

The City Of Albuquerque 2009 Mayoral Election Administration Report

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The City of Albuquerque 2009 Mayoral Election Administration Report is part of a class project in Political Science 511 Public Opinion and Political Behavior. As part of our class work, we reviewed the literature on voter confidence and election administration and read previous reports on New Mexico elections.¹ In addition, each class member went to City Poll Worker Training in order to be exposed to the rules governing the election.

The election was held on October 6, 2009 and featured an incumbent mayor challenged by two other candidates. Two facets of the election made it unique. First, this was the first city election using public financing. Second, the city of Albuquerque now requires photo identification at the polls, unlike state elections where photo id is not required.² Our observations indicated that the new identification process went very well and none of the precincts we visited had any provisional ballots from voters without a photo ID. However, in a higher turnout race this might not be the case.³

Over the course of the day we had five teams visit 13 election day precinct locations. Since precincts are consolidated for city elections, many of the locations we visited contained multiple precincts. Thus, we were able to visit 40 precincts. The mayoral election was a relatively low turnout election with approximately 83,213 (for mayor) voters, of which 76% chose to vote on Election Day in their precinct as opposed to absentee or early.⁴ The city provided us with credentials for Election Day observations and we were free to move at will from one precinct to another. Generally speaking, the election was well run with few problems; however, we did observe several points in the election process where better education of poll workers, poll judges and voters would improve the efficiency of the election. Based upon our observations of opening operations, closing operations, and general activities over the course of the day, we make recommendations in the areas of:

- Precinct Consolidation
- Precinct set-up
- Use of the Automark

¹ See: Heather Gerken, (2009), *The Democracy Index*, Princeton: Princeton University Press; R. Michael Alvarez, Lonna Rae Atkeson, Thad E. Hall. 2007. "The New Mexico Election Administration Report: The 2006 New Mexico Election," typescript, University of New Mexico available at: <http://vote2006.unm.edu>; R. Michael Alvarez, Thad E. Hall and Morgan Llewellyn, (2008) "Are Americans Confident Their Ballots Are Counted?" *Journal of Politics*. 70(3): 754-766; Lonna Rae Atkeson, Lisa Bryant, Thad Hall, Kyle L Saunders and R. Michael Alvarez. (2010), "New Barriers to Voter Participation: An Examination of New Mexico's Voter Identification Law." *Electoral Studies* (forthcoming); Lonna Rae Atkeson and Kyle L. Saunders. 2007. "Voter Confidence: A Local Matter?" *PS: Political Science & Politics*, 655-660; Birch, Sarah. 2008. "Electoral Institutions and Popular Confidence in Electoral Processes: A Cross National Analysis," *Electoral Studies* 27: 305-320; Yann Kerevel, (2009) "Election Management Bodies and Public Confidence in Elections: Lessons from Latin America," Presented at the International Foundation for Electoral Systems' Election Management and Voter Confidence: Lessons from Latin America and Africa, Washington, DC, August 11, 2009.

² Authentication of the voter does occur, although it is the voter's choice how they are identified in state and federal elections.

³ Voter identification laws in Indiana in the 2008 election generated 1,039 provisional ballots (see: Michael J. Pitts and Mathew D. Neuman (2009), *Journal of Democracy* (forthcoming) available electronically at: <http://ssrn.com/abstract=1465529>.

⁴ http://www.berncogov/upload/images/clerk/City_09/output.htm

- Precinct closing
- Privacy
- Supplies
- Poll worker professionalism
- Political signage and other political activity
- In-lieu of voters
- Non-working M-100s
- Poll worker training

Precinct Consolidation

Precinct consolidation is used when turnout is expected to be relatively low to create greater efficiency and hold down costs to local jurisdictions. However, they also pose several logistical problems because more precincts are located in one location, often with multiple vote tabulators and Automarks in the same room. This can create a complicated situation for voters and poll workers. Voters can easily become confused because they are voting in a different location and thus have to expend more energy to find their correct precinct. It also can create space constraints, making set-up more difficult for poll workers and can decrease voting efficiency if space is not available.

For example, we observed 4 consolidated precincts leading to over-crowding in one very crowded elementary school library, and the inability of a handicapped voter to use the Automark because his wheel chair would not fit under the table they had placed it on. We also saw voters having a difficult time maneuvering around the crowded poll worker table to get to the vote tabulator or voting booths. Consolidated precinct locations and multiple precincts in the same location should be well screened to determine that they have enough room to facilitate efficient voting. In this vein, it may be useful, if possible, to break up precincts that have been consolidated into one location into separate rooms within the same building. Many locations such as community centers and schools could easily accommodate such a change. Separation of precincts by room would create polling precincts, although still consolidated into one locale, which are less confusing, quieter, more private, and less crowded. All with potentially positive impacts on the voting experience. In addition, precinct workers would benefit from a less stressful atmosphere, thereby increasing the professionalism perceived by each voter.

In another location, we were told that voters had problems with the layout because they were not sure which tabulator they should use. We recommend that the precinct number be included on the permit card and a sign be placed over the tabulator indicating the precincts being served. This way, the poll worker who takes the permit card has a check to ensure that the voter is using the correct voting machine and voters can properly identify the vote tabulator associated with their precinct. Such an addition would not only decrease voter uncertainty, but also increase voter privacy infringement by making it unnecessary for poll workers to examine a voter's ballot when he attempts to mistakenly insert his ballot into the incorrect precinct Automark.

Over the course of the day, we saw a number of precincts where the precinct number sign was crossed out and a new or several new precinct numbers were written in. Because the city election consolidates precincts, it also renumbers them, but this creates a conflict for voters who are more familiar with their precinct location and number for the larger federal races. Therefore, we recommend that posted precinct numbers include the precinct numbers used by the county, which apply to all other election contexts. This will simplify the issue for voters.

We observed a last minute consolidation where a traditional voting location was moved to another location. We visited the site where the voting had been moved from and asked the trailer park manager why the location had been moved. His response was that the city people who had brought the voting equipment had been disrespectful and un-cooperative. He had called a city manager involved in the voting process and had been rudely treated by the manager. At that point, the trailer park manager told the voting equipment people to get their equipment out of the location.

When polls are consolidated, the propensity for voters to arrive at incorrect polling locations rises sharply. Upon arrival at many precincts, we were repeatedly told that many voters had to be turned away because they had arrived at the incorrect polling location due to consolidation. We saw one elderly voter show up early at one location only to be redirected to a different location a few blocks away. When we were observing the nearby poll location, the elderly man showed up and was able to cast a ballot. We observed many voters who became overburdened by the cumbersome process of locating their proper precinct by contacting the clerk's office through an automated phone system. Many voters became frustrated and reportedly decided to give up on voting because they could not easily access information on their proper polling locations once they had arrived at an incorrect location. One poll worker expressed frustration over being unable to aid voters in locating the proper polling location. She recommended either a full master list of voters and their appropriate precincts, or a laptop with a database allowing poll workers to look up a voter's precinct information.

Poll Worker Professionalism

Although most poll workers were dressed in a professional manner, we saw several instances where poll workers were inappropriately dressed in torn or unclean clothing. Such an environment decreases the overall professional nature of the polling place and at times can make a poll worker seem unapproachable and uncaring.⁵ Therefore, we recommend that poll workers be reminded that they should adhere to the dress code to create a professional and helpful environment in the polling place.

⁵ Additionally, the badges for the poll workers were so small that it was hard to identify who was a poll worker in the polling place. In the future, larger, more visible identification badges should be given to the poll workers to increase their visibility in the polling place.

We also saw instances where poll workers were voting over the course of the day in the precinct in which they were working. Because poll workers have access to multiple ballots and voter lists, it is important that policies prohibit this kind of activity. Although we do not believe any fraudulent activities were occurring, having poll workers vote on the machines while other voters are present could create a perception that poll workers are not doing their job. Poll workers should be encouraged to vote early or absentee to solve this perceptual problem.

We also visited one precinct location where three poll workers were related. Although there is no formal policy against such an arrangement, we argue that it has the potential for bias and problems and should not be allowed. Poll workers are the primary defense against election fraud. Employing multiple workers helps ensure that any one individual with malicious intent is likely to be counter-balanced by others who are committed to ensure the integrity of the election process. Employing an entire family in one precinct may create some conflict of interest.

In one precinct, a voter realized he had been given two ballots when he turned his ballot over to vote on the back. He did not mark the back of the second ballot and reported the problem after he had completed his first ballot. The poll captain took the second, unmarked ballot and destroyed it (ripped it in two parts).

Procedurally, the precincts observed had one individual located at the voting machines. In some precincts these machines were a distance (up to 50 feet) from the voting location. There was occasionally confusion about where to go after completing the ballot. The precincts could have stationed an individual near the voting locations and directed the voters where to take their ballots to reduce confusion. The confusion was more apparent in consolidated poll locations – voters were not always clear who to turn to for direction.

Supplies

Although most precincts we visited had all the supplies they needed. We went to several locations where they did not have enough pens. Additionally, it appeared that no one had “I voted today” stickers resulting in a number of complaints.

We also saw a large number of precincts where signage was poor outside the precinct making it difficult to locate the voting location from the street or from inside the building. This problem is especially relevant in voting locations with multiple entrances. At one school, the main entrance did not have any signage, while the “back” entrance did provide adequate signage. At another school, following the signs led voters straight through the school’s play yard where recess and PE classes were being held for the day. Given that mayoral races consolidate precincts, good signage is of extra importance because voters are not necessarily going to their “normal” voting location. Therefore, we recommend many more signs so that precincts can easily be identified from the street and inside the building.

Finally, we saw several instances where there were no chairs for voters or precinct workers to sit on. This was most problematic for anyone who might need to use the Automark. Several polls were in gymnasiums that lacked tables and chairs. Because the poll workers set up and open early, they were not able to easily find tables and chairs to use during the first hour. Precinct locations should only be selected if they provide a functional working environment⁶ for poll workers and voters. Location staff could be sent a checklist of required furniture and make sure it is available the night before.

Privacy

We saw some instances where voter privacy was a problem. This was especially likely with spoiled ballots. In many cases, the poll judge or other poll worker took control of the spoiled ballot before it was placed in an envelope, giving opportunities for poll workers to observe a voter's vote choices. Poll worker training should emphasize voter privacy. The voter, not the poll worker, should handle spoiled ballots. Voters should be given a large envelope in which they place and then seal their spoiled ballot. At no time should poll workers review or touch a voter's ballot unless a voter has specifically requested help and given such consent. Such a problem was widely pervasive, and therefore needs to be stressed more prominently in poll worker training sessions. Privacy may also have been an issue when voting booths were set up very close together or in a place with through traffic moving behind voters. We saw this in one poll where booths were set up in a crowded corner of a media room.

Precinct Closing

We observed that as the end of the voting day approached, some poll workers began shutting down their precinct and taking apart the equipment while voters in other consolidated precinct locations were voting and entering another precinct. This creates a hostile environment for voters, who then may feel compelled to rush through their ballot increasing the likelihood of a mistake or they may turn around and leave before entering because they think the polls have closed. In addition, we observed poll workers engaging in heated conversations over this action, further depressing the positive voting experience of many voters. The process of closing a polling place is quite noisy and therefore very disturbing to voters completing their ballots. Therefore, it is important for poll workers to not begin the closing process until after the polls have officially closed and all voters have vacated the premises. In the case of consolidated precincts, it should be the job of one and only one poll worker to signal the appropriate time to begin dismantling polling locations in an effort to avoid confrontation between polling judges. Confrontation between precinct workers has a propensity to decrease the perceived professionalism of poll workers in the eyes of the voter and therefore may decrease voter confidence.

Political or Candidate Signage and Other Political Activity

⁶ In one location, (an elementary school gymnasium) there was construction going on. Loud noises from the construction could be distracting for voters, and annoying for poll workers, providing an unsuitable voting environment.

We observed several instances where candidate signs outside a polling place were not in keeping with the law. Electioneering too close to the polling place according to the law consists of any form of campaigning on election day within one hundred feet of the building in which the polling place is located, and includes, but is not limited to, the display of signs or distribution of campaign literature.⁷ To facilitate implementation of the law, we recommend that poll supplies include a cord or string that can be measured from the entrance to the polling place, so that poll workers know what signs to take down and what signs to leave up.

Further, we saw several instances where staff members for candidates running for 2010 statewide office were using the entrance of precincts as locations to obtain signatures for their candidate to appear on the ballot. These activists are required to stay 100 feet from the polling place and should not in anyway interfere with the voting process. New Mexico election laws clearly indicate that any such activity is considered a petty misdemeanor.

Automarks

We saw several instances where Automarks were broken, including one in a nursing home where it might have gotten a lot of use. In one extreme precinct, we observed that the Automark and several voting booths were not set up. When we inquired why, the poll workers told us, “what goes up must come down, so we didn’t set them up.” The Automark is an important component of in-person election activities, providing a valuable service to voters who are handicapped or have other physical limitations. Therefore, it is important for poll workers to be well trained on its set up and use and poll workers should be encouraged to provide this service to voters when it is needed. Broken Automarks should be quickly replaced and equipment at all times should be working and available for use.

In-lieu of Voters

Because municipal elections do not allow absentee voters to return their ballot to their local precinct on Election Day, as in other elections, it creates complications for voters who expect this service. We observed several instances where in-lieu of voters wanted to drop their ballots by their local precinct and were disappointed or angry when they were told they had to be taken to the City Clerk’s office. In one case, we found that a poll judge allowed the voter to vote anyway on a new ballot and insert that ballot into the voting system. In addition, this voter kept her absentee ballot, theoretically allowing her the possibility of voting two ballots and having both of them being counted. Better training of poll workers is necessary so that poll judges can effectively handle voter-poll worker conflict and stay within the bounds of the law. Additionally, several voters who arrived at the wrong precinct opted not to relocate to their correct precinct because of time constraints. Several of these voters expressed the desire to cast a provisional ballot at the incorrect precinct instead of having to spend more time relocating to the correct precinct.

⁷ 2007 Election Handbook, State of New Mexico, 3-8-77 NMSA 1978.

Permitting voters to cast provisional ballots at precincts other than their assigned precincts may be a possible solution.

Non Working M-100 Vote Tabulators

There was an early problem in about a dozen precincts with the M-100 vote tabulators not working. In some of these cases, it appeared to be due to ballot cutting problems that prevented the machine from being able to read the ballots. Technicians were able to solve this problem through recalibration, though sometimes it took several hours. Late in the day, as far as we could tell, all the reported machine problems were no longer an issue. Machines and ballots should be checked in advance so this type of problem does not occur.

Poll Worker Training

Many of the problems observed on Election Day seem to be the result of errors on the part of poll workers. Improved training and better-written manuals may help alleviate these problems in the future. The training itself did a fairly good job of explaining how to set up the equipment and the voting machines. However, there was little attention given to the step-by-step process of opening the polls, checking in voters, closing the polls and filling out the necessary forms after closing. The training observed in the County Commission chambers used a power-point presentation, yet the information provided on the power-point was not provided to the poll workers attending the training. In the future, all information provided at the training should be given to poll workers as many of them rely on this information on Election Day.

Attendees were provided with a lengthy training manual full of small print and legal citations. The manual was very difficult to read, had poorly designed topic headings, and did not include an easy reference page to quickly find information in case a problem arose on Election Day. For example, instructions on how to deal with spoiled ballots was under a section entitled, "Receipt of Paper Ballots." Not only did we observe many attendees at the training ask about spoiled ballots, but they were also unable to locate this information in the manual. In the future, the training manual should be written in simple, plain English in the most concise manner possible. Any legal information should be relegated to the end of the manual so that poll workers can easily read and find information when necessary.

Appendix 1.1: Precincts Studied

Edward Gonzales Elementary School (precincts 41, 42, 52, 58)

Parajito Elementary School (precincts 73, 76, 88, 90, 91)

Lavaland Elementary School (precincts 36, 37)

Mary Ann Binford Elementary School (precincts 43, 44, 49, 60)

John Adams Middle School (precinct 38)

Osuna Elementary School (precincts 484, 511, 512)

Manzano High School (precincts 298, 299)

Hayes Middle School (precincts 415, 416, 417)

Jefferson Middle School (precincts 41, 116)

Dolores Gonzales Elementary School (precinct 35)

Herman Sanchez Community Center (precincts 93, 94, 95, 96, 98, 105, 106, 257, 258)

Eugene Field Elementary School (precincts 38, 45)

Encino House (precincts 37, 87)

Appendix 1.1: Project Team Members

Lonna Rae Atkeson. Professor Lonna Atkeson teaches political science at the University of New Mexico where she is a Regents' Lecturer. She studies voter and candidate behavior, campaigns and elections, public opinion, election reform, election administration, and New Mexico politics and has published widely in these areas.

Alex Adams. Alex Adams is a first year PhD student in the Political Science Department at the University of New Mexico. Born and raised in New Mexico, he has a strong interest in the politics of New Mexico. Additionally, he is interested in voter behavior, elections, public opinion, and the study of happiness.

Angelina González-Aller. Angelina is a second year PhD student in Political Science at the University of New Mexico. As a student of American government, Angelina focuses on the relationship between the representation of racial and ethnic minorities and public policy.

Willard Hunter. Willard is a first year MA student at the University of New Mexico. His interests are in American government and in public policy related to drugs and to national security.

Yann Kerevel. Yann is a PhD student in the Political Science Department at the University of New Mexico. His research interests include the comparative study of electoral systems, election administration, legislative behavior, political parties and elections.

Kimberly Proctor. Kim is a PhD student in Political Science at the University of New Mexico. Her research interests include transitional justice, interstate conflict, and gender.

Lisa Sanchez. Lisa Sanchez is a first year PhD student in the department of Political Science at the University of New Mexico and an APSA Minority Fellow. Her interests include legislative behavior, representation, race and ethnicity, as well as the nature and origins of political ideology.

Lori Tafoya. Lori is a PhD student in the department of Political Science at the University of New Mexico. Her interests include political participation and vote choice, with a focus on how technology affects voter choices.