wait time, there is no difference in their confidence levels and when we allow this variable to be continuous we find no

difference in confidence levels. Voters who waited in line very little and voters who waited in line quite a lot do not significantly vary in their voter confidence.

- Voters who waited in line above the median wait time had an average confidence level of 3.56, the same voter confidence level as those who waited below the median wait time.
- Voters who waited in line above the average wait time had an average confidence level of 3.58 but those who waited in line below the average wait had had an average confidence level of 3.55, an insignificant difference.

Even though it is often assumed that long lines suggest potential administrative issues that need to be dealt with, there is little evidence that long lines, in and of themselves, are associated with a decline in voter confidence. However, long lines may suggest other problems to election officials that need to be dealt with and so may be an important administrative indicator.

Voter Confidence and Ballot Problems

It is also logical to think that voter interactions with their ballots might be correlated with voter confidence. However, the data show that spoiling a ballot for some reason and having to obtain a new one is not associated with lower voter confidence. Having a problem with an absentee ballot also is not associated with lower voter confidence. The only factor that seemed to make a difference was whether an absentee voter thought that the instructions for filling out and returning their ballot were easy or hard to follow. Those that thought the instructions were somewhat hard were less confident than those who thought the instructions were very easy or fairly easy. This suggests that providing clear instructions about using an absentee ballot is an important component of voter confidence and one in which election administrators should spend extra time to ensure it is being communicated effectively.

Voter Confidence and Party Identification

The perceptual party lens through which voters see the current election process may also be associated with voter confidence. Evidence from the 2006 and 2004 elections nation-wide suggests that short-term factors like winning and losing influences voter confidence. In 2008 New Mexico Democrats won (and by comfortable margins) all of the federal races in the state allowing researchers to further examine the association between voter confidence and partisanship. If all persuasions of partisans are equally confident, then it suggests that something other than partisanship, perhaps the closeness of the race, is the likely mechanism leading to sour grapes for those that lose. If, however, Democrats are more confident than Republicans, it provides further evidence that winners have a higher confidence in the election process than losers.

Table 4.4 presents the data regarding the relationship between confidence and partisanship. (Once again, not too and not at all confident are combined in the table but the averages still use the full 4-point scale.) The evidence shows that winning and losing is a key factor in understanding voter confidence. Although all voters overall showed a relatively high level of confidence, Democrats are statistically more confident than Republicans and Independents suggesting that winning and losing explains differences across partisan groups.[60] Interestingly, this partisanship effect on levels of voter confidence is greater when examining levels of state voter confidence (data not shown).

This relationship between winners and losers and vote confidence becomes very clear when we compare Obama voters to McCain and the small fraction of 3rd party voters. The lower half of Table 4.4 shows this relationship. Nearly three-quarters (73%) of winning voters were very confident whereas not quite three in five (57%) losing voters were very confident.

Table 4.4. Crosstabulation of Voter Confidence in their Ballot Being Counted by Partisanship

	Republican	Independents	Democrat
Very Confident	56.6	61.4	74.1
Somewhat Confident	28.7	26.5	21.9
Not at all or not too confident	14.7	12.1	4.0
Total	100.0	100.0	100.0
Averages	3.36	3.42	3.69

	Losers (McCain & 3rd Party Voters)	Winners (Obama Voters)
Very Confident	57.0	73.3
Somewhat Confident	27.0	24.1
Not at all or not too confident	16.0	2.6
Total	100.0	100.0
Averages	3.34	3.70

Voter Confidence and Demographics

Finally, it is important to consider whether voter demographic characteristics are associated with higher or lower voter confidence. We found that ethnicity, gender, age, and income are not associated with different levels of voter confidence in the survey data.

[60] This doesn't mean that other factors like the closeness of the race has no influence on voter confidence. Close election may reduce overall levels of confidence and may be one factor in understanding the difference in voter confidence levels between 2006 and 2008. Unfortunately, we do not have data to do this in New Mexico without a larger time series.

Table 4.5. Crosstabulation of Voter Confidence by Education

	High School or Less	Some College or vocational Training	College Graduate
Very Confident	60.5	68.8	68.2
Somewhat Confident	24.8	20.9	27.5
Not at all or not too confident	14.7	10.3	4.3
Total	100.0	100.0	100.0
Averages	3.39	3.54	3.63

However, there is a relationship between education and voter confidence. Table 4.5 shows that voters with more education are more confident in the process, a result that needs further research.

Voter Satisfaction

An alternative measure of the voter experience is to ask about voter satisfaction with the voting experience: "How would you rate your voting experience overall?" We found that overall voters had a very positive election experience and that the overall experience was better than it was in 2006. The results are shown in Table 4.6. As before, we include parallel information on the First Congressional District (CD1) for phone and the Internet surveys. Because of mode effects, telephone responses may not be comparable. Therefore, we also include in column 4, the results for the Internet/mail survey in CD1 and its comparable results from 2006.

Table 4.6. How Would You Rate Your Overall Voting Experience

	New Mexico 2008 Phone Survey	Congressional District 1 2008 Telephone Survey	Congressional District 1 2008 Internet/Mail Survey	Congressional District 1 2006 Internet/Mail Survey
Excellent	61.6	59.8	52.1	25.1
Good	33.5	32.8	44.9	56.8
Fair	4.3	6.2	2.7	14.3
Poor	.6	1.2	.3	3.8
Total	100.0	100.0	100.0	100.0
Average	3.56	3.51	3.49	3.03

- More than three in five statewide voters (62%-see column labeled "New Mexico 2008 Phone Survey") in 2008 rated their voting experience as excellent and another one-third (34%) of voters rated their voting experience as good.
- In the 2008 phone survey, CD1 is very close to statewide numbers indicating a high rate of satisfaction with their voting experience.

- This compares very favorably to 2006, even when taking into consideration differences in survey mode. In 2006 only a quarter (25%) of voters rated their experience as excellent and over half (57%) rated it as good with an additional 18% rating it either fair or poor. But, in 2008, using the same survey mode over half (52%) rated their experience as excellent and another 45% rated it as good, only about 3% rated it fair or poor.

This suggests that the 2008 elections were overall a much more positive experience for voters than the 2006 elections.

4.3. Voter Identification

In 2006, survey data showed that the New Mexico voter identification law was not implemented uniformly across precincts. Men, Hispanics, and early voters reported being more likely to show—and to be asked to show—a physical form of identification, like their voter registration card, or a driver's license than were Election Day voters, non-Hispanics or women.

In 2008, in the Election Day observations, there once again was inconsistency in the implementation of voter identification laws. Although some precincts followed the law and allowed voters to choose the identification mode most comfortable to them, in many other cases poll workers would ask for a physical form of identification from voters. In some cases, workers changed this criterion across voters within the same precinct. Thus, one voter might have been asked for photo identification while another voter was only required to give her name.

The complexity of the voting law, which provides many different identification options to voters—and, consequently, options for poll worker administration—led to a decision to ask slightly different questions in our phone and Internet surveys, with each using a multi-tiered question to measure accurately the authentication of voters. The Internet survey, in the end, provided a visual opportunity to define the complex set of voter identification choices and offered us many advantages. Both surveys provide a window into the administration of voter identification.

The minimum identification required for each voter under state law is for her to state her name, registration address, and birth year. Voters could also choose to show a physical form of identification, such as a voter registration card, driver's license, or utility bill. If the voter opted for a photographic identification, it did not have to contain the voter's address and if the voter opted for a non-photo form of identification, the document had to include an address, but it did not have to match the voter registration rolls (§ 1-1-24 NMSA 1978).

In the phone survey, it was important first to determine which voters were asked for some sort of photo-identification, so the question was asked: "When you went to vote were you asked to show photo-identification—like a driver's license?"

Those who said no were asked: "How were you identified at the polls? Did you show your voter registration card or some other form of non-photo identification?"

Those who said no to this second question were asked: "Did you provide just your name, your name and address, your name and birth year, your name address and birth year, or something else?"

Finally, those who gave a different response were then asked to explain how they were identified at the polls.

The results, presented in Table 4.7, show that voters report both that they were not asked for proper identification and were likely to be asked for information they did not need to provide.

- Two in five (42%) voters were asked to show photo identification.
- One-quarter (25%) showed a registration card.
- Another quarter provided verbal information that was incomplete.
- About one in ten (9%) verbally responded with the complete information as required by law.

Because many voters may have not been asked for identification but instead just offered the poll worker identification, it is important to probe this issue further. The Internet survey helps to address this problem.

Table 4.7. Frequency of Different Forms of Voter Identification from Phone Survey

Identification	Frequency
Driver's License	42.4
Voter Registration Card	24.8
Incorrect Verbal ID	24.0
Correct Verbal ID	8.8
Total	100.0

In the Internet survey, respondents were asked the following two-part question: "When you went to vote were you ASKED to show PHOTO-identification, like a driver's license, did you just provide a PHOTO-ID to the poll worker without them asking or were you identified in some other way?"

Those who said some other way in response to that first question were asked a follow up question with a list of choices: "If you were not asked to show photo-identification or did not just automatically provide ID to the poll worker, how were you identified at the polls? Did you:

- show your voter registration card,
- state your name,

- state your name and address,
- state your name and birth year,
- I wrote my name, address and birth year on a piece of paper, or
- I did it another way.

These responses were collapsed so that voters were classified as being identified correctly or incorrectly. Voters who provided an ID to poll workers, such as a voter registration card, without being asked as well as those who correctly answered the verbal or written statement were identified as correct. Those who indicated they were asked to show photo identification or did not comply with all the verbal requirements were counted as incorrect. We asked those who did it another way to explain how. Most of those voters indicated that they personally knew the poll worker and so did not show any form of identification. These were coded as incorrect as well.

The results once again demonstrate that the law was often not applied correctly.

- Just under half of Election Day or early voters (49%) were identified correctly and
- Just over half 51% were not identified correctly.
- But, this varied by whether a voter voted at an early voting site or on Election Day. A majority of Election Day voters (60%) were identified incorrectly whereas a majority of early voters (54%) were identified correctly.

In Table 4.8, we examine how this identification law was applied across Hispanic and non-Hispanic voters, there is evidence that Hispanics were more likely to be identified incorrectly when they were Election Day voters. Data on early voting indicated that self-identified Hispanics and non-Hispanics were identified correctly or incorrectly equally. However, this was not the case in precincts on Election Day.

- A little over half (52%) of self-identified non-Hispanics were identified correctly but
- Only 41% of self-identified Hispanics were identified correctly.

This finding is consistent with anecdotal observations. It is also consistent with a recent national finding that shows that Hispanics are more likely to have to show some form of identification than non-Hispanics.[61]

[61] See Alvarez, R. Michael, Thad Hall, Stephen Ansolabehere, Adam Berinksy, Gabriel Lenz and Charles Stewart III. 2009. "2008 Survey of the Performance of American Elections." Caltech/MIT Voting Technology Project, http://vote.caltech.edu/drupal/node/231.

Table 4.8. Frequency of Correct Voter Identification by Ethnicity for Election Day Voters, Internet Survey

	Non-Hispanic	Hispanic
Correct	52.0	41.4
Incorrect	48.0	58.6
Total	100.0	100.0

Of course, all voters should have to go through an identification process that complies with the law. The complexities of the New Mexico identification law, which has so many options for voters and, hence, so many options for poll workers, suggests that a better law would require the same form of identification, either verbal, written, or a stronger form of identification, such as a physical form of identification or photo identification like a driver's license, of all voters and would not allow for so many choices.

Attitudes Toward Voter Identification

Voter identification laws are one tactic taken to ensure the integrity of the election process. The Help America Vote Act established a minimum threshold for voter identification in federal elections. Many states have since mandated higher standards for voter identification in polling places, such as those in Indiana and Georgia, which require a government-issued photo identification card.

Recently the US Supreme Court ruled that these laws are constitutional, which has paved the way for other strict voter identification laws to emerge across other states and in other local jurisdictions. For example, the court has ruled that an Albuquerque city photo-identification law can move forward and will be implemented in the fall 2009 Mayoral contest.[62] The national debate, however, has taken on partisan overtones as Democratic leaders have focused on voter access and the possibility of disenfranchising some voters who may not have adequate identification and Republicans have focused on protecting the system against fraud.

Respondents were asked several questions about the use of voter identification laws and their effect on voters (see Table 4.9). First, they were asked, "Do you think voter identification rules prevent some voter from casting their ballot at the polls?" About one-third of voters believe that voter identification laws prevent access to the poll for some voters. They were also asked, "Do you think voter identification rules help prevent voter fraud?" Over three quarters of voters believe that voter identification rules help prevent fraud.

[62] See Dan McKay, "Court Reinstates City's Law on Voter Photo ID," Albuquerque Journal, November 18, 2008, A1, accessed via Lexis/Nexis January 26, 2009.

Table 4.9. Voter Attitudes toward Voter Identification?

Do you think voter identification rules prevent some voters from casting their ballot at the polls?	
Yes	33.6
No	56.0
Don't know	10.4
Do you think voter identification rules prevent voter fraud?	
Yes	76.0
No	18.0
Don't know	6.0
Which is more important?	
Ensuring that everyone who is eligible has the right to vote	34.9
Protecting the voting system against fraud	35.8
Both are equally important (Volunteer)	27.0
Neither	.8
Don't know	1.6

Respondents were then asked, "Which is more important ensuring that everyone who is eligible has the right to vote or protecting the system against fraud?"

- Just over one-third (35%) of voters thought that protecting voter access was most important and
- Just over one-third (36%) also thought that preventing voter fraud was more important.
- A little over one-quarter (27%) of voters *volunteered* that both are equally important.

Despite the fact that some voters think that ensuring access is more important than protecting fraud, most voters support voter identification laws. When voters were asked to agree or disagree with the following statement, "Photo identification should be required of each voter at the polls to prevent voter fraud," seven in ten (70%) voters strongly agreed that photo identification should be required and another 15% of voters somewhat agreed. Slightly more than one in 10 voters (11%) disagreed with this statement.

Moreover, most voters carry some form of identification, like a driver's license. We asked, "How often do you carry some kind of government issued identification (for example a driver's license, passport, or state-issued ID card) with you when you leave home every day?" Over nine in ten voters (92%) indicated all of the time and another 4% indicated most of the time indicating that over 96% of the voters in our survey carried a government issued identity card. Importantly, we found no significant difference between Hispanic and non-Hispanics, older and younger voters, more and less educated voters, male and female voters, and higher income voters. In New Mexico, all types of voters appear to carry a government issued identification card equally.

It is important to note that if you describe the current state law to voters, which requires only a minimum verbal self-identification by the voters of their name, address and birth year, and ask them if the current law is just right, too strict, or not strict enough, we find 65% voters think that the current law is just right, 4% think it is too strict and 29% think it is not strict enough. Most voters appear happy with the status quo.

This survey suggests that the public wants a fair **and** accessible election process. They want to solve the tension between access and integrity by ensuring every eligible voter has a chance to participate but also protect the system against fraud.

4.4. Fraud

Fraud is a serious concern with regard to election integrity. Fraud has been an on-going concern in American politics, especially during the progressive era reforms of the late nineteenth and early twentieth century, in which many reforms to prevent voter fraud were implemented. During this period voter registration laws were first enacted to prevent voters from going to the polls multiple times.[63] More recently, fraud became a prominent national issue after the presidential elections in 2000 and 2004, when procedural irregularities, the purging of voter rolls, and the reliability and validity of new voting equipment came into question.

Election fraud also continues to be a prominent issue in New Mexico. For example, in New Mexico questions about fraud were raised in the 2002 general election when a new Sequoia machine lost 13,000 votes and in 2004 when a very high percentage of undervotes were seen for the presidential race.[64] New Mexico has also been at the forefront of the fraud debate because the former United States Attorney for the District of New Mexico, David Iglesias, was fired for not prosecuting voter fraud cases in which he argued there was no evidence that systematic voter fraud existed. Also, in 2008, the Republican Party of New Mexico raised questions about possible voter fraud in relation to questionable voter registration forms submitted to the Bernalillo County Clerk by the group ACORN.[65]

Research on voter fraud consistently shows that there is very little evidence to support that it is widespread or that it is a problem within our election system.[66] Nevertheless, the survey data indicate that many voters, despite the lack of concrete evidence, see fraud as a

---

[63] See John A. Lapp (1909), "Election-Identification of Voters," *American Political Science Review* 3:1 and Alexander Keyssar (2000), *The Right to Vote: The Contested History of Democracy in the United States* (New York: Basic Books).

[64] James W. Bronsan, ''In 2004, New Mexico Worst at Counting Votes,'' Scripps Howard News Service, December 22, 2004.

[65] See: Jeff Jones, "1,100 Voter Cards Suspect; County Clerk Notified N.M., Federal Officials," *Albuquerque Journal*, September 17, 2008, accessed via Lexis/Nexis January 26, 2009 and Heath Hausaman, "FBI Probing 1400 Voter Registration Forms," October 10, 2008, available at: http://newmexicoindependent.com/4239/fbi-probing-1400-voter-registration-forms

[66] For an overview of this literature, see R. Michael Alvarez, Thad Hall, Susan Hyde, editors, 2008, *Election Fraud: Detecting and Preventing Electoral Manipulation*, (Brookings Institution Press).

potential problem in our election system. Surprisingly, about half of voters think that an election outcome in which they have participated has been altered due to election fraud. And, when asked, "In the last ten years, in how many elections have you witnessed what you think to be election fraud," over two in five (43%) of voters indicated they had witnessed one or more fraudulent election incidents in the past 10 years.

To ascertain the type of fraudulent activities that voters might believe occur during the election process, we asked a series of questions related to possible fraud activities that might take place in the voters' community and whether they think that activity occurs, "all or most of the time," "some of the time," "not much of the time," or never." The results are presented in Table 4.10.

Table 4.10. Frequency on Beliefs about Fraud Activities in Your Community

	A voter casts more than one ballot	Tampering with ballots to change votes	Someone pretends to be another person and casts a vote for them	A non-U.S. citizen votes
All or most of the Time	4.6	4.4	5.6	9.9
Some of the time	29.0	26.6	38.1	33.9
Not much of the time	32.9	32.3	30.2	24.6
Never	26.2	31.1	19.2	24.3
Don't know	7.3	5.6	6.9	7.3
Total	100.0	100.0	100.0	100.0

- Few voters think fraud occurs all or most of the time.
- Only between 19% and 31% of voters think fraud never takes place, across our 4 possible questions on vote fraud.
- Voters believe that it is most likely that someone pretends to be another person and casts a vote for them.
- Voters think that it is least likely that outright ballot tampering occurs.
- About 10% of voters think that a non-US citizen participates in the voting process all or most of the time, the measure with the highest degree of certainty across our 4 questions.

Partisanship appears to be the strongest predictor in explaining the differences across voters in their attitudes toward these four dimensions of fraud.

- Republicans are the most likely to think that fraud happens all or most of the time.
- Democrats are the least likely to think that fraud happens all or most of the time.
- Independents have attitudes about fraud that fall somewhere in-between.

For example, taking the average of all four of the fraud measures, on average, 11% of Republicans, 14% of independents, and 21% of Democrats think that fraud never takes

place. Education also seems to be important; less educated voters are more likely to think that fraud takes place more frequently.

Interestingly, voters tend to think that neither party is responsible for engaging in election fraud.

- Forty-four percent of voters think that both parties do it equally.
- Roughly equal proportions (about 19%) of voters think that Republicans or Democrats are more likely to commit election fraud and these tend to be strong partisans who think that the other party is responsible.
- Another 11% think that neither party engages in election fraud.

Voters also are concerned about the potential for fraud in the absentee mail-in voting process.

- Over two-thirds (68%) of voters think that voter fraud is most likely to take place with vote by mail absentee ballots as opposed to in-person voting at a polling place. This is equally true for both Democrats and Republicans with approximately 70% indicating that vote by mail absentee ballots are the most likely place for fraud to occur.
- Only one in six (16%) voters thinks that in person voter fraud is more prevalent than absentee voting fraud. Republicans and independents are slightly more likely (20%) to believe that it happens with in-person voting than Democrats (16%).
- Nearly a quarter (23%) of voters think that the fact that voter identification rules only apply to in-person and not absentee voters is a large problem with another two in five voters (39%) perceiving it as a somewhat of a problem.

Cleary the "black box" of absentee voting, which is not visible to voters, is a concern for many voters. It appears that this voting mode raises a number of concerns relative to other voting modes.

Given what we see above it is clear that more research is needed to determine what voters define as fraud, which elections have been fraudulent and what voting experiences leads to these feelings. These results indicate a rather large degree of distrust in the functioning of the electoral system and it is important that we pin down the exact nature of these perceived deficiencies and address them.

4.5. Voter Attitudes toward Election Reforms

With many election reform proposals being considered in the New Mexico statehouse and in other statehouses across the country, as well as in the US Congress, the last section of the survey focuses on voter attitudes toward a variety of alternative voting modes and

additional voter requirements. It is important to keep in mind that voters, as a general rule, are conservative in nature, favoring the policies with which they are familiar over new and unknown policies. Thus, if these measures are of interest to intense minorities, it may be important that they educate the public on the strengths and weakness of the processes proposed in relation to current practices.

Because voters do not think of these issues often, some amount of persuasion and education will have to occur for them to feel comfortable with potential changes. We asked about a variety of election reform proposals and used a scale where we asked people whether they (1) strongly agree, (2) agree, (3) neither agree nor disagree, (4) disagree, or (5) strongly disagree, to test these proposals. The results are presented in Table 4.11.

Proof of Citizenship

In addition to voter identification laws, states have considered other measures to prevent voter fraud. One commonly considered measure is proof of citizenship either at the polls or when registering. This is a very popular measure among the public, with about half (51%) strongly agreeing with this proposal and another 18% agreeing somewhat.

Election Day Voter Registration

Election Day registration (EDR) is an election reform that allows voters to register on Election Day in a precinct and many states have successful EDR programs. States that use EDR have increased turnout relative to states that do not and have many fewer provisional ballots, since most voters who are not on the poll list can simply choose this option instead of a provisional ballot.[67] The survey results found that about three in ten voters (30%) support moving to an EDR system, but that a large majority of voters (67%) do not currently support moving to an EDR system.

Voters, however, are more mixed on whether the government should be responsible for citizenship registration. Automatic registration is when the government registers citizens to vote instead of citizens being responsible for this activity. In the voter survey about 45% of voters agree that the government should automatically register eligible citizens and about half (50%) disagree.

---

[67] See, for example, R. Michael Alvarez and Stephen Ansolabehere, California Votes: The Promise of Election Day Registration (Dēmos, 2002); R. Michael Alvarez, Jonathan Nagler and Catherine Wilson, Making Voting Easier: Election Day Registration in New York, (Dēmos, 2004); M.J. Fenster, "The Impact of Allowing Day of Registration Voting on Turnout in U.S. Elections from 1960 to 1992," *American Politics Quarterly* 22(1) (1994): 74-87; B. Highton, "Easy Registration and Voter Turnout," *The Journal of Politics* 59(2) (1997): 565-575; Lorraine C. Minnite, An Analysis of Voter Fraud in The United States (Dēmos, 2004), http://www.demos.org/pubs/Analysis.pdf; Dēmos, Election Day Registration: A Ground Level View (2007), http://www. demos.org/pubs/EDR%20Clerks.pdf; S. Knack, "Election-Day Registration: The Second Wave," *American Politics Quarterly* 29(1) (2001): 65-78.

Vote by Mail

Voters do not support moving to all-mail in elections by a fairly large margin. In the survey, nearly nine in ten voters (88%) are opposed to all vote by mail elections and not quite one in ten voters (8%) support such a change in the election process.

This finding may reflect a lack of understanding by voters on how such an election would be conducted effectively and their lack of experience with this voting option. Although mail-in elections happen on occasion in New Mexico, most elections allow for multiple voting modes, including Election Day and early voting options as well as absentee mail-in ballots. Most voters choose to vote in-person, either at an early voting location or at their precinct on Election Day. Given that most voters are less experienced with mail-in balloting, it is not too surprising that there is no support for this measure.

In addition, most voters view absentee voting as the most likely place where voter fraud occurs and a majority of voters thought it was either "a big problem" (23%) or "somewhat of a problem" (39%) that absentee voters do not have any authentication process to ensure they are the person who they say they are. In 2008 problems with getting absentee ballots to voters in a timely manner due to a high request rate received widespread news coverage and ultimately ended with a lawsuit that provided for a means for voters who had not received their absentee ballot in the mail to instead vote early with a normal, and not a provisional, ballot.[68]

Finally, it may also reflect that voters prefer to process their ballot themselves with the machine. Studies repeatedly show that absentee voters are less confident their ballot is counted than in-person voters, although in 2008 in New Mexico this finding was only true for differences between early voters and absentee voters. Thus, overall, voters may more suspicious and less confident of elections in which the only voting option is by mail.

[68] Steve Ramirez, "County staffing issues could prevent **absentee** voters from receiving a ballot; GOP chair concerned," Las Cruces Sun, November 1, 2008, accessed via Lexis/Nexis, January 26, 2009; Tom Sharpe, "Judge OKs Early Voting in Absentee Voting Battle, The Santa Fe New Mexican, November 1, 2008, accessed via Lexis/Nexis, January 26, 2009.

Table 4.11. Frequency of Support for Alternative Election Reform Measures

	Strongly Agree	Somewhat Agree	Neither Agree nor Disagree	Somewhat Disagree	Disagree
Proof of citizenship should be required at the polls to prevent voter fraud	50.8	18.3	4.3	11.0	15.6
I would prefer elections be all absentee mail-in ballots	3.5	4.7	4.2	17.5	70.1
Voters should be able to register on Election Day to vote	17.0	12.8	2.8	16.8	50.6
The government should automatically register all eligible citizens over 18 to vote	29.6	15.0	5.3	15.6	34.5

These high profile problems with absentee voting likely skewed results against this option. Without education explaining to voters how this option would work and how this option would protect the system against fraud, it is hard to imagine voter support increasing for this alternative voting method.

Appendix 4.1. Survey Methodology

Telephone Survey Methodology

A random sample of registered voters was interviewed by telephone by Research and Polling, Inc. The random sample was generated from a list of current New Mexico voters provide by the New Mexico Secretary of State office. The self-reported telephone numbers on the current voter file were utilized when possible. A computerized telephone match was used for voter records that did not have a phone number listed in the voter file. Each number was attempted a minimum of four times before it was taken off the callback list.

A total of 800 full interviews were completed among registered voters who indicated they cast a ballot in the 2008 general election. All interviews were conducted between November 6th and November 24th, 2008. Interviews were conducted in both English and Spanish. The overall response rate is 32% using Response Rate 3 (RR3) as defined by the American Association for Public Opinion Research (AAPOR 2008).

A sample size of 800 at a 95% confidence level provides a maximum margin of error of approximately 3.5%. In theory, in 95 out of 100 cases, the results based on a sample of 800 will differ by no more than 3.5 percentage points in either direction from what would have been obtained by interviewing all the 2008 New Mexico voters. The frequency report was weighted for age, gender, education, and region.

Internet Survey Methodology

The 2008 New Mexico Election Administration Survey was based on a random sample of registered voters in New Mexico. Secretary of State Mary Herrera provided the voter registration list after the final registration day for the 2008 general election. On November 12, 2008 we sent out postcards to the sample respondents requesting their participation in our 2008 Election Administration Survey. The letter provided sample respondents with a URL (vote2008.unm.edu) and explained that respondents could also request a mail survey by contacting us via a toll free number or by calling our offices. Sample registered voters who did not respond were re-contacted two times with an additional postcard. The second postcard was sent November 24; the third was sent December 9. The response rate was about 14% (n=609) using Response Rate 2 (RR2) as defined by the American Association for Public Opinion Research (AAPOR 2008). It is important to note that this is the minimum response rate and includes all voters who we tried to contact, but were unable to reach and received a returned postcard by the USPS. Four in five of respondents (81%) chose to answer the Internet survey while the remaining 1 in 5 respondents (19%) chose

to answer the mail option. The frequency report was weighted by age and ethnicity. The margin of error is plus or minus 3.8%.

Survey questions asked about their election experience (voter confidence, voting problems, method of voting, experience with poll workers, voter satisfaction), their faith in the election process, their attitudes toward fraud, voter access, voter identification as well as other political attitudes and behaviors including evaluations of the President, the congressional candidates and their local and state election administrators. They were also asked several questions related to the federal contests (vote choice, candidate valuation, candidate ideology, etc.) and a variety of demographics.

Appendix 4.2. Selected Frequency Report for 2008 New Mexico Election Administration Telephone Survey

1. During the election season, on average, how many days a week did you watch news on TV?

None	8.5
One day	5.8
Two days	5.5
Three days	4.2
Four Days	4.7
Five days	9.3
Six days	3.2
Every day	57.5
Don't know/Not sure	1.3

2. During the election season, on average, how many days a week did you read a daily print newspaper?

None	23.1
One day	14.7
Two days	8.6
Three days	5.5
Four Days	2.6
Five days	4.0
Six days	2.1
Every day	38.5
Don't know/Not sure	1.0

3. During the election season, on average, how many days a week did you read an on-line newspaper, blog, or other Internet news?

None	43.1
One day	8.1
Two days	5.9
Three days	6.8
Four Days	3.9
Five days	4.7
Six days	1.4
Every day	24.8
Don't know/Not sure	1.3

4. During the election season, on average, how many days a week did you discuss politics with family or friends?

None	7.7
One day	6.2
Two days	9.4
Three days	12.0
Four Days	6.0
Five days	9.3
Six days	2.8
Every day	44.8
Don't know/Not sure	1.8

5. Thinking in political terms, would you say that you are very liberal, somewhat liberal, moderate, somewhat conservative, or very conservative?

Very liberal	13.4
Somewhat liberal	18.7
Moderate	21.9
Somewhat conservative	23.6
Very conservative	18.1
DK/NS	4.3

6. Was the November 2008 general election the first time you have ever voted?

Yes	8.6
No	91.0
DK/NS	0.4

7. How confident are you that YOUR VOTE in the November 2008 election was counted as you intended?

Very confident	65.0
Somewhat confident	24.7
Not too confident	5.2
Not at all confident	3.7
DK/NS	1.4

8. How confident are you that all the votes in the November 2008 election in your county were counted as the voters intended?

Very confident	48.2
Somewhat confident	37.8
Not too confident	6.1
Not at all confident	3.2
DK/NS	4.7

9. How confident are you that all the votes in the November 2008 election in the state were counted as the voters intended?

Very confident	36.9
Somewhat confident	43.0
Not too confident	11.7
Not at all confident	3.8
DK/NS	4.6

10. Did you vote in person at an early voting location, by absentee mail ballot or at your precinct on Election Day?

Early in person	53.7
Absentee by mail	14.8
On Election Day	31.2
DK/NS	0.3

11. [Absentee Voters Only] To the best of your memory, when did you return your absentee ballot?

A few days before Election Day	14.2
The week before Election Day	21.4
More than a week before Election Day	62.0
DK/NS	2.4

12. [Absentee Voters Only] Overall, how easy was it to follow all the instructions necessary to complete your ballot and return it to be counted?

Very easy	70.3
Somewhat easy	23.3
Somewhat hard	6.4
Very hard	0.0
DK/NS	0.0

13. [Absentee Voters Only] Did you encounter any problems completing your ballot that may have interfered with your ability to cast your vote as intended?

No problems	95.7
Yes (please specify)	3.0
DK/NS	1.3

14. [Early and Election Day Voters Only] Did you use a pen or pencil to fill out your paper ballot or did you use a voter-assisted terminal?

	Total	Early	Election Day
Pen or pencil to fill out Paper ballot	95.6	95.6	95.5
Voter-assisted terminal/AutoMARK	3.8	3.7	4.1
DK/NS	0.6	0.7	0.4

15. [Early and Election Day Voters Only] Did you make a mistake on a ballot and have to get a new one?

Yes, overvote	2.0
Yes, other than overvote (Please explain)	0.7
No	97.0
DK/NS	0.3

16. [Early and Election Day Voters Only] How long did you wait in line at your polling place, in minutes? (Mean Wait = 12.5 minutes)

	Total	Early	Election Day
Zero/got right in	34.4	23.8	52.7
1-2 minutes	10.5	8.6	13.6
3-5 minutes	15.1	15.0	15.5
6-10 minutes	9.9	12.5	5.5
11-20 minutes	14.1	18.5	6.5
21-50 minutes	9.6	12.7	4.3
51 minutes or more	5.7	8.1	1.4
DK/NS	0.7	0.8	0.5
Mean	12.5	16.84	5.07

17. [Early and Election Day Voters Only]How helpful were the poll workers at your voting location?

Very helpful	84.1
Somewhat helpful	12.7
Not too helpful	1.4
Not at all helpful	0.6
DK/NS	1.1

18. [Early and Election Day Voters Only] How hard was it to find your polling place to vote?

	Total	Early	Election Day
Very easy	92.1	91.6	92.9
Fairly easy	5.3	5.2	5.4
Somewhat hard	1.4	1.7	0.8
Very hard	0.8	0.8	0.9
DK/NS	0.4	0.7	0.0

19. [Early and Election Day Voters Only] When you went to vote, were you asked to show photo-identification—like a driver's license?

	Total	Early	Election Day
Yes	41.7	44.9	36.0
No	56.6	52.7	63.5
DK/NS	1.7	2.4	0.5

19a. How were you identified at the polls? Did you show your voter registration card or some other form of non-photo identification?

	Total	Early	Election Day
Yes	42.1	46.0	35.3
No	56.9	52.6	64.1
DK/NS	1.0	1.4	0.6

19b. Did you provide just your name, your name and address, your name and birth year, your name, address and birth year or something else?

	Total	Early	Election Day
Just your name	35.7	26.5	46.9
Name and address	23.4	21.3	26.0
Name and birth year	7.4	10.1	4.2
Name, address and birth year	25.1	32.8	15.6
Something else	2.9	4.2	1.2
No, did not provide name or other information	4.5	3.2	6.1
DK/NS	1.0	1.9	0.0

20. How would you rate your voting experience overall?

Excellent	61.3
Good	33.3
Fair	4.3
Poor	0.6
DK/NS	0.6

21. [Party Identification Summary]: Generally speaking do you think of yourself as a Republican, a Democrat, an independent, or perhaps something else? Would you call yourself a strong Republican/Democrat or a not very strong Republican/Democrat? Do you think of yourself as closer to the Republican Party or closer to the Democratic Party?

Strong Republican	25.9
Republican not so strong	8.8
Closer to Republicans	4.7
Independent	3.5
Closer to Democrat	6.6
Democrat not so strong	13.1
Strong Democrat	35.2
No preference	1.9
DK/NS	0.3

22. I'd like to get your feelings towards some political leaders. I'll read you the name of a person and I'd like you to rate them using a feeling thermometer. The feeling thermometer rates people from 0 to 100 degrees, in which the lower the rating the more you have an unfavorable or colder feeling and the higher the rating the more you have a favorable or warmer feeling. You may use any number between zero and 100. The first person is:

22a. John McCain (Mean=53.2)

0-20 degrees	21.6
21-40 degrees	12.2
41-60 degrees	22.6
61-80 degrees	24.6
81-100 degrees	17.9
DK/NS	1.2

22b. Sarah Palin (Mean=44.6)

0-20 degrees	36.2
21-40 degrees	12.2
41-60 degrees	13.7
61-80 degrees	16.5
81-100 degrees	19.5
DK/NS	2.0

22c. Barack Obama (Mean=64.9)

0-20 degrees	20.5
21-40 degrees	7.6
41-60 degrees	11.6
61-80 degrees	12.8
81-100 degrees	46.7
DK/NS	0.7

22d. Joe Biden (Mean=56.7)

0-20 degrees	22.5
21-40 degrees	8.0
41-60 degrees	16.1
61-80 degrees	24.1
81-100 degrees	24.3
DK/NS	5.0

22e. Steve Pearce (Mean=46.7)

0-20 degrees	26.8
21-40 degrees	10.9
41-60 degrees	18.5
61-80 degrees	21.3
81-100 degrees	11.5
DK/NS	11.1

22f. Tom Udall (Mean=62.0)

0-20 degrees	15.4
21-40 degrees	8.3
41-60 degrees	16.8
61-80 degrees	25.2
81-100 degrees	27.9
DK/NS	6.4

22g. George W. Bush (Mean=34.8)

0-20 degrees	49.2
21-40 degrees	9.9
41-60 degrees	12.9
61-80 degrees	13.2
81-100 degrees	13.6
DK/NS	1.2

22h. Bill Richardson (Mean=59.3)

0-20 degrees	18.2
21-40 degrees	8.9
41-60 degrees	20.4
61-80 degrees	23.0
81-100 degrees	27.6
DK/NS	1.9

22i. Your county clerk (Mean=66.3)

0-20 degrees	5.4
21-40 degrees	3.3
41-60 degrees	22.7
61-80 degrees	23.1
81-100 degrees	19.0
DK/NS	26.4

22j. Mary Herrera (Mean=53.0)

0-20 degrees	9.0
21-40 degrees	7.8
41-60 degrees	25.6
61-80 degrees	14.3
81-100 degrees	7.0
DK/NS	36.3

23. Thinking in political terms, would you say that the following political leaders are very liberal, somewhat liberal, moderate, somewhat conservative, or very conservative?

23a. George W. Bush

Very Liberal	3.9
Somewhat Liberal	3.4
Moderate	11.2
Somewhat Conservative	24.6
Very Conservative	46.4
DK/NS	10.5

23b. John McCain

Very Liberal	3.1
Somewhat Liberal	5.0
Moderate	17.2
Somewhat Conservative	42.0
Very Conservative	25.1
DK/NS	7.6

23c. Sarah Palin

Very Liberal	2.9
Somewhat Liberal	5.6
Moderate	6.3
Somewhat Conservative	19.4
Very Conservative	54.5
DK/NS	11.4

23d. Barack Obama

Very Liberal	40.2
Somewhat Liberal	32.0
Moderate	12.6
Somewhat Conservative	4.0
Very Conservative	3.2
DK/NS	8.0

23e. Joe Biden

Very Liberal	26.3
Somewhat Liberal	37.3
Moderate	15.9
Somewhat Conservative	7.0
Very Conservative	2.2
DK/NS	11.3

23f. Steve Pearce

Very Liberal	1.7
Somewhat Liberal	7.2
Moderate	7.9
Somewhat Conservative	27.9
Very Conservative	36.5
DK/NS	18.8

23g. Tom Udall

Very Liberal	21.4
Somewhat Liberal	37.6
Moderate	15.6
Somewhat Conservative	10.0
Very Conservative	2.2
DK/NS	13.2

24. [Republicans only] Did you vote for Steve Pearce or Heather Wilson in the 2008 June New Mexico Republican primary or did you not vote in that election?

Steve Pearce	55.1	57.7
Heather Wilson	40.4	42.3
DK/NS	4.5	

25. Who did you vote for in the general election race for U.S. President, Barack Obama, the Democratic candidate, John McCain, the Republican candidate, someone else or did you not vote in that contest?

Barack Obama	55.4	56.0
John McCain	41.1	41.6
Someone else (Barr, Nader, etc)	2.4	2.4
Did not vote	0.5	
DK/NS	0.6	

26. Who did you vote for in the race for U.S. Senate, Steve Pearce the Republican candidate, Tom Udall the Democratic candidate, or did you not vote in that contest?

Tom Udall	59.8	62.3
Steve Pearce	36.1	37.7
Did not vote	2.5	
DK/NS	1.6	

27. [CD1 only] Who did you vote for in the race for U.S. House, Martin Heinrich, the Democratic candidate, Darren White, the Republican candidate, or did you not vote in that contest?

Martin Heinrich	55.7	60.4
Darren White	36.6	39.6
Did not vote	4.5	
DK/NS	3.2	

28. [CD2 Only] Who did you vote for in the race for U.S. House, Harry Teague, the Democratic candidate, Ed Tinsley, the Republican candidate, or did you not vote in that contest?

Harry Teague	47.8	51.9
Ed Tinsley	44.3	48.1
Did not vote	4.5	
DK/NS	3.4	

29. [CD3 Only] Who did you vote for in the race for U.S. House, Ben R. Lujan, the Democratic candidate, Dan East, the Republican candidate, Carol Miller, the Independent Candidate, or did you not vote in that contest?

Ben R. Lujan	50.6	56.2
Dan East	27.4	30.4
Carol Miller	12.0	13.4
Did not vote	5.5	
DK/NS	4.5	

30. How much of the time do you trust the government in Washington to do what is right?

All or most of the time	12.5
Some of the time	46.9
Not much of the time	30.6
Never	8.2
DK/NS	1.8

31. If necessary, how ready is Vice President elect Joe Biden to become president?

Very ready	42.2
Somewhat ready	35.8
Not too ready	10.0
Not ready at all	7.4
DK/NS	4.6

32. If necessary, how ready is Republican Vice Presidential candidate Sarah Palin to become president if John McCain had been elected?

Very ready	11.3
Somewhat ready	26.4
Not too ready	16.3
Not ready at all	44.0
DK/NS	2.0

33. Did you use the straight party option on the ballot to cast your votes?

Yes	33.0
No	65.9
DK/NS	1.1

34. Did someone contact you and encourage you to vote?

Yes	76.1
No	23.4
DK/NS	0.5

35. How often do you carry some kind of government issued identification (for example a driver's license, passport, or state-issued ID card) with you when you leave home every day?

All of the time	92.2
Most of the time	3.9
Some of the time	2.1
Almost never	1.7
DK/NS	0.0

36. Do you think voter identification rules prevent some voters from casting their ballot at the polls?

Yes	33.6
No	56.0
DK/NS	10.4

37. Do you think voter identification rules help prevent voter fraud?

Yes	76.0
No	18.0
DK/NS	6.0

38. Which is more important?

Ensuring that everyone who is eligible has the right to vote	34.9
Protecting the voting system against fraud	35.8
Both are equally important (volunteer only)	27.0
Neither (volunteer only)	0.8
DK/NS	1.6

39. New Mexico has a voter ID law that requires voters to identify themselves verbally by stating their name, address and birth year or to show a voter registration card or other identification card like a driver's license or utility bill. Do you think New Mexico's voter ID law is too strict, just right, or not strict enough?

Too strict	3.9
Just right	64.8
Not strict enough	28.8
DK/NS	2.5

40. One issue with voter ID rules is that they do not apply to absentee mail-in voters. How much of a problem is that for protecting the system against fraud?

A big problem	23.3
Somewhat of a problem	39.4
Not too big of a problem	19.7
Not a problem at all	9.8
DK/NS	7.8

41. I'm going to read a list of possible illegal election activities that may or may not take place in your community and I want you to tell me if you think each event occurs: all or most of the time, some of the time, not much of the time, or never.

41a. A voter casts more than one ballot

All or Most of the Time	4.6
Some of the Time	29.0
Not Much of the Time	32.9
Never	26.2
DK/NS	7.3

41b. Tampering with ballots to change votes

All or Most of the Time	4.4
Some of the Time	26.6
Not Much of the Time	32.3
Never	31.1
DK/NS	5.6

41c. Someone pretends to be another person and casts a vote for them

All or Most of the Time	5.6
Some of the Time	38.1
Not Much of the Time	30.2
Never	19.2
DK/NS	6.9

41d. A non-U.S. citizen votes

All or Most of the Time	9.9
Some of the Time	33.9
Not Much of the Time	24.6
Never	24.3
DK/NS	7.3

42. If election fraud happens at all, do you think it is more likely to take place with absentee or mail voting or in-person voting in a polling place?

Absentee or mail voting	67.9
In-person voting in a polling place	16.0
I do not think election fraud takes place with either type of voting.	1.6
I think there is an equal amount of fraud with both types of voting.	5.7
DK/NS	8.8

43. Do you think Democrats or Republicans are more likely to engage in election fraud? Or do you think they both do it equally or that neither do it?

Republicans	18.6
Democrats	19.4
They both do it equally	44.2
Neither does it	11.8
DK/NS	6.0

44. In the last ten years, in how many elections have you witnessed what you believed to be election fraud?

0	50.5
1	19.2
2	15.4
3	3.1
More than 3	5.7
DK/NS	6.1

45. Do you think election fraud has changed the outcome of any election in which you have participated?

Yes	50.2
No	42.7
DK/NS	7.1

46. Please indicate whether you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree or strongly disagree with the following statements.

46a. Photo identification should be required of each voter at the polls to prevent voter fraud

Strongly Agree	69.9
Somewhat Agree	15.3
Neither Agree nor Disagree	3.0
Somewhat Disagree	5.2
Strongly Disagree	6.0
DK/NS	0.6

46b. Proof of citizenship should be required of each voter at the polls to prevent voter fraud

Strongly Agree	50.2
Somewhat Agree	18.0
Neither Agree nor Disagree	4.2
Somewhat Disagree	10.9
Strongly Disagree	15.4
DK/NS	1.3

46c. I don't know how to use the straight party option on the ballot

Strongly Agree	7.8
Somewhat Agree	2.9
Neither Agree nor Disagree	2.9
Somewhat Disagree	8.0
Strongly Disagree	75.9
DK/NS	2.5

46d. Public officials don't care much what people like me think

Strongly Agree	19.2
Somewhat Agree	27.9
Neither Agree nor Disagree	8.8
Somewhat Disagree	25.3
Strongly Disagree	16.7
DK/NS	2.1

46e. I consider myself well qualified to participate in politics

Strongly Agree	57.5
Somewhat Agree	25.3
Neither Agree nor Disagree	3.8
Somewhat Disagree	6.7
Strongly Disagree	5.2
DK/NS	1.5

46f. I would prefer elections be all absentee mail-in ballots

Strongly Agree	3.4
Somewhat Agree	4.5
Neither Agree nor Disagree	4.1
Somewhat Disagree	17.0
Strongly Disagree	68.0
DK/NS	3.0

46g. Voters should be able to register on Election Day to vote

Strongly Agree	16.7
Somewhat Agree	12.5
Neither Agree nor Disagree	2.7
Somewhat Disagree	16.5
Strongly Disagree	49.6
DK/NS	2.0

46h. The government should automatically register all eligible citizens over 18 to vote

Strongly Agree	28.9
Somewhat Agree	14.7
Neither Agree nor Disagree	5.2
Somewhat Disagree	15.2
Strongly Disagree	33.7
DK/NS	2.3

46i. Voters should be able to vote over the Internet

Strongly Agree	6.0
Somewhat Agree	6.6
Neither Agree nor Disagree	3.1
Somewhat Disagree	11.2
Strongly Disagree	69.8
DK/NS	3.3

47. Did you try to convince someone who to vote for this election?

Yes	47.4
No	51.8
DK/NS	0.8

48. Did you give money to a political candidate or interest group this election?

Yes	30.1
No	69.7
DK/NS	0.2

49. Did you visit any candidate, party or interest group web sites to learn about the candidates and issues?

Yes	49.4
No	50.2
DK/NS	0.4

50. Do you happen to know whether the Democrats or the Republicans controlled the U.S. Senate before the Election?

Democrats	56.3
Republicans	25.4
DK/NS	18.3

51. We are interested in how people are getting along financially these days. Would you say that you and your family living with you are financially much better, somewhat better, the same, somewhat worse or much worse than you were a year ago?

Much better	5.9
Somewhat better	10.2
Same	37.2
Somewhat worse	29.8
Much worse	16.0
DK/NS	0.9

52. Now thinking about the economy in the country as a whole, would you say that over the past year the nation's economy has gotten much better, somewhat better, stayed about the same, gotten somewhat worse or gotten much worse?

Gotten much better	1.3
Somewhat better	1.9
Stayed about the same	5.2
Gotten somewhat worse	23.7
Gotten much worse	67.3
DK/NS	0.6

53. What year were you born? (Mean Age = 50.8 years)

18 to 34	22.2
35 to 49	24.9
50 to 64	28.3
65 years or more	24.6
DK/NS	0.0

54. What is the highest grade of education you have completed?

Less than a High School degree	4.2
High School degree	23.0
Some college	20.7
Completed trade school/associates degree	8.9
College degree	23.8
Post graduate degree	19.1
DK/NS	0.3

55. Are you a born again Christian?

Yes	32.5
No	65.4
DK/NS	2.1

56a. What racial or ethnic group best describes you?

Hispanic/Latino	28.8 → GO TO 56B
Black/African American	1.4 → GO TO 57
Native American/American Indian	2.7 → GO TO 57
Asian	0.6 → GO TO 57
White/Anglo	64.5 → GO TO 57
Other groups (combined)	1.3 → GO TO 57
DK/NS	0.7 → GO TO 57

56b. [Hispanics and Latinos Only] Would you describe your Hispanic/Latino origin as:

Mexican	40.4
Central American	1.0
Puerto Rican	0.3
Spanish	45.3
South American	3.3
Other	3.7
DK/NS	5.9

57. What is your marital status?

Married	65.4
Divorced	10.5
Never married	15.3
Widowed	6.7
Separated	1.3
DK/NS	0.8

58. How much of the time do you speak a language other than English at home?

All or most of the time	10.0
Some of the time	16.7
Not much of the time	13.5
Never	59.2
DK/NS	0.6

59. To the best of your knowledge, what was your total family income before taxes in 2007, including yourself and all those living in your house? Less than $21,000 12.7

$21,000 to $41,999	19.9
$42,000 to $59,999	17.5
$60,000 to $79,999	15.9
$80,000 to $99,999	11.0
Or over $100,000	17.6
DK/NS	5.4

60. [Interviewer Code] Was Respondent:

Male	48.0
Female	52.0

Appendix 4.3. Selected Frequency Report for 2008 New Mexico Election Administration Internet Survey

1. During the election season, on average, how many days a week did you watch news on TV?

None	9.1
One day	6.9
Two days	4.7
Three days	4.9
Four Days	6.3
Five days	8.9
Six days	6.9
Every day	51.8
Don't know/Not sure	0.5

2. During the election season, on average, how many days a week did you read a daily print newspaper?

None	24.6
One day	14.3
Two days	6.4
Three days	7.3
Four Days	3.6
Five days	4.4
Six days	5.4
Every day	32.3
Don't know/Not sure	1.7

3. During the election season, on average, how many days a week did you read an on-line newspaper, blog, or other Internet news?

None	34.0
One day	5.1
Two days	8.1
Three days	7.8
Four Days	6.0
Five days	8.3
Six days	3.1
Every day	26.8
Don't know/Not sure	0.8

4. During the election season, on average, how many days a week did you discuss politics with family or friends?

None	4.5
One day	6.4
Two days	10.1
Three days	13.7
Four Days	10.4
Five days	8.4
Six days	6.8
Every day	37.4
Don't know/Not sure	2.3

5. Thinking in political terms, would you say that you are very liberal, somewhat liberal, moderate, somewhat conservative, or very conservative?

Very liberal	14.2
Somewhat liberal	22.6
Moderate	23.9
Somewhat conservative	18.3
Very conservative	16.1
DK/NS	4.9

6. Was the November 2008 general election the first time you have ever voted?

Yes	7.0
No	93.0

7. How confident are you that YOUR VOTE in the November 2008 election was counted as you intended?

Very confident	52.1
Somewhat confident	38.4
Not too confident	5.0
Not at all confident	2.2
DK/NS	2.3

8. How confident are you that all the votes in the November 2008 election in your county were counted as the voters intended?

Very confident	34.7
Somewhat confident	46.5
Not too confident	10.6
Not at all confident	3.9
DK/NS	4.3

9. How confident are you that all the votes in the November 2008 election in the state were counted as the voters intended?

Very confident	23.9
Somewhat confident	51.0
Not too confident	14.5
Not at all confident	5.3
DK/NS	5.3

10. Did you vote in person at an early voting location, by absentee mail ballot or at your precinct on Election Day?

Early in person	47.6
Absentee by mail	26.3
On Election Day	26.1

11. [Absentee Voters Only] To the best of your memory, when did you return your absentee ballot?

On Election Day	1.5
A few days before Election Day	13.4
The week before Election Day	13.6
More than a week before Election Day	71.0
DK/NS	0.5

12. [Absentee Voters Only] Overall, how easy was it to follow all the instructions necessary to complete your ballot and return it to be counted?

Very easy	65.3
Somewhat easy	29.4
Somewhat hard	5.3
Very hard	0.0

13. [Absentee Voters Only] Did you encounter any problems completing your ballot that may have interfered with your ability to cast your vote as intended?

No problems	96.0
Yes (please specify)	3.4
DK/NS	0.6

14. [Early and Election Day Voters Only] Did you use a pen or pencil to fill out your paper ballot or did you use a voter-assisted terminal?

	Total	Early	Election Day
Pen or pencil to fill out Paper ballot	98.8	98.2	100.0
Voter-assisted terminal/AutoMARK	0.8	1.1	0.0
DK/NS	0.4	0.7	0.0

15. [Early and Election Day Voters Only] Did you make a mistake on a ballot and have to get a new one?

	Total	Early	Election Day
Yes, overvote	0.5	0.6	0.4
Yes, other than overvote (Please explain)	0.9	0.9	0.7
No	98.6	98.5	98.9
DK/NS	0.0	0.0	0.0

16. [Early and Election Day Voters Only] How long did you wait in line at your polling place, in minutes?

	Total	Early	Election Day
Zero/got right in	23.6	13.4	41.7
1-2 minutes	14.9	10.9	22.5
3-5 minutes	19.5	20.7	17.7
6-10 minutes	11.5	13.7	7.8
11-20 minutes	16.0	21.5	6.4
21-50 minutes	9.3	13.2	2.4
51 minutes or more	5.2	6.6	1.5
DK/NS	0.0	0.0	0.0
Mean	12.0	15.7	5.2

17. [Early and Election Day Voters Only] How helpful were the poll workers at your voting location?

	Total	Early	Election Day
Very helpful	78.8	76.7	83.8
Somewhat helpful	17.0	19.6	12.5
Not too helpful	2.5	2.7	1.5
Not at all helpful	0.7	0.6	0.0
DK/NS	1.0	0.4	2.2

18. [Early and Election Day Voters Only] How hard was it to find your polling place to vote?

	Total	Early	Election Day
Very easy	83.8	79.2	92.6
Fairly easy	12.5	15.5	7.4
Somewhat hard	2.4	3.7	0.0
Very hard	0.2	0.3	0.0
DK/NS	1.1	1.3	0.0

19. [Early and Election Day Voters Only] When you went to vote were you asked to show photo ID, did you provide ID without being asked, or were you identified in some other way when you voted?

	Total	Early	Election Day
Asked to show photo ID	24.1	26.2	20.1
Provided ID without being asked	22.5	21.3	24.0
Identified in some other way	48.4	47.4	51.2
DK/NS	5.0	5.1	4.7

19a. [Early and Election Day Voters Only, who were Identified in some other way] If you were not asked, then how were you identified at the polls?

	Total	Early	Election Day
I wrote my name, address and birth year on a piece of paper	15.6	24.8	0.0
Showed registration card	24.9	25.9	23.1
Stated name only	19.8	11.5	33.9
Stated name and address	14.1	13.0	16.1
Stated name and birth year	7.8	8.7	6.3
Stated name, address and birth year	7.5	9.0	5.1
I did it another way	10.3	7.1	15.5

20. How would you rate your voting experience overall?

Excellent	52.5
Good	43.0
Fair	3.7
Poor	0.8

21. [Party Identification Summary]: Generally speaking do you think of yourself as a Republican, a Democrat, an independent, or perhaps something else? Would you call yourself a strong Republican/Democrat or a not very strong Republican/Democrat?

	Total	Internet	Mail
Strong Republican	19.6	20.0	17.6
Republican not so strong	8.8	8.4	10.7
Independent	22.2	20.9	28.3
Democrat not so strong	13.3	13.1	14.2
Strong Democrat	34.4	35.6	29.2
Something else	1.7	2.0	0.0

22. I'd like to get your feelings towards some political leaders. I'll read you the name of a person and I'd like you to rate them using a feeling thermometer. The feeling thermometer rates people from 0 to 100 degrees, in which the lower the rating the more you have an unfavorable or colder feeling and the higher the rating the more you have a favorable or warmer feeling. You may use any number between zero and 100. The first person is:

22a. John McCain (Mean=51.8)

0-20 degrees	19.7
21-40 degrees	15.7
41-60 degrees	25.4
61-80 degrees	21.8
81-100 degrees	15.7
DK/NS	1.7

22b. Sarah Palin (Mean=38.8)

0-20 degrees	46.7
21-40 degrees	9.0
41-60 degrees	12.7
61-80 degrees	10.9
81-100 degrees	18.9
DK/NS	1.8

22c. Barack Obama (Mean=66.6)

0-20 degrees	17.2
21-40 degrees	7.9
41-60 degrees	10.7
61-80 degrees	16.4
81-100 degrees	46.6
DK/NS	1.2

22d. Joe Biden (Mean=57.0)

0-20 degrees	21.4
21-40 degrees	9.5
41-60 degrees	16.0
61-80 degrees	24.1
81-100 degrees	25.3
DK/NS	3.7

22e. Steve Pearce (Mean=42.3)

0-20 degrees	32.3
21-40 degrees	14.6
41-60 degrees	25.1
61-80 degrees	15.0
81-100 degrees	11.0
DK/NS	2.0

22f. Tom Udall (Mean=61.9)

0-20 degrees	12.5
21-40 degrees	7.3
41-60 degrees	21.4
61-80 degrees	25.3
81-100 degrees	24.4
DK/NS	9.1

22g. George W. Bush (Mean=30.5)

0-20 degrees	53.3
21-40 degrees	11.4
41-60 degrees	12.5
61-80 degrees	11.8
81-100 degrees	9.3
DK/NS	1.8

22h. Bill Richardson (Mean=56.3)

0-20 degrees	19.9
21-40 degrees	10.7
41-60 degrees	19.6
61-80 degrees	26.3
81-100 degrees	21.0
DK/NS	2.5

22i. Your county clerk (Mean=64.7)

0-20 degrees	5.1
21-40 degrees	2.9
41-60 degrees	24.4
61-80 degrees	15.9
81-100 degrees	18.2
DK/NS	33.6

22j. Mary Herrera (Mean=53.2)

0-20 degrees	9.1
21-40 degrees	5.5
41-60 degrees	26.3
61-80 degrees	11.9
81-100 degrees	8.5
DK/NS	38.7

23. Thinking in political terms, would you say that the following political leaders are very liberal, somewhat liberal, moderate, somewhat conservative, or very conservative?

23a. George W. Bush

Very Liberal	1.8
Somewhat Liberal	4.7
Moderate	7.5
Somewhat Conservative	24.1
Very Conservative	50.0
DK/NS	11.9

23b. John McCain

Very Liberal	1.2
Somewhat Liberal	4.7
Moderate	16.1
Somewhat Conservative	43.7
Very Conservative	25.4
DK/NS	8.9

23c. Sarah Palin

Very Liberal	2.4
Somewhat Liberal	1.8
Moderate	5.6
Somewhat Conservative	13.2
Very Conservative	64.2
DK/NS	12.8

23d. Barack Obama

Very Liberal	32.8
Somewhat Liberal	36.5
Moderate	17.9
Somewhat Conservative	3.2
Very Conservative	1.9
DK/NS	7.7

23e. Joe Biden

Very Liberal	25.0
Somewhat Liberal	37.2
Moderate	19.0
Somewhat Conservative	4.3
Very Conservative	1.7
DK/NS	12.8

23f. Steve Pearce

Very Liberal	1.5
Somewhat Liberal	3.1
Moderate	6.3
Somewhat Conservative	22.4
Very Conservative	40.8
DK/NS	25.9

23g. Tom Udall

Very Liberal	19.1
Somewhat Liberal	32.4
Moderate	22.6
Somewhat Conservative	5.8
Very Conservative	2.0
DK/NS	18.1

24. [Republicans only] Did you vote for Steve Pearce or Heather Wilson in the 2008 June New Mexico Republican primary or did you not vote in that election?

Steve Pearce	46.9
Heather Wilson	53.1

25. Who did you vote for in the general election race for U.S. President, Barack Obama, the Democratic candidate, John McCain the Republican candidate, someone else or did you not vote in that contest?

Barack Obama	60.7	61.7
John McCain	35.9	36.5
Someone else (Barr, Nader, etc)	1.8	1.8
Did not vote	1.6	

26. Who did you vote for in the race for U.S. Senate, Steve Pearce the Republican candidate, Tom Udall the Democratic candidate, or did you not vote in that contest?

Tom Udall	62.3	64.4
Steve Pearce	34.4	35.6
Did not vote	3.3	

27. [CD1 only] Who did you vote for in the race for U.S. House, Martin Heinrich, the Democratic candidate, Darren White, the Republican candidate, or did you not vote in that contest?

Martin Heinrich	64.6	68.6
Darren White	29.6	31.4
Did not vote	5.8	

28. [CD2 Only] Who did you vote for in the race for U.S. House, Harry Teague, the Democratic candidate, Ed Tinsley, the Republican candidate, or did you not vote in that contest?

Harry Teague	56.1	58.6
Ed Tinsley	39.7	41.4
Did not vote	4.2	

29. [CD3 Only] Who did you vote for in the race for U.S. House, Ben R. Lujan, the Democratic candidate, Dan East, the Republican candidate, Carol Miller, the Independent Candidate, or did you not vote in that contest?

Ben R. Lujan	61.2	63.5
Dan East	30.8	32.0
Carol Miller	4.3	4.5
Did not vote	3.7	

30. How much of the time do you trust the government in Washington to do what is right?

All or most of the time	3.0
Some of the time	42.2
Not much of the time	48.8
Never	4.8
DK/NS	1.2

31. If necessary, how ready is Vice President elect Joe Biden to become president?

Very ready	38.6
Somewhat ready	33.9
Not too ready	8.9
Not ready at all	8.8
DK/NS	9.8

32. If necessary, how ready is Republican Vice Presidential candidate Sarah Palin to become president if John McCain had been elected?

Very ready	6.3
Somewhat ready	18.8
Not too ready	16.0
Not ready at all	54.6
DK/NS	4.3

33. Did you use the straight party option on the ballot to cast your votes?

Yes	21.6
No	75.6
DK/NS	2.8

34. Did someone contact you and encourage you to vote?

Yes	71.8
No	28.2

34a. Did someone contact you and encourage you to vote **early**?

Yes	56.2
No	43.8

34b. Did someone contact you and encourage you to vote **absentee**?

Yes	24.9
No	75.1

34c. Did someone contact you and encourage you to vote **on Election Day**?

Yes	30.4
No	69.6

35. How often do you carry some kind of government issued identification (for example a driver's license, passport, or state-issued ID card) with you when you leave home every day?

All of the time	92.4
Most of the time	5.9
Some of the time	1.4
Almost never	0.3

36. Do you think voter identification rules prevent some voters from casting their ballot at the polls?

Yes	29.0
No	48.5
DK/NS	22.5

37. Do you think voter identification rules help prevent voter fraud?

Yes	64.6
No	23.5
DK/NS	11.9

38. Which is more important?

Ensuring that everyone who is eligible has the right to vote	51.5
Protecting the voting system against fraud	43.6
DK/NS	4.9

39. New Mexico has a voter ID law that requires voters to identify themselves verbally by stating their name, address and birth year or to show a voter registration card or other identification card like a driver's license or utility bill. Do you think New Mexico's voter ID law is too strict, just right, or not strict enough?

Too strict	2.5
Just right	60.1
Not strict enough	30.8
DK/NS	6.6

40. One issue with voter ID rules is that they do not apply to absentee mail-in voters. How much of a problem is that for protecting the system against fraud?

A big problem	21.0
Somewhat of a problem	39.2
Not too big of a problem	19.0
Not a problem at all	6.8
DK/NS	14.0

41. I'm going to read a list of possible illegal election activities that may or may not take place in your community and I want you to tell me if you think each event occurs: all or most of the time, some of the time, not much of the time, or never.

41a. A voter casts more than one ballot

All or Most of the Time	4.8
Some of the Time	18.0
Not Much of the Time	33.8
Never	13.1
DK/NS	31.3

41b. Tampering with ballots to change votes

All or Most of the Time	3.0
Some of the Time	18.1
Not Much of the Time	30.4
Never	15.5
DK/NS	33.0

41c. Someone pretends to be another person and casts a vote for them

All or Most of the Time	6.0
Some of the Time	26.2
Not Much of the Time	31.3
Never	6.7
DK/NS	29.8

41d. A non-U.S. citizen votes

All or Most of the Time	8.3
Some of the Time	23.3
Not Much of the Time	25.9
Never	10.1
DK/NS	32.4

42. If election fraud happens at all, do you think it is more likely to take place with absentee or mail voting or in-person voting in a polling place?

Absentee or mail voting	60.2
In-person voting in a polling place	12.0
DK/NS	27.8

43. Do you think Democrats or Republicans are more likely to engage in election fraud? Or do you think they both do it equally or that neither do it?

Republicans	18.3
Democrats	19.3
They both do it equally	32.5
Neither does it	3.4
DK/NS	26.5

44. In the last ten years, in how many elections have you witnessed what you believed to be election fraud?

0	33.9
1	17.8
2	20.5
3	2.4
More than 3	6.1
DK/NS	19.3

45. Do you think election fraud has changed the outcome of any election in which you have participated?

Yes	48.8
No	25.7
DK/NS	25.5

46. Please indicate whether you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree or strongly disagree with the following statements.

46a. Photo identification should be required of each voter at the polls to prevent voter fraud

Strongly Agree	60.4
Somewhat Agree	20.0
Neither Agree nor Disagree	6.2
Somewhat Disagree	6.3
Strongly Disagree	5.6
DK/NS	1.5

46b. Proof of citizenship should be required of each voter at the polls to prevent voter fraud

Strongly Agree	46.9
Somewhat Agree	19.8
Neither Agree nor Disagree	13.4
Somewhat Disagree	6.2
Strongly Disagree	11.4
DK/NS	2.3

46c. I don’t know how to use the straight party option on the ballot

Strongly Agree	2.8
Somewhat Agree	4.3
Neither Agree nor Disagree	11.1
Somewhat Disagree	4.5
Strongly Disagree	74.0
DK/NS	3.3

46d. Public officials don't care much what people like me think

Strongly Agree	14.2
Somewhat Agree	32.3
Neither Agree nor Disagree	18.9
Somewhat Disagree	21.9
Strongly Disagree	11.3
DK/NS	1.4

46e. I consider myself well qualified to participate in politics

Strongly Agree	45.5
Somewhat Agree	27.0
Neither Agree nor Disagree	15.4
Somewhat Disagree	7.0
Strongly Disagree	3.5
DK/NS	1.6

46f. I would prefer elections be all absentee mail-in ballots

Strongly Agree	5.6
Somewhat Agree	6.3
Neither Agree nor Disagree	17.6
Somewhat Disagree	15.2
Strongly Disagree	52.5
DK/NS	2.8

46g. Voters should be able to register on Election Day to vote

Strongly Agree	14.8
Somewhat Agree	14.1
Neither Agree nor Disagree	8.7
Somewhat Disagree	16.1
Strongly Disagree	43.4
DK/NS	2.9

46h. The government should automatically register all eligible citizens over 18 to vote

Strongly Agree	22.7
Somewhat Agree	16.8
Neither Agree nor Disagree	9.2
Somewhat Disagree	12.2
Strongly Disagree	35.1
DK/NS	4.0

46i. Voters should be able to vote over the Internet

Strongly Agree	7.9
Somewhat Agree	8.6
Neither Agree nor Disagree	8.9
Somewhat Disagree	10.7
Strongly Disagree	57.9
DK/NS	6.0

47. Did you try to convince someone who to vote for this election?

Yes	45.7
No	54.3

48. Did you give money to a political candidate or interest group this election?

Yes	32.3
No	67.7

49. Did you visit any candidate, party or interest group web site this election?

Yes	55.8
No	44.2

50. Do you happen to know whether the Democrats or Republicans were in control of the U.S. Senate prior to this election?

Democrats	58.6
Republicans	31.2
DK/NS	10.2

51. We are interested in how people are getting along, would you say that your personal economic situation has gotten much better, somewhat better, stayed about the same, gotten somewhat worse, or much worse over the last four years?

Much better	4.1
Somewhat better	10.0
Same	33.9
Somewhat worse	36.9
Much worse	13.5
DK/NS	1.6

52. Now, thinking about the economy in the country as a whole, would you say it has gotten much better, somewhat better, stayed about the same, gotten somewhat worse, or gotten much worse over the last four years?

Much better	0.0
Somewhat better	0.4
Same	3.4
Somewhat worse	22.0
Much worse	72.8
DK/NS	1.4

53. What is your age? (Mean Age = 52.1 years)

18 to 34	15.6
35 to 49	27.6
50 to 64	32.1
65 years or more	24.7

54. What is the highest grade of education you have completed?

Less than a High School degree	3.9
High School degree	13.5
Some college	18.2
Completed trade school/associates degree	10.1
College degree	30.5
Post graduate degree	23.8

55. Are you a born again Christian?

Yes	23.0
No	74.8
DK/NS	2.2

56a. What racial or ethnic group best describes you?

Hispanic/Latino	24.7 → GO TO 56B
Black/African American	1.2 → GO TO 57
Native American/American Indian	3.3 → GO TO 57
Asian	1.1 → GO TO 57
White/Anglo	65.0 → GO TO 57
Other groups (combined)	4.7 → GO TO 57

56b. [Hispanics and Latinos Only] Would you describe your Hispanic/Latino origin as:

Mexican	19.4
Cuban	1.2
Central American	0.0
Puerto Rican	2.1
Spanish	63.3
South American	5.1
Other	0.0
DK/NS	8.9

57. What is your marital status?

Married	64.2
Divorced	9.2
Never married	20.2
Widowed	5.8
Separated	0.6

58. How much of the time do you speak a language other than English at home?

All or most of the time	5.9
Some of the time	24.2
Not much of the time	3.5
Never	66.0
DK/NS	0.4

59. To the best of your knowledge, what was your total family income before taxes in 2007, including yourself and all those living in your house?

Less than $21,000	13.6
$21,000 to $41,999	23.7
$42,000 to $59,999	14.7
$60,000 to $79,999	17.3
$80,000 to $99,999	11.0
Or over $100,000	16.3
DK/NS	3.4

60. Was Respondent:

Male	45.0
Female	55.0

Post-Script 2010 and Beyond

In 2006, we began a systematic ecosystem examination of the New Mexico election process. This provided many insights and recommendations on ways to enhance and improve the quality of the election experience for the voters and increased efficiency and performance of the election administrator. In 2008, we were able to expand our study and provide additional analyses of New Mexico's first post election audit. Overall, we found a system that is fundamentally working and where election workers and voters have a high degree of confidence that votes were counted correctly. That being said, there is room for improvement and we have made every effort to detail these in this report. As we move into preparation for the 2010 election cycle and smaller off year local contests, we hope that our report has provided useful insights and information to improve the quality of the election experience and create greater uniformity in election administration at the county and precinct level.

Critical to continued improvement of the process is consistent systematic feedback on the process. We note that our 2006 study provided a baseline from which to examine events of the 2008 election and that, for the most part, we saw improvements in election administration that created a better experience for the poll worker and the voter resulting in greater confidence and satisfaction with the election. Therefore, it is important to continue to monitor the ecosystem to ensure continued progress and responsiveness to a system that is in on-going change due to changes in the law and in administrative guidelines. So, we call for more and more expanded research in future elections. The number of observable counties needs to be expanded, the number of early voting locations visited, as well as an examination of additional procedures including the voter registration process and the counting of absentee ballots. Each of these dimensions of election administration in New Mexico merit independent study and analysis to create a long term analysis that feeds back into the election administration improvement process. We hope will be facilitated in the 2020 midterm election and thereafter.

Appendix A. Acknowledgements

This project involves many human and organizational resources for its success. We would like to acknowledge those individuals here.

First, the project would not have been possible without generous financial support from: The Pew Charitable Trusts' Center on the States and the JEHT Foundation's Make Voting Work Initiative. In particular, we would like to thank David Becker, Project Manager for Make Voting Work and Michael Caudell-Feagan deputy director of the Pew Charitable Trusts. The project also would not have been possible without our project partners and their staff including Bernalillo County Clerk Maggie Toulouse Oliver; Bernalillo Deputy County Clerk Robert Adams, Doña Ana County Clerk Lynn Ellins, Doña Ana Deputy County Clerk Mario Jimenz III, former San Juan County Clerk Fran Hanhardt, San Juan County Clerk Debbie Holmes, Santa Fe County Clerk Valerie Espinoza, Santa Fe Deputy County Clerk Denise Lamb, the New Mexico Secretary of State Mary Herrera, the New Mexico Deputy Secretary of State Don Francisco, and her staff Patricia Lemus, Kelli Fulgenzi, Larry Dominguez, and Christiana Sanchez.

Graduate students Lisa Bryant and Yann Kerevel and undergraduate student David Odegard were dedicated workers on this project assisting with every phase of the operations, management, and analysis of the research efforts contained herein. Without their personal and professional commitment and hard work this work would not have been possible.

We also would like to thank Ray Martinez III, who helped us with our earlier New Mexico projects and has actively supported our research efforts in working with election officials. He also reviewed the report before publication. Deputy Cabinet Secretary of the New Mexico Energy, Mineral and Natural Resource Department Jim Noel assisted us in interpreting New Mexico election laws and provided useful advice and assistance at each stage of our project. Mr. Noel also reviewed the report before publication. Other reviewers included Professor Cherie Maestas (Florida State University), Professor Grant Neely (University of Dayton), and Professor Martha Kropf (University of North Carolina, Charlotte). Their remarks were always helpful and productive. Allen Oliver also assisted us with understanding the state government bureaucracy. We would also like to thank R. Bruce Cary who played an important supportive role in all aspects of this project.

At the University of New Mexico, Joann Buehler and Beth Leahy provided administrative support for this project. At Caltech, Gloria Bain provided important administrative support. At the University of Utah, Cindy Brown provided administrative support to this project.