

# 2018 NEW MEXICO ELECTION ADMINISTRATION, SECURITY, AND ELECTION REFORM REPORT

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## Table of Contents

Executive Summary	5
Summary of Key Finding Regarding the Characteristics of Voters and the 2018 campaign	
Summary of Key Findings from Voter Experiences	
Summary of Key Findings about Voter Concerns about Election Security	12
Introduction and Study Background	17
Chapter 1 Overview of the 2018 Midterm Election in New Mexico	21
1.2. Data and Methodology	
1.3 Voter Turnout	
Figure 1.1. NM Number of Voters Since 2000	21
Figure 1.2. NM Turnout Compared to Average US Turnout since 2000	22
Figure 1.3. NM Party Registration since 2000	23
Table 1.1. Average Presidential and Senate Election Outcomes by Blue and Red States Comp	ared
to NM	
1.4 Characteristics of Campaigns in 2018	24
Table 1.2. Information about Registered and Actual Voters by Congressional District	25
Figure 1.4 NM House Candidates \$ Raised, 2018	
Figure 1.5 NM Gubernatorial Candidate Spending	
Figure 1.6 NM Senate Candidates \$ Raised	
1.5 Characteristics of Voters	
Table 1.3. Age of Electorate	
Table 1.4. Registered Party by Age (and by Sex)	
Table 1.5. Party Registration by Hispanic Surname	
Figure 1.7. NM Voting Mode Since 2000	
Table 1.6. Vote Mode by Congressional District	
Table 1.7. Vote Mode by Party	
Table 1.8. Vote Mode by Hispanic Surname	
Table 1.9. Vote Mode by Age	32
Chapter 2 Voter Experiences	33
2.1 Contacting the Secretary of State	
2.2 Vote by Mail (VBM)	
2.3 Early and Election Day Voter Experiences	36
Wait Times	36
Figure 2.1. 2018 Wait Times by County	37
Ballot length	38
Voter-Poll Worker Interactions	38
Finding VCCs/Precincts	39
Parking Problems	39
2.4 Voter Confidence	39
Table 2.1. Frequency and Means of Personal, County, State and National Voter Confidence	
Figure 2.2 All Levels of Voter Confidence over Time	
Figure 2.3 Average Voter Confidence by County	
Table 2.2. Evaluation of Voter Experience over Time	
2.5 Voter Identification	
Table 2.3. Frequency of Voter Identification Method	47

Figure 2.4 Support Voter ID	48
Table 2.4. Voter Attitudes toward Voter Identification over time?	49
2.6 Attitudes toward Election Reforms	
The National Popular Vote becomes Law	
Same Day Voter Registration and Automatic Voter Registration become Law	
Open Primary Elections Stalls	
Straight Party Option is not Introduced	
Table 2.6. Percentage of Voters Who Used the Straight Party Option by Ethnicity	
Table 2.7. Percentage of Voters who Used the Straight Party Option by Age	
Table 2.8. Percentage of Voters who Used the Straight Party Option by Party	
Ranked Choice Voting/Instant Runoff	
Mail Elections	
Public Financing	
Figure 2.4. Are NM's Elected Officials More Responsive to Campaign Donors or Voters?	60
Chapter 3 Voter Confidence, Voter Experience and Election Security	62
3.1 Concern about Hacking	
Table 3.1. Concern about possibility of Cyber Threats or Hacking	63
3.2 Election Security	
Table 3.2. Open Ended Responses to Concerns about NM Election Security	64
3.3 Priorities in Election Security	67
3.4 Experiences and Beliefs with Election Security Problems	69
Table 3.3. Which of the following situations did you personally observe in the 2018 General	
Election? [check all that apply]	
Table 3.4. How likely or unlikely is it that the following situations happened in your state?	
Figure 3.1. Average Likelihood of Fraud by Party	
Figure 3.2. Average Likelihood of Fraud by Education	
Figure 3.3. Likelihood of Fraud by Age	
Figure 3.4. Likelihood of Fraud by Ethnicity	
Frequency of Fraud	75
Table 3.5. Below is a list of possible illegal election activities that may or may not take place in	
YOUR COMMUNITY. Please tell me whether you think each event occurs:	
Figure 3.5 Average Fraud Frequency by Party	
Figure 3.6. Average Fraud Frequency by Education	
Figure 3.7. Average Fraud Fraguency by Age	
Figure 3.8. Average Fraud Frequency by Ethnicity Figure 3.9. Possible Illegal Election Activities Overtime % All, Most, or Some of the Time	
3.5 Frequency of a Fair Election Process	
Table 3.6. How Often do the Following Things occur in Election in the US?	
Figure 3.10. Health of Electoral Context by Party	
Election Security Discussion	
·	
Post Script: 2018 and Beyond	84
Appendix A. Selected Frequency Report	86
Appendix B. 2018 Election Administration, Security, and Election Reform Survey Methodol	ogy
	99
Appendix C. UOCAVA 2018 Election Administration, Security, and Election Reform Survey	100

Methodology	
Appendix E. Election Day Observation Frequency Report	
General Observation Frequency Report	
Frequency Report for Opening Procedures	
Frequency Report for Closing Procedures	

## **Executive Summary**

# Summary of Key Finding Regarding the Characteristics of Voters and the 2018 campaign

- There were 1,261,712 registered voters in NM for the 2018 November general election. Of those, 698,495, or 55.4% voted in the 2018 election.
- However, estimates suggest that there is a pool of 1,482,246 eligible electors. Therefore, when we consider the entire voting eligible population (VEP), the turnout rate is 47.1. The national turnout average was 50.1.
- Over the last almost two decades, the percentages of both registered Democrats and Republicans has declined, while those registered as something else (mostly Decline-to-State (DTS)) has increased. In 2000, 52% of registered voters were Democrats. By 2018, the percentage of registered Democrats had declined to 46%—a 7 point decline. Registered Republicans have decreased by 3% over the same time period, from 33 to 30%, and the percentage of registered DTS/Other have climbed from 15% to 24%.
- The two largest parties other than the Democratic and Republican Parties, are Green, which is the declared party of 4,099 registered voters or .3% and represented 1,444 or .2% of 2018 voters, and Libertarian, which is the declared party of 9,434 registered voters or .7% of registered voters and 4,619 or .7% of 2018 voters.
- In 2018, 50.6% of voters who turned out were Democrats, 33.5% were Republicans and 15.9 were DTS/Other. That's about 8% fewer DTS/Other voters than their overall percentage of eligible voters. DTS voters are the least likely to participate in elections.
- There are 435,092 registered voters in CD1, 382,060 in CD2, and 444,293 in CD3. In the 2018 election there were 251,429 voters in CD1, 200,713 in CD2, and 246,086 in CD3.
- Democratic gubernatorial, Senate and House candidates spent substantially more than Republican candidates.
- The CD1 race averaged \$9.82 per vote, the CD2 race averaged \$30.89 per vote, and the CD3 race averaged \$8.24 per vote.
- In 2018, 54% of voters are female and 46% are male.
- Women are far more likely to belong to the Democratic Party than men. In this election, 46% of men are registered Democrat, 18% as DTS/Other and 36% as Republican, while 55% of all women are registered as Democrat, 14% as DTS/Other, and 31% as Republican. In this election, women made up 54% of the electorate, while men made up 46%.
- The average voter is 55 years old, and the median voter is 58 years old.
- Older voters are more partisan than younger voters. Voters 29 and under are twice as likely to not identify with a party (24%) as voters over 65 (12%).

- In 2018, just over a majority of voters (54%) voted early in-person, while only 27% of voters voted on Election Day, and not quite one in ten (9%) voters voted absentee by mail.
- 32% of voters in NM had Hispanic surnames while 68% did not. Nearly three in five of voters with Hispanic surnames registered as Democrats compared to two in five of voters without a Hispanic surname.
- New Mexico is trending blue, but a mix of evidence about partisan voting patterns suggests it is still somewhat competitive.

### **Summary of Key Findings from Voter Experiences**

- Many voters visit the Secretary of State's website for election-related information. Almost two in five voters (38%) visited the SOS website, with almost ½ of those voters checking or updating their registration. 13% visited it to find contact information about their county clerk. 7% visited the website to request an absentee ballot, and 5% visited to register to vote.
- About 86% of voters indicated that it was very (43%) or somewhat (43%) easy to find what they were looking for on the website while 14% indicated it was somewhat (11%) or very hard (3%).
- Vote by mail (VBM) voters made up 10% of New Mexico voters in 2018. About onequarter of VBM voters indicated they contacted the county clerk at some point during the voting process. 94% were satisfied with their interactions.
- About half of VBM voters chose this method because of the convenience of voting in their home. Another one-quarter wanted to avoid lines on Election Day, and one in five did not want to travel to a voting location. Another 10% indicated they had to work on Election Day. Two percent of VBM voters indicated they voted this way because they didn't know where to vote in person. Thirteen percent of VBM voters indicated they did so because they are homebound or for health reasons. Two in five VBM voters chose this method because they wanted time to study and complete their ballot.
- 90% of VBM returned their vote through the United States Postal Service (USPS), another 1% emailed it, and other 9% delivered it in-person to the county clerk's office or to an Election Day precinct or vote center.
- Over 96% of VBM voters indicated it was very easy (74%) or somewhat easy (22%) to follow VBM voting instructions, only 4% thought it was somewhat or very hard.
- New Mexico voters, on average, reported waiting about 6 minutes in line to vote during the 2018 midterm election. This includes an average wait time of 4.5 minutes for early voters, and an Election Day average wait time of 8 minutes.
- Over half of voters indicated they felt their vote time was virtually no wait time, another one-third indicated it was a short wait time, 9% of voters indicated it was a moderate wait time, and only 2% of voters indicated it was a long wait time.

- Compared to 2016 the ballot length was not a problem for many voters. Just over 8 in 10 voters either strongly disagreed (24%) or somewhat disagreed (55%) with the statement, "the ballot was too long," while about 1 in 5 either somewhat agreed (17%) or strongly agreed (4%).
- Recent research suggests that some voters are very concerned about their ballot privacy and doubt that their vote is secure and/or private. About 96% of the voters either strongly agree (60%) or somewhat agree (36%) that their privacy was protected. Voters who had a hard time finding a polling location, had to go far out of their way to vote, or had a hard time finding a place to park, or had unhelpful poll workers were less likely to feel their ballot was private and secure.
- We find that 96% of voters either strongly (61%) or somewhat agreed (35%) that their poll workers were helpful. Only 4% of in-person voters indicated they were not helpful. This is consistent with statewide results in 2016.
- Almost all (97%) early and Election Day voters indicated that they either "strongly agreed" or "somewhat agreed" with the statement that their voting location was "easy to find." Only 3% of early and Election Day voters "somewhat disagreed" or "strongly disagreed" with the statement that the location of their voting site was easy to find.
- We asked voters to agree or disagree with the statement, "I had to go far out of my way to vote." We found that 95% of voters disagreed with this statement and 5% agreed with it.
- We found that most voters did not have problems parking during early or Election Day voting. We asked early and Election Day voter to agree or disagree with the statement, "It was hard to find a place to park" on a four-point scale with "strongly disagree" as the first category and "strongly agree" as the last. We found that 90% of the voters disagreed with the statement while only 10% of the voters agreed, which was very similar to what we found in 2016.
- Just over half (56%) of voters were very confident and another 3 in 10 (31%) were somewhat confident that their vote was counted correctly. Thus, almost 9 in 10 voters (87%) were very or somewhat confident that their ballot was counted correctly.
- About 8 in 100 voters (8%) were not too confident and only about 5 in 100 voters were not at all confident (5%).
- The results also show that as the election administrative unit is more distant from the voter (e.g. from personal to national) voter confidence significantly declines. This result is consistent over time and we have observed the same pattern in every election cycle. As people get further away from the voting process, they become more concerned about its accuracy. For example, 56% of voters are very confident that their vote was counted as intended. Only 46% of voters are very confident in the process at the county level. Only 37% of voters are very confident in the process at the state level. Only 22% of voters are very confident in the process nationwide.
- Feelings that ballot privacy was protected increases voter confidence.
- Helpful poll workers increase voter confidence.

- For absentee voters, dropping off the ballot at a polling location increases voter confidence. Ensuring voters can drop off in-lieu of ballots on Election Day should be continued and perhaps even encouraged
- We found that gender and race or ethnicity have no relationship to voter confidence, but older voters and more educated voters have higher levels of voter confidence.
- Overall voter experience in 2018 was fairly typical with nine in ten voters indicating that their experience was good (53%) or fair (37%).
- In 2018 we asked, "In New Mexico, the voter gets to choose how they want to be identified at the polls. They can provide (1) their name, address, and birth year, (2) a photo ID, or (3) a non-photo ID. What type of identification did you provide?" Nearly half of all voters statewide provided the minimum identification: their name, address and birth year. But, almost two in five voters (39%) were asked for or provided a photo or non-photo ID.
- Because it is the voter's choice how they want to be authenticated, to identify incorrect voter ID procedures we asked, "Thinking back, did your poll worker ask for a photo or non-photo ID or did you just provide it to them without being asked?" 30% of voters indicated they were asked for the ID, while 59% indicated they just provided it to the poll worker and another 11% indicated that they did not remember.
- When we look at this by demographic characteristics we find that those with a high school diploma or less are more likely to indicate the poll worker asked for the ID.
- We also find that Hispanics and Native Americans indicate they recall being asked for ID more often than whites or blacks. Whites indicated the poll worker asked for ID 27% of the time, for blacks it was 23% of the time, but for Hispanics it was 38% of the time.
- We estimate that 80% of voters were identified correctly—with the minimum voter ID or with the voter's preferred method, while 20% were identified incorrectly.
- Attitudes toward voter identification are complex and take on different perspectives depending on how the question is framed. Therefore, we asked several questions. First, we asked a simple question about how strongly voters agree or disagree with the following statement: "Photo identification should be required of each voter at the polls." We find that almost 7 in 10 (69%) voters support voter ID.
- We find that Democrats are the most split on this with just under half (48%) supporting voter ID and just over half not supporting it (52%). Almost all Republicans (96%) support photo ID. Independents also strongly favor voter ID, with 87% supporting voter ID policies.
- Over time, there has been a significant decline in support for this issue among Democrats, which has affected the overall support levels. In both 2008 and 2010, NM Democrats overwhelmingly supported voter ID policies with 70% supporting such policies in 2006 and nearly 80% in 2010, but this declined in 2012 and has held steady since 2014.
- To assess attitudes toward the trade-off between vote fraud and greater access, we repeated a question that we have asked respondents since 2006, "Which is more important, ensuring that everyone who is eligible has the right to vote or protecting the

- system against fraud?" Almost three in five voters (58%) thought that protecting voter access was most important and nearly 2 in 5 voters (39%) thought that preventing voter fraud was more important.
- Over time, more voters believe that it is more important to ensure that everyone who is eligible has the right to vote.
- We find that partisanship is the main determinant of attitudes toward access and integrity. Over 7 in 10 Democrats (77%), compared to over 3 in 10 (34%) Republicans believe that it is more important to ensure that everyone who is eligible has the right to vote. Democrats, over time, have increased their support for access over integrity. Nearly 2 in 3 Republicans (64%), compared to over 2 in 10 (21%) Democrats believe that it is more important to protect the system against fraud.
- More educated voters were more supportive of ensuring that everyone who is eligible has the right to vote. 65% of voters with post graduate degrees indicated it was more important to ensure everyone who is eligible has the right to vote, while 53% of high school graduates or less, and 54% of those with associate degrees or some college, and 57% of those with a college degree held the same attitude.
- African Americans were the most likely group of voters to feel it was more important to
  ensure eligible voters got the chance to vote. Hispanic voters were the least likely group
  of voters to feel this way.
- To assess how voters feel about the current NM Voter ID law, we asked, "New Mexico's voter ID law requires voters to identify themselves. The minimum identification is to state their address, name, and birth year. Do you think the minimum identification is: too strict, just right, or not strict enough?" We find that about half of voters think the law is just right (50%) and about half think it is not strict enough (46%). This is fairly similar to what we saw in 2014 and 2012, but shows a large change compared to 2010. In 2010, three in five voters (61%) indicated that the New Mexico law was not strict enough and about two in five (38%) indicated it was just right.
- We asked several survey questions on our postelection survey over the last 3 election cycles that showed generally strong support for some sort of national popular vote presidential system. We asked, "How do you think we should elect the President: should it be the candidate who gets the most votes in all 50 states, or the current Electoral College system?" In 2012, we found that 62% of voters supported this, in 2014 we found that 72% of voters supported, in 2016 this dropped to 2012 levels (62%), and in 2018 it was static at 62%.
- In 2016, we specifically asked about the National Popular Vote (NPV). We asked voters whether they "strongly agree," "somewhat agree," "somewhat disagree," or "strongly disagree" that, "New Mexico should pass legislation to support the national popular vote initiative, which would give New Mexico's Presidential electoral votes to the candidate who won the most voters in the nation." We found that 55% of the voters either strongly agreed or somewhat agreed to the statement, while 45% of the voter either somewhat disagreed or strongly disagreed.
- Not surprisingly, given that under the current Electoral College system, Democrats have

recently lost twice while winning the popular vote (Bush 2000 and Trump 2016) and Republicans have won twice while having lost it, this is a highly partisan issue. In 2018, 92% of Democrats and 26% (up from 19% in 2016) of Republicans, and just half of Independents (51%) supported selecting the candidate who wins the most popular votes nationally to serve as President.

- Our postelection survey shows that almost ½ (49%) of voters supported same day registration, while just above half (51%) of voters did not support same day registration. Compared to other election reform measures, support for this measure was much less strong. Partisanship structured support for this measured. Seven in ten Democrats supported this with 44% strongly agreeing and 26% somewhat agreeing. Only 2 in 5 Independents supported this measure with 25% strongly agreeing and another 16% somewhat agreeing. Almost one in four Republicans supported this (23%) with a mere 10% strongly supporting it and other 13% somewhat supporting it.
- We asked voters whether they "strongly agree," "somewhat agree," "somewhat disagree," or "strongly disagree" that, "Eligible voters should be automatically registered to vote through their state DMV or other state agencies." We found that fully two thirds of voters (67%) agreed with this statement, while only 33% disagreed. While attitudes were clearly related to partisanship, it was somewhat weaker than for the national popular vote with larger numbers of both Independents and Republicans supporting this measure. While 85% of Democrats agreed with the statement, 60% of Independents also did and 45% of Republicans did.
- In 2012, the Republican Secretary of State (SOS) opted out of the straight party ballot option. With the election of Democrat Maggie Toulouse Oliver, who campaigned on reinstating it in her 2016 election bid, the straight party option was reinstated. She argued that the straight party option allowed some voters, who had difficulty with long paper ballots to exercise their right to vote more easily. However, NM Republicans and Libertarians criticized the decision as partisan maneuvering and filed a lawsuit. The NM Supreme Court agreed with the critics in a unanimous decision that prevented the SOS from NM Supreme Court ng forward with her decision saying that the legislature must make such decisions, and that those decisions cannot be delegated to the executive in charge of the election process.
- One advantage of a straight party option is it helps some voters more easily complete their ballot. Given the length of NM ballots the straight party option allows some voters more ballot usability. Thus, the straight party option represents an accessibility issue. Our results indicate that in both 2008 and 2010 over one-quarter of voters (28% of voters in 2008 and 27% of voters in 2010) used the straight party option.
- In 2012, we asked voters to agree or disagree with the following statement, "I would have preferred to be able to use the straight party option." About 2 in 5 voters (42%) agreed with this statement.
- In 2014, we asked Bernalillo County voters whether they would like to have the straight party option reinstated and not quite half (47%) indicated that they would. This outcome was heavily predicted by whether they had ever used the straight party option. While 75% of those voters who had never used the straight party option indicated they would

- not like to have the straight party option reinstated, 77% of voters, a near equal percentage, who had used the straight party option indicated they would like to have it reinstated. Thus, those who had previously interacted with the ballot in this way would prefer the option to use it again.
- In 2018, we find identical support for reinstatement with nearly half (47%) of voters indicating they would prefer to see the straight party option reinstated. As in 2014, we find that this is heavily structured by strength of partisanship. Three in five (59%) voters who identify as strong partisans, and who are the most likely beneficiaries of such an option, support the straight party option. While weak, leaning, Independent and non-major party registrants do not. Two in five (40%) of weak and leaning partisans support it. One quarter (22%) of Independents support it.
- We also consider who takes advantage of the straight party option. For example, in a recent case on straight party voting in Michigan, the District Court found that black voters were more likely to use the straight party option. We find that minority voters are more likely to use the straight party option than white voters. While one-quarter (25%) of white voters indicated they used the straight party option, over two in five (42%) black voters did. We also see large differences between whites and Native Americans and Hispanics. Nearly two in five (37%) of Native Americans and over one-third (35%) of Hispanics used the straight party option.
- We also find that older voters and more partisan voters are more likely to have used the straight party option.
- We asked voters to disagree or agree with the following statement, "Ranked choice voting or instant run-off is an election reform that allows voters to rank candidates from their most favorite to least favorite." We found that a simple majority of voters (51%) supported RCV, while 49% did not.
- We asked whether voters "strongly agree," "somewhat agree," "somewhat disagree," or "strongly disagree" to, "New Mexico should move to all mail elections." We found that nearly 1 in 5 voters either "strongly agreed" (6%) or "somewhat agreed" (12%) to the statement, while 4 in 5 either "strongly disagreed" (54%) or "somewhat disagreed" (30%) to the statement. These are the same results from the 2016 election. Demographic characteristics do not seem to influence attitudes towards mail elections.
- Partisanship seems to have a relationship with support for mail elections; 25% of the Democrats support moving towards mail elections, while only 9% of Republicans, and 16% of the Independents do so. Republicans are adamantly opposed to these types of elections; fully 74% of Republicans strongly disagree with the statement compared to 51% of Independents and 40% of Democrats.
- There is strong support for public financing in NM. 65% of voters strongly (25%) or somewhat (40%) agree that "all elected offices should be eligible to receive public financing," 35% disagree either somewhat (17%) or strongly (18%). This is consistent with what we found in 2016.
- In addition, 63% indicate that they "support public financing even if some of the funding might go to candidates I don't agree with." In 2016, we found this was 66%.

- Nearly 8 in 10 voters (78%) of voters indicate they pay attention to whether a candidate is publicly or privately funded or not. This is an 11-point increase from 2016.
- Two-thirds (67%) of voters believe that, "Public financing would allow people like me to run for office." These results are very similar to what we found in 2016.
- We also asked, "Generally speaking, do you think New Mexico's elected officials are more responsive to campaign donors or voters?" Figure 2.4 shows the results for both 2018 and 2016. Voters have become quite a bit more cynical in the last two years. Seven in ten voters indicate that candidates are more responsive to donors in 2018, while that was 10 points less, 6 in 10 voters, in 2016.
- Given the 2020 census is almost upon us, we asked two questions about the redistricting process in NM. First, we asked how strongly voters agreed or disagreed with the following, "An Independent redistricting commission should be created to determine district boundaries after the 2020 census." In principle voters support an Independent commission with over 8 in 10 (84%) of voters either strongly (44%) or somewhat agreeing (39%).
- A majority of Democrats (89%), Independents (81%), and Republicans (76%) support it. Indeed, this measure has the strongest support among all the election measures we examined. While we often saw party polarization across election reform issues, here we see congruence. All partisans want a process that is more independent than partisan.

## **Summary of Key Findings about Voter Concerns about Election Security**

- We asked "How concerned are you about the possibility of cyber threats or hacking of New Mexico Elections?" Nearly one-quarter of voters indicate they are very concerned with another two in five voters indicating they are somewhat concerned, suggesting a rather large majority of voters are worried about election security.
- What is the relationship between security and voter confidence? Do concerns about security affect voter confidence? The answer is yes, voters who indicate they are more concerned about the possibility of cyber threats or hacking are more likely to be less confident in all levels of voter confidence.
- 64% of voters who are not at all concerned about cyber threats are very confident that their vote was counted as intended versus 46% who are very concerned.
- 59% of voters who are not at all concerned about cyber threats are very confident that the votes in their county were counted correctly versus 37% who are very concerned.
- 52% of voters who are not at all concerned about cyber threats are very confident that the votes in their state were counted correctly versus 27% who are very concerned.
- 30% of voters who are not at all concerned about cyber threats are very confident that the votes in the nation were counted correctly versus 9% who are very concerned.
- To understand voter perceptions of election security, we asked the following open-ended question, "What concerns you the most about election security in NM?" Responses

suggested six concerns along with a significant number of voters who indicated no concerns. The six concerns included: 1) hacking and vote tampering, 16%; 2) vote fraud 11%; 3) corruption among election officials, poll workers, or the individuals who service the machines, 7%; 4) ballot procedures, 5%; 5) voter suppression, 2%; and, 6) the quality of the voter rolls 1%.

- Vote hacking, the voter rolls, and corrupt politicians, poll workers, or others involved in the election process are all related to concerns that people mostly electronically, but possibly some other way, are altering either individual ballots to influence vote outcomes or altering aggregate vote counts. If we consider these responses together nearly a quarter of voters had concerns that individual ballots or vote counts had the potential to be fraudulent if vigorous methods were not in place to stop it.
- While we saw no demographic differences in terms of hacking, we did find that Democrats (24%) were far more concerned about hacking than Republicans (8%) or DTS (10%).
- While we once again saw no demographic differences in terms of corruption, we did find a strong partisan difference with both a substantial percentage of independents (11%) and Republicans (10%) rather the Democrats (3%) citing this as a problem. This reflects the state's Democratic Party dominance.
- In addition, numerous people wrote about ballot procedure irregularities, especially in absentee voting, and either indirectly or directly called out Dona Ana, Cibola, and Valencia for perceived mismanagement of ballots. Although, there was no actual mismanagement of ballots found in these counties, the fact that the clerks could not 1) complete absentee ballot counting in Dona Ana on election night, 2) that there were reported problems of slow machine counting in Cibola that led to delays, and 3) that in Valencia a race outcome was changed during canvassing that set the stage for voter concerns. This highlights how atypical procedures can have long and short term effects on voter confidence and the legitimacy of the election as both Cibola and Valencia had the lowest voter confidence levels.
- We asked 3 questions about how much of a problem it is that: 1) people break or hack into the computers that manage voter rolls to improperly alter those records, 2) people break or hack into the voting equipment you might use to cast a ballot to change how votes are counted, and 3) people break or hack into websites or computer systems of candidates to disrupt their campaigns. Voters could respond with a major problem, a major problem, but not too major, a small problem, or not a problem at all.
- Approximately two in five voters (about 40%) indicated that hacking into voter rolls or voting equipment is a problem, while about three in five voters (about 60%) believe that it is either a small or no problem at all. The mode for these two questions is "not a problem at all."
- But, three in five voters (60%) believe that hacking into websites or computer systems of candidates to disrupt their campaigns is a problem.
- Voter concerns about foreign interference in the election were much higher in 2016 than 2018. In 2016 over three in five voters (62%) indicated they thought there was a lot

- (39%) or some (23%). In 2018, only two in five voters (41%) indicated they thought there was a lot (10%) or some (31%).
- In terms of demographic differences, we find very little substantive difference on the last question about breaking into computer systems to disrupt their campaigns, but we find some differences on the first two. Education has a weak relationship to the first two security questions with more educated voters indicating they are less concerned. Asian voters and voters who refused to identify a racial or ethnic group were the most concerned and African Americans were the least concerned. Age and sex substantively did not matter.
- Party matters also for the first two questions, but not for the last one where partisans were in general agreement. Otherwise, Republicans and Independent voters were more concerned than Democrats. Given the state is largely controlled by the Democratic Party, it is not surprising that the out-groups, GOP and Independent voters, are more concerned about hacking than the in-group.
- In terms of election security, NM has been a national leader. Before any other state NM required both paper ballots and risk limiting postelection audits. NM voters strongly agree with these security measures. Over 9 in 10 voters agreed that it is important to have a postelection audit. Nearly 9 in 10 voters agreed that it is important to have a paper record of each vote.
- We also asked whether, "Eligible voters get mistakenly removed from the voter registration rolls during purges and clean up", which is a potential cost for voters who have to reregister. We find that over 7 in 10 voters think it's likely that happens at least some of the time. Importantly, we also asked voters if it is important to assure accurate rolls even if that means some voters have to re-register and fully seven in 10 voters agreed that it is important to have accurate voter rolls. Thus, even though voters believe that some mistakes are made in the purging process, they still agree it is important for the state to maintain clean voter files.
- Eight in 10 voters agreed that it is important to properly train poll workers to handle ineligible voters.
- We asked, "Which of the following situations did you personally observe in the 2018 general election?" Overall, 6% of voters indicated they observed some type of election fraud in the 2018 election in New Mexico and 8% of voters indicated they have personally witnessed election fraud at some point in their life. Keep in mind that even though we cue personal observation open-ended comments reveal that many voters personal experience often involves what they read or see in the news.
- We also asked "How likely or unlikely is it that the following situations happened in your state?" A much larger set of voters think fraud is likely even if they have not observed it. 45% believe it is very or somewhat likely that bribery occurs, 42% believe that it is very or somewhat likely that someone is improperly denied the right to vote, 37% believe that it is very or somewhat unlikely for voting machines to fail to record votes correctly, a majority (51%) of voters believe that voting by mail incurs some fraudulent risks.
- Several voters did not like that poll workers include their party identification on their

name tag. This has been something we have included in our report for the last decade and again suggest a change in law is in order. The purpose of the law is to ensure that voters know there is a mix of Democrats and Republicans in each voting location, to ensure a fair process. However, the party identification of the poll worker may be seen as a form of electioneering by voters in the polling place. Polling place electioneering is not allowed by statute and voters are not allowed to wear buttons, shirts or other items that may be construed as electioneering. If the intent of the law is to ensure voters that poll workers from different parties are running the vote center, then this information could be better achieved through other reporting means. It's very clear from our over time observations that some voters find party name tags intimidating; they may only see one or two poll workers by having, for example, a Democratic poll worker assist them with their ballot if they are mostly voting for Republicans.

- We asked, "Below is a list of possible illegal election activities that may or may not take place in YOUR COMMUNITY. Please tell me whether you think each event occurs all or most of the time, some of the time, not much of the time, never, or don't know." First, we note that voters indicate they don't know quite a bit. From 22%-38% voters indicated that they didn't know and for hacking into tabulators to change votes don't know was the mode at 38%.
- Voters are most concerned about the possibility that the Secretary of State would make rules that favor one party or another. Not quite half (48%) of voters believe that happens all or most of the time (17%) or some of the time (31%). This is consistent with our 2010 data that shows that voters see fraud as often involving election officials who make rules.
- About two in five voters (38%) believe that non-US citizens vote all or most of the time (16%) or some of the time (23%) and about two in five voters believe that non-US citizen votes not much of the time (22%) or never (16%).
- Almost half of voters tend to believe that casting double votes, vote tampering, and machine hacking happens very infrequently.
- A little over one-third (35%) of voters believe that someone pretends to be another person and casts a vote for them (35%), while 38% believe it happens not much of the time (28%) or never (12%).
- We built an average index of fraud frequency that ranges from 1 to 4 using all 6 items to examine demographic and partisan differences. We find no substantive differences between men and women.
- We find large differences between partisans. Democrats are far less likely to believe that fraud happens more frequency than Republicans or Independents. This represents polarization and the distrust between the parties and between the dominant party and Independents. Independents are closer to Republicans than Democrats.
- We find that as education increases estimates regarding the frequency of fraud decreases. This suggests that knowledge and information are important to sifting through fraud claims. Education materials focusing on election security could be valuable to reducing beliefs about fraud.
- We find that younger voters and older voters have the lowest estimates for the frequency

- of fraud, and middle-aged voters the highest.
- We find that voters who refused to identify an ethnicity had the highest estimates for the frequency of fraud along with those who indicated two or more ethnicities. African Americans had the lowest estimates.
- We also asked a more detailed response set on a broader set of indicators toward the end of the survey that captured voter perceptions of the larger context in which elections are operating in. Besides election officials, journalists, foreign governments, campaign donors, and candidates help to craft the election experience. How do voters feel about the election ecosystem and the various players and parties within it?
- Voters believe that votes are counted accurately nearly three quarters (72%) of the time. Very few voters (4%) believe that votes are never counted accurately.
- Over three in five voters (62%) believe that election officials are fair all or most of the time. Very few voters believe that election officials are never fair.
- 69% of voters also feel that they are given a genuine choice at the ballot box at least half of the time or more. Given the power of incumbency, and the large number of elections where voters have little information about the candidates this is surprisingly high.
- On the more negative side, voters tend to be cynical about the election context and half of them believe that rich people buy elections all or most of the time.
- Voters are also very cynical about the news media and journalists and over half of them (51%) believe journalist never (22%) or only some of the time (29%) provide fair coverage of candidates.
- Party heavily structures most of these findings. The most extreme case is on the question about journalists providing fair coverage where over half (53%) of Democrats believe they do so all (6%) or most of the time (47%) while only 9% of Republicans believe they do so all (3%) or most of the time (6%). The modal response for Republicans is never (46%), while the modal response for Democrats is most of the time (47%). Independents are much closer to Republicans than Democrats, but just over one in five (20%) believe that journalists provide fair coverage all (3%) or most of the time (17%), but one-third of Independents indicated only some of the time and over three in five (62%) indicated either never (29%) or some of the time (33%).
- The least partisan differences are found on the question about votes being counted accurately and election officials are fair. This is a positive for the legitimacy of our election outcomes.
- Voters know little about election security, considering building out a website devoted to how voter and election security is maintained would be helpful to voters.

## **Introduction and Study Background**

The 2018 New Mexico Election Administration, Election Security and Election Reform Report represents a systematic examination of voter attitudes and experiences with the election and their concerns about election security and preferences for election reforms. Voters are the primary customers in an election. Assessing voter experiences with, and attitudes toward, the election process provides important data on the effectiveness and efficiency of election administration procedures, and perhaps equally important the legitimacy and belief in the security of the election and integrity of its outcomes. Voter experiences with the ballot, the quality of the polling site, and the quality of the interaction with poll workers or other election officials provide important evidence about the voting process and the quality of the election experience. These factors also influence their voter confidence and their belief in the security and legitimacy of the election outcomes.

The 2016 presidential election elevated the issue of fair elections in a way that has not been seen in the United States since the days of machine politics. Republican candidate Donald Trump leveled charges of widespread "rigging" and raised the specter of voter fraud. Democratic candidate Hillary Clinton also raised the issue that our election might have been tampered with by Russia, who had recently hacked into the Democratic National Committee email servers, raising concerns about the safety of electronic reporting and tabulation systems that could also have ramifications for future elections. In addition, in August, just prior to the election, the FBI issued a nationwide alert warning state and local election officials about hacking attempts, and in September confirmed that Russian hackers had cracked as many as 20 states voter registration systems, raising additional fears and concerns.<sup>2</sup> In response, the Department of Homeland Security (DHS) offered states assistance with election security through risk assessments, although given the proximity to the election most states declined. A report after the election by the Senate Intelligence Committee stated that up to 21 states voter databases were broken into and recommended that all voting machines include a voter verified paper trail and no WiFi capability.<sup>3</sup>

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<sup>&</sup>lt;sup>1</sup> See R. Michael Alvarez, Lonna Rae Atkeson and Thad E. Hall. 2013. *Evaluating Elections: A Handbook of Methods and Standards*. Cambridge University Press; Lonna Rae Atkeson and Kyle L. Saunders, 2007, "Voter Confidence: A Local Matter?" *PS: Political Science & Politics* 40(October):655-660; 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, 2009, "The Human Dimension of Elections: How Poll Workers Shape Public Confidence in Elections," *Political Research Quarterly* 62(2): 507-522.

<sup>&</sup>lt;sup>2</sup> Windrem, Robert, William M. Arkin and Ken Dilanian. Russians Hacked Two US Voter Databases Officials Say. 2016. NBC News: available at: <a href="https://www.nbcnews.com/news/us-news/russians-hacked-two-u-s-voter-databases-say-officials-n639551">https://www.nbcnews.com/news/us-news/russians-hacked-two-u-s-voter-databases-say-officials-n639551</a>; Chozick, Amy. Oct. 11, 2016. "John Podesta Says Russian Spies Hacked His Emails to Sway Election," *New York Times*.

<sup>&</sup>lt;sup>3</sup> Demirjian, Karoun. 2018. Senate Intelligence Committee Releases Inerim Report on ElectionSecurity. Washington Post, May 8, 2018, available at: <a href="https://www.washingtonpost.com/powerpost/senate-intelligence-committee-releases-interim-">https://www.washingtonpost.com/powerpost/senate-intelligence-committee-releases-interim-</a>

Although there was no evidence of election tampering, post-election reports of Russian election influence through social media has continued the rhetoric and likely created more confusion among voters about the security of our election system even though political leaders and commentators from across the political spectrum have assured citizens that our elections are not "rigged" and that election fraud is almost non-existent. The unique rhetoric during and after the 2016 election may continue to erode trust and confidence in our election system in the future.

Free and fair elections are one of the pillars of American democracy, but assuring a healthy democracy via a safe, secure, and efficient election process involves more than just making certain that elections work well. The public must perceive that voting is easy and accessible, while at the same time believe that they are protected and that results are determined fairly and accurately, without partisan bias or technological flaws. Information, opinion, and administration need to work hand in hand to demonstrate the functioning of the American election system and hence reinforce its legitimacy.

Measuring voter confidence is one good way to determine how the public views the integrity of our elections, as well as the results. Because elections are the link between citizens and their elected representatives it is necessary for voters to have confidence that elections result in impartial and legitimate outcomes. If voters lose faith, or have low confidence in one of the most fundamental aspects of a democratic society--the validity of the election outcomes and the correct counting of individual votes--then the legitimacy of representative democracy itself may be at risk. Voter confidence, is different from diffuse system support, and can be viewed as a performance measure stemming from a very visible governmental process, one in which most citizens have personal experience.

Recently, legislators, jurists, citizen activists, and academics have linked voter fraud issues with voter confidence, making an important theoretical link in various policy debates on election reform and pushing for policies that protect the system against fraud in order to ensure higher confidence. The events of the past campaign make this question particularly pertinent. Therefore, it is important to extend our research efforts to understand how security measures influence voter confidence, and how voters view the efficacy and security of the voter system in New Mexico.

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report-on-election-security/2018/05/08/4b33d992-531e-11e8-9c91-

<sup>7</sup>dab596e8252\_story.html?utm\_term=.390ba1ae8cbb; Senate Intelligence Committee. 2018. "Russian Targeting of Election Infrastructure During the 2016 Election: Summary of Initial Findings and Recommendations. Available at: <a href="https://www.burr.senate.gov/download/one-pager-recs-final-version-">https://www.burr.senate.gov/download/one-pager-recs-final-version-</a>.

<sup>&</sup>lt;sup>4</sup> Atkeson, Lonna Rae, and Kyle L Saunders. "The Effect of Election Administration on Voter Confidence: A Local Matter?" *PS: Political Science and Politics* 40 (2007): 655–60; Atkeson, Lonna Rae, R. Michael Alvarez, and Thad E. Hall. "Voter Confidence: How to Measure It and How It Differs from Government Support." *Election Law Journal: Rules, Politics, and Policy* 14, no. 3 (June 18, 2015): 207–19. doi:10.1089/elj.2014.0293; Atkeson, Lonna Rae. 2014. "Voter Confidence in 2010: Local, State, and National Factors," in R. Michael Alvarez and Bernard Grofman (eds), "Election Administration in the United States: The State of Reform after Bush V. Gore. New York: Cambridge University Press.

Help America Vote Act (HAVA) resources from the Secretary of State's Office were used to fund this work to help guide NM election policy and incorporate public understanding of the process into those reforms. It is also meant to serve as a guide to voters about the health of their state democracy and backdrop of elections in New Mexico. Chapter 1, therefore, highlights the context of the 2018 election and gives an overview of the New Mexico electorate and campaign environment.

This is the seventh postelection survey we have fielded in New Mexico (NM), starting in 2006 and in every subsequent federal election.<sup>5</sup> To our knowledge, no other state or election jurisdiction has had the kind of sustained and independent scrutiny over multiple elections. But New Mexico is a unique environment culturally, politically, and electorally, and many county clerks here, as well as the Secretary of State Maggie Toulouse Oliver, and the broader electoral community, made up of a variety of activist organizations (e.g. Verified Voting NM and United Voters of New Mexico), have supported and encouraged our efforts. Moreover, feedback on our work from regular voters and poll workers, as well as responsiveness by local election administrators, has made our efforts productive and useful as NM continues to reform and improve its electoral processes.

In this report, we focus on an analysis of the NM election ecosystem. In Chapter 1 we provide an overview of the 2018 election. Chapters 2 and 3 focus on our voter survey that includes information on voter election experiences as well as attitudes toward election reforms, election security and actors in the election process, including candidates and election officials.

Experiences with the election, the ballot, the poll workers, the campaigns, and the news are the primary means through which voters evaluate the election process. We focus on these typical election administration issues in Chapter 2. However, the 2016 presidential election elevated the issue of fair elections in a way that has not been seen in the United States since the days of machine politics. Republican candidate Donald Trump leveled charges of widespread "rigging" and raised the specter of voter fraud. Democratic candidate Hillary Clinton also raised the issue that our election might have been tampered with by Russia, who had recently hacked into the Democratic National Committee email servers, raising concerns about the safety of electronic reporting and tabulation systems that could also have ramifications for future elections. In addition, in August of 2018, just prior to the election, the FBI issued a nationwide alert warning state and local election officials about hacking attempts, and in September confirmed that Russian hackers had cracked as many as 20 state voter registration systems, raising additional fears and concerns.<sup>6</sup> In response, the Department of Homeland Security (DHS) offered states

<sup>5</sup> In 2007, we released our first research report on New Mexico entitled the *New Mexico Election Administration Report*.<sup>5</sup> At the beginning of 2010, we released our 2008 Ecosystem report.<sup>5</sup> In early 2011, we released our 2010 New Mexico Election Administration Report; in May of 2013 our 2012 Bernalillo County Election Administration Report; in June of 2015 our 2014 Bernalillo Election Administration Report, and in June of 2017 our 2016 Bernalillo County Election Administration Report and in 2017 the 2017 Campaign Finance Report.<sup>5</sup> These reports provide points of comparison for how the system has evolved since the implementation of a statewide optical scan paper ballot system in 2006 and voting convenience centers in 2012.

<sup>&</sup>lt;sup>6</sup> Windrem, Robert, William M. Arkin and Ken Dilanian. Russians Hacked Two US Voter Databases Officials Say. 2016. NBC News: available at: <a href="https://www.nbcnews.com/news/us-news/russians-hacked-two-u-s-voter-databases-">https://www.nbcnews.com/news/us-news/russians-hacked-two-u-s-voter-databases-</a>

assistance with election security through risk assessments, although given the proximity to the election most states declined. After the election, a report by the Senate Intelligence Committee stated that up to 21 states' voter databases were broken into and recommended that all voting machines include a voter verified paper trail and no WiFi capability.<sup>7</sup>

Although there was no evidence of vote tampering, post-election reports of Russian election influence through social media, the Mueller Report and the related investigation, as well as Mueller's indictments of 13 Russian nationals along with a detailed account of how the Internet Research Agency set up false social media account around the election has continued the rhetoric and likely created more confusion among voters about the security of our election system.<sup>8</sup> Nearly three in five NM voters (62%) indicated there was a lot (38%) or some (24%) foreign influence in the 2016 election. The unique and on-going nature of this rhetoric during the 2016 election and continuing into the 2018 election and perhaps beyond may continue to erode trust and confidence in our election system in the future. Tapping into and understanding these changes is important to the health of our democratic systems.

Free and fair elections are one of the pillars of American democracy, but assuring a healthy democracy via a safe, secure, and efficient election process involves more than just making certain that elections work well. The public must perceive that voting is easy and accessible, while at the same time believe that the election is secure and that results are determined fairly and accurately, without partisan bias, technological flaws, or foreign interference. Information, opinion, and administration need to work hand in hand to demonstrate the functioning of the American election system and hence reinforce its legitimacy.

Therefore, in addition to our look at voter confidence and election experiences, we also focus on understanding the voter's view of election security in Chapter 3. Who feels it is strong? Who feels it needs improvement? Where do voters see holes in election security? How do feelings toward election security influence voter confidence and satisfaction with the election process?

<sup>.</sup> 

<sup>&</sup>lt;u>say-officials-n639551</u>; Chozick, Amy. Oct. 11, 2016. "John Podesta Says Russian Spies Hacked His Emails to Sway Election," *New York Times*.

<sup>&</sup>lt;sup>7</sup> Demirjian, Karoun. 2018. Senate Intelligence Committee Releases Inerim Report on ElectionSecurity. Washington Post, May 8, 2018, available at: <a href="https://www.washingtonpost.com/powerpost/senate-intelligence-committee-releases-interim-report-on-election-security/2018/05/08/4b33d992-531e-11e8-9c91-7dab596e8252\_story.html?utm\_term=.390ba1ae8cbb; Senate Intelligence Committee. 2018. "Russian Targeting of Election Infrastructure During the 2016 Election: Summary of Initial Findings and Recommendations. Available at: <a href="https://www.burr.senate.gov/download/one-pager-recs-final-version-">https://www.burr.senate.gov/download/one-pager-recs-final-version-</a>.

<sup>&</sup>lt;sup>8</sup> See for example an overview of the report by Ryan Teague Beckwith, March 24, 2019, "Here Are All of the Indictments, Guilty Pleas and Convictions From Robert Mueller's Investigation," *TIME* at: http://time.com/5556331/mueller-investigation-indictments-guilty-pleas/.

## **Chapter 1 Overview of the 2018 Midterm Election in New Mexico**

## 1.2. Data and Methodology

This section examines the election and the electorate for the 2018 midterm general election in New Mexico (NM). We highlight the federal and gubernatorial contests because of their significance to governing and because they represent the highest spending contests in the state.

The NM Voter Registration File was the data used to examine the NM electorate. It was provided by the NM Secretary of State's office and was retrieved on January 10, 2019. The file records the vote history, vote mode, party registration and other demographic information about each voter. Financial data was gathered from opensecrets.org.

#### 1.3 Voter Turnout

The data file indicated there were 1,261,712 current registered voters in NM. Of those, 698,495, or 55.4% voted in the 2018 election. Figure 1.1 shows the number of voters in each election since 2000. Voter turnout reached a peak in 2008, consistent with national trends, and 2018 saw the highest midterm turnout NM has seen in over 20 years with 2014 being one of the lowest, although 2002 was even lower.

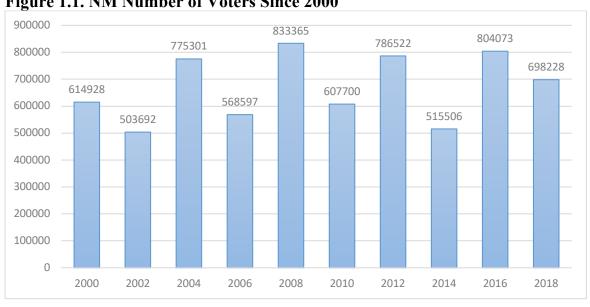


Figure 1.1. NM Number of Voters Since 2000

However, using the number of registered voters to estimate turnout is not accurate and not comparable across counties and states. Therefore, we consider the entire voting eligible population (VEP), as opposed to only registered voters. This raises the denominator to 1,482,246, leading to a turnout rate of 47.1 and allows us to compare NM to other states and to the national average. Figure 1.2 graphs NM turnout and the average turnout of all the states since 2000. NM's turnout was roughly average through most of the 2000s, but in the teens, turnout started to drift lower. Lower turnout may be a sign that NM is turning into a one party and blue state.

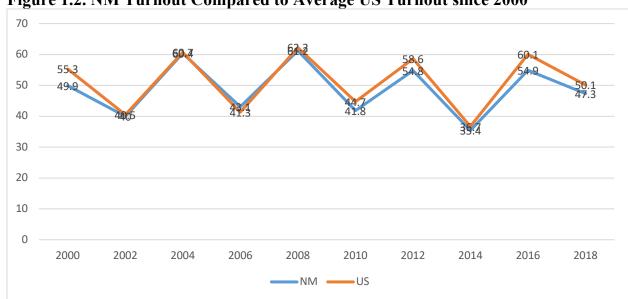


Figure 1.2. NM Turnout Compared to Average US Turnout since 2000

But, of course, NM has been dominated by the Democratic Party for a long time, although it has often had a prominent Republican US Senator, US House member or other statewide officers; and, it has often voted for Republican presidential candidates especially when the nation goes GOP. The last Republican that NM gave its 5 Electoral College votes to was Republican George W. Bush in 2004. Very recently, in 2014, the NM GOP took over the NM House for one election cycle, which was the first time in about 60 years. But NM currently has a trifecta (House, Senate and Executive branch all controlled by Democrats) and has all of its federal and statewide offices in the hands of Democrats. Thus, all things considered, there are a lot of mixed signals, and perhaps there are too many to suggest that NM is a deep blue.

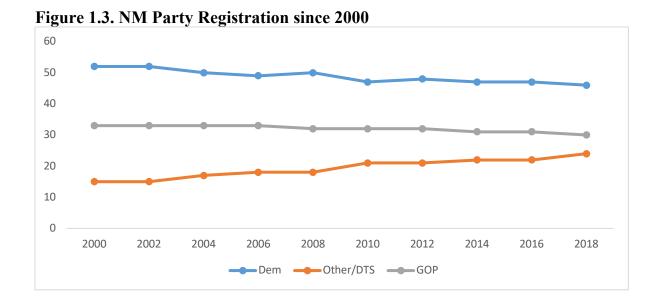
If we use partisanship as a tool to understanding the state's partisan character, and perhaps bluish tint, we can see in Figure 2.3 that over the last almost 2 decades the percentages of both

<sup>9</sup> See <a href="http://www.electproject.org/">http://www.electproject.org/</a> for more information on the VEP and voter participation rates across the US over time.

22

registered Democrats and Republicans have declined, while those registered as something else (mostly Decline-to-State (DTS)) have increased. In 2000, 52% of registered voters were Democrats. By 2018, the percentage of registered Democrats had declined to 46% —a 7 point decline. Registered Republicans have decreased by 3% over the same time period, from 33% to 30%, and the percentage of registered DTS/Other have climbed from 15% to 24%. The changing nature of state partisanship suggests that NM is violet, especially for statewide and federal offices where larger numbers of DTS/Other partisans are likely to participate. I combine Libertarian, Green, and other minor parties with DTS. The two largest parties other than the Democratic and Republican Parties, are Green, which is the declared party of 4,099 registered voters or .3% and represented 1,444 or .2% of 2018 voters, and Libertarian, which is the declared party of 9,434 registered voters or .7% of registered voters and 4,619 or .7% of 2018 voters.

However, when we consider who turned out to vote in 2018, we see that voters who declare themselves DTS/Other are much less likely to turnout, making Democrats the majority party and the state much more blue than red. In 2018, 50.6% of voters who turned out were Democrat, 33.5% were Republicans and 15.9% were DTS/Other. That's about 8% fewer DTS/Other voters than their overall percentage of eligible voters. DTS voters are the least likely to participate in elections. This is because they are less likely to be mobilized; parties and candidates choose to turnout voters who are more certain to support them than voters whose support they are uncertain of. We are also registering more voters through motor voter than we have in previous years and it is likely that many of these voters are more alienated and uninterested in politics, which is another reason for lower turnout of these citizens.



Finally, we can look at the presidential and senate contest in New Mexico and compare them to other blue and red states to see how we fit in. If we look at NM election outcomes in the presidential election in 2016, we see that it was not blue enough to define NM as a blue state in the presidential contest, but in the New Mexico Senate race Senator Heinrich's numbers are at

the lowest blue state Senate contest outcome.<sup>10</sup> Table 1.1 shows that the lowest blue state support for Democratic candidate Clinton was in Oregon at 50%. NM's support for Secretary Clinton was lower, and in line with national support, at 48%, suggesting that NM is not quite blue. But, Senator Heinrich got 54% of the vote, which is comparable to the lowest support for a Senate candidate in a blue state. Given that only the Senate signal is clearly blue, we argue that's not enough to call the state blue yet, but it is suggestive of the overall trend.

Table 1.1. Average Presidential and Senate Election Outcomes by Blue and Red

**States Compared to NM** 

President	Blue State Dem %	Blue State GOP %	Red State Dem %	Red State GOP %
Average %	56	35	32	61
Lowest %	50	30	20	55
Highest %	62	41	41	74
	Presidential NN	1 Democrat %	NM GOP %	
	48		40	
US Senate	Blue State Dem %	Blue State GOP %	Red State Dem %	Red State GOP %
Average %	61	37	42	55
Lowest %	54	28	30	46*
Highest %	71	46	50	67
	US Senate NM Democrat %	US Senate NM	Libertarian %	US Senate NM GOP %
54		1	5	31

<sup>\*</sup>GOP lost election

Therefore, all things considered, NM is trending blue, but is not blue yet. Therefore, NM is violet.

## 1.4 Characteristics of Campaigns in 2018

<sup>10</sup> I used the Cooke Political Report to define which states were "solid blue" or "solid red". It can be found here: https://cookpolitical.com/index.php/presidential/charts/scorecard.

In the 2018 midterm election, we had an especially competitive contest in the Southern Second Congressional District (CD2) where incumbent Republican Steve Pearce had resigned his seat to compete in the gubernatorial contest. The First Congressional District (CD1), which is largely the Albuquerque metropolitan area, and a now blue stronghold, was also an open contest leading to greater spending and a bit more attention than it had when incumbent Michelle Lujan Grisham held the seat. Congresswoman Grisham also resigned to compete on the Democratic ticket for governor. The former governor was term-limited and so the gubernatorial race was also open. All these factors led to higher turnout in NM. Compared to 2014, when there were no open races and no infusion of campaign dollars; 2018 was a midterm Goliath for the state.

Table 1.2 shows information about voters by congressional district. The number of registered voters and the number of voters in each congressional district is different even though congressional districts are supposed to be the same size. The differences have to do with multiple facts. First, districts are based on total population, while voters must be citizens and be 18 or over to participate —creating a gap between congressional district population and voters. Second, every 10 years we adjust districts based on population, but during the decade in-between voters migrate to different districts resulting in larger gaps between districts over time. We are in the latter stages of the redistricting cycle, thus the gaps in population between districts are large. This is especially true for CD2, which has the smallest number of registered voters.

Table 1.2. Information about Registered and Actual Voters by Congressional District

CD	Registered	Actual	% of	% of Reg	% of State	Cost Per	% of
	Voters	Voters	Actual	State	Voters	Voter	Vote for
			(Actual/	(Reg/	(Actual/	House	Winner
			Reg)	Total	Total	Election	
				Reg)	Actual)		
1	435,092	251,429	58	35	36	\$9.82	59
2	382,060	200,713	53	30	29	\$30.89	51
3	444,293	246,086	55	35	35	\$8.24	63
Total	1,261,445	697,228	100	100	100		

In all of the federal contests in the state and in the gubernatorial contest, Democrats outraised and outspent Republicans by substantial margins. Figure 1.4 shows the amount of money raised by each party candidate in each congressional district. Democrats raised substantially more money and, in each contest, beat their opponent. There is a negative linear relationship between the amount of money spent in a contest and the percentage of the vote that goes to the winner. Thus, in CD3 where the candidate's spent the least, the incumbent candidate received the largest share of the vote (63%), while in CD2, where the candidates spent the most money the vote was the closest (51% vs 49%). In Table 1.2, we also show the cost per voter for each House seat.

Not surprisingly CD2's costs were the highest with spending reaching over \$31/voter. In the non-competitive CD3 race the cost per voter was \$8.24/voter.

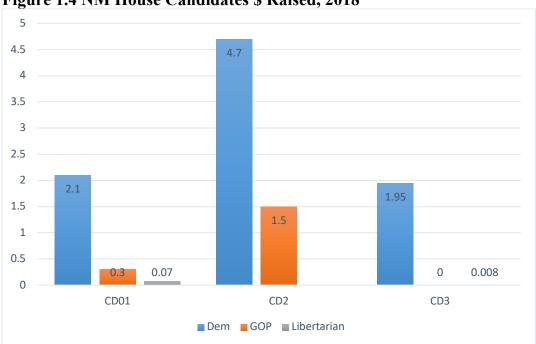
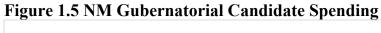
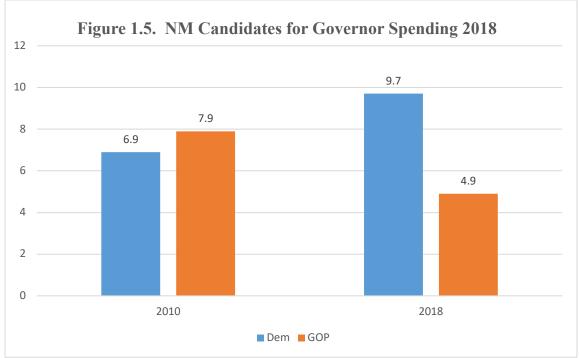


Figure 1.4 NM House Candidates \$ Raised, 2018

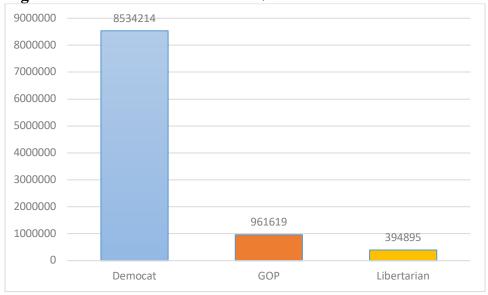
Figure 1.5 shows the amount of money spent by the GOP and Democratic gubernatorial candidates in 2010 and 2018. I compare 2010 to 2018 because in both years NM saw an open gubernatorial election. The data show that financially the races were much more competitive in 2010 than in 2018 based upon the differences in money spent. This is consistent with national trends that show that Republicans neither raised nor spent as much money as Democrats in the most recent midterm compared to 2010. The average cost per voter in the gubernatorial race was quite high at \$20.91/voter. But the Democratic candidate outspent the Republican candidate by almost 2 to 1.





Finally, Figure 1.6 shows the amount spent on the Senate campaign, which was not considered a competitive contest. Martin Heinrich received 54% of the vote in a 3-way contest with Libertarian candidate and former Governor Gary Johnson receiving 15% of the vote and Republican Mick Rich receiving 31%. The average cost per voter for the NM Senate contest was \$14.17.

Figure 1.6 NM Senate Candidates \$ Raised



#### 1.5 Characteristics of Voters

What do the voters look like in 2018? First, women make up a majority of voters. 54% of voters are female and only 46% are male.

Women are also far more likely to belong to the Democratic Party than men. In this election, 46% of men are registered Democrat, 18% as DTS/Other and 36% as Republican, while 55% of all women are registered as Democrat, 14% as DTS/Other, and 31% as Republican.

The average voter is 55 years old, and the median voter is 58 years old. These results are shown in Table 1.3 along with the age of voters in NM compared to exit poll data for the nation. NM voters are, on average, older than voters in the 2018 exit poll states.

Table 1.3. Age of Electorate

Age	NM	National Estimates*
18-29	10%	13%
30-44	18%	22%
45-64	40%	39%
65+	32%	26%
Average	55 years old	
Median	58 years old	

<sup>\*</sup>National estimates come from the exit poll data, which included data from the following states: AZ, CA, FL, GA, IN, MI, MN, MS, MO, MT, NV, NJ, NY, ND, OH, PA, TN, TX, VA, WV, WI available at: https://www.cnn.com/election/2018/exit-polls

Older voters are more partisan than younger voters as shown in Table 1.4. Voters 29 and under are twice as likely to not identify with a party (24%) as voters over 65 (12%). Table 4 also shows that this differs between men and women. Women are more Democratic than men regardless of age and a majority of young women voters (54%) identified as Democrat, whereas this was only a plurality for men (45%).

Table 1.4. Registered Party by Age (and by Sex)

Age	18-29	30-44	45-64	65+
Democrat	50%	49%	49%	53%
DTS/Other	24%	22%	15%	12%
GOP	25%	30%	36%	35%
Age Men	18-29	30-44	45-64	65+
Democrat	45%	43%	44%	49%
DTS/Other	26%	25%	17%	14%
GOP	29%	33%	39%	37%
Age Women	18-29	30-44	45-64	65+
Democrat	54%	53%	54%	57%
DTS/Other	23%	20%	13%	10%
GOP	29%	33%	40%	37%

NM does not keep track of the race or ethnicity of its voters, therefore we cannot look at race through a self-identification lens. However, we can do a Hispanic surname match on the file. This provides a rough indicator of Hispanic turnout.<sup>11</sup>

Table 1.5 shows that 32% of voters in NM had Hispanic surnames while 68% did not. When we cross party registration by Hispanic surnames we find that nearly three in five of voters with Hispanic surnames registered Democratic compared to two in five of voters without a Hispanic surname. Interestingly, not quite a quarter of voters with and without Hispanic surnames identified as DTS/Other, while not quite one in five voters with a Hispanic surname identified with the GOP compared to just over one-third of voters without a Hispanic surname.

**Table 1.5. Party Registration by Hispanic Surname** 

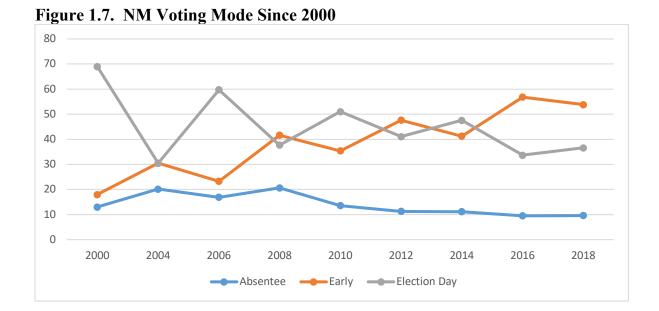
	No Hispanic Surname (68%)	Hispanic Surname (32%)
Democrat	40%	58%
DTS/Other	24%	23%
GOP	36%	19%

<sup>11</sup> All voters with Hispanic surnames do not identify as Hispanic and similarly not all voters with non-Hispanic names identify as non-Hispanic. Roughly, 75% of New Mexican voters with Hispanic surnames identify as Hispanic and about 10% of voters without Hispanic surnames identify as Hispanic. My calculations suggest the electorate was about 29% Hispanic, just slightly lower than the 32% reported above.

### **Characteristics of Voting**

Over the past several election cycles, early voting has become increasingly popular in New Mexico, with the result that Election Day and absentee voting has been on the decline. Figure 1 shows the overtime voting mode choices of voters. In 2000, nearly 70% of NM voters voted on Election Day, while early and absentee voting were both below 20%. But in 2018, early inperson voting represented over a majority (54%) of voters, while only 27% of voters voted on Election Day, and not quite one in ten (9%) voters voted absentee by mail, as shown in Figure 1.7.

These changes have to do with voter preferences, campaign mobilization tactics, and expanded opportunities to vote early made possible by county clerks across the state. Given the increased popularity of early voting, future elections may need a larger number of early voting locations to accommodate voters. The report of the Presidential commission suggested that the best way to improve line length on Election Day, which has proved to be an occasional problem in New Mexico, is to move voters into early voting. New Mexico has worked hard to do just that and has succeeded.



Interestingly, voting mode differs across a variety of group dimensions including congressional district, Hispanic surname, party registration, and age (see Tables 1.6 through 1.9). This likely has to do with the nature of the districts –for example, CD1 is the most urban and CD2 is the most rural district-- and the tactics used for mobilization by the campaigns differ within these geographical units. Urban CD1 with vote centers "nearby" for most voters had the highest rate of early voting with over three in five voters choosing this method. In CD2 early voting was also the mode, but only a plurality (47%) chose to vote early. In CD3, absentee voting was very low, with only 7% of voters choosing to vote by mail, compared to just over ½ of voters who chose to vote early.

**Table 1.6. Vote Mode by Congressional District** 

	CD1	CD2	CD3
Absentee by mail	10%	13%	7%
Early in-person	61%	47%	52%
Election Day	29%	40%	41%

Party mobilization was similar across the two major parties, see Table 1.7, with over half of all partisans choosing to vote in-person early, but less than a majority of DTS/others choosing this same option. DTS/other, given their registration status, are probably engaged less by partisan groups and less likely to be certain of their choices. Both factors increase their likelihood of voting on Election Day and not voting at all.

Table 1.7. Vote Mode by Party

	Democrat	DTS/Other	GOP
Absentee by mail	10%	9%	9%
Early in-person	55%	48%	54%
Election Day	35%	43%	36%

While men and women voting modes were roughly equivalent, this was not the case for Hispanic surname or age. While those with and without a Hispanic surname chose to vote absentee at about the same rate, those with Hispanic surnames were more likely to vote on Election Day than those without a Hispanic surname. Table 1.8 shows the results.

**Table 1.8. Vote Mode by Hispanic Surname** 

	No Hispanic Surname	Hispanic Surname
Absentee by mail	10%	9%
Early in-person	57%	46%
Election Day	33%	45%

Age also mattered with a majority of younger voters, under age 44, voting on Election Day, as shown in Table 9, while a majority of older voters chose to vote early. This also likely has to do with mobilization patterns and voter commitment. Younger voters are more independent and less partisan so they are less likely to be mobilized and are personally less committed and less certain about their vote choice. Both factors lead to increases in Election Day voting.

Table 1.9. Vote Mode by Age

	J			
	18-29	30-44	45-64	65+
Absentee by mail	8%	6%	7%	15%
Early in-person	39%	43%	56%	62%
Election Day	53%	51%	37%	23%

The fact that different types of voters choose to vote in different ways suggests that it is increasingly likely that there will be differences in election outcomes between these voting methods.

## **Chapter 2 Voter Experiences**

Voters are the central customers in an election and their experience with the 2018 general election in NM is central to understanding the election ecosystem. Assessing voter experiences with, and attitudes toward, the election process provides important data on the effectiveness and efficiency of election administration procedures. Voter experiences with the ballot, the quality of the polling site, and interaction with poll workers provide important evidence to the voter about the voting process and the quality of the election experience. These experiences are the primary means through which election officials influence voter confidence. When voters have problems voting—for example, because they cannot find a place to park, or poll workers are unhelpful—they are likely to feel less confident that their vote will be counted. Similarly, when they have good experiences and feel that their ballot privacy was protected and that they were processed smoothly their voter confidence increases. 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.

In this chapter, we focus on these assessments and experiences using a survey that includes a random stratified sample of NM voters, combined with a nonprobability sample of voters. Our sample included each type of voter (in-person early, in-person Election Day and absentee by mail). Voters were asked about their voting experience, their confidence in the voting process, their attitudes toward voter identification, their attitudes toward poll workers, and their attitudes toward various election reforms along with a large segment on election security which will be examined in Chapter 3 (See Appendix A for the frequency report). The post-election survey was in the field between November 13, 2018 and January 10, 2019 (see Appendix B for the survey methodology report).

The 2018 NM Election Study (NMES) represents the seventh post-election survey of voters in NM focusing on election administration. Beginning in 2006, we surveyed voters in the First Congressional District, which encompasses 95% of Bernalillo County, and in 2008, 2010, 2016, and 2018 we surveyed voters statewide. In 2012 and 2014, we surveyed voters in Bernalillo County only. The NMES provides us with continuous data, a time-series, on NM voters allowing us to compare voter attitudes and experiences over time and provides us with an extended look at a variety of election administration issues. Wherever we can, we include over time information on changing attitudes and experiences. This effort represents a unique, continuous cross section of an election administration unit, which is unparalleled! Previous reports can be found at: http://polisci.unm.edu/c-sved/index.html.

New Mexico voters have experienced quite a bit of change over the last 12 years. In 2006, NM voters switched to a unified paper ballot system statewide. In 2012, some voters in NM switched from a traditional precinct model of election administration to a vote center model and that has

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<sup>&</sup>lt;sup>12</sup> See Lonna Rae Atkeson and Kyle L. Saunders, 2007, "Voter Confidence: A Local Matter?" *PS: Political Science & Politics* 40(October):655-660; 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, 2009, "The Human Dimension of Elections: How Poll Workers Shape Public Confidence in Elections," *Political Research Quarterly* 62(2): 507-522.

expanded with each subsequent election. In 2014, NM updated its vote tabulators from the ES&S vote tabulator to the Dominion vote tabulator.

Election Day was November 6, 2018. In NM voters could vote early starting October 9 and ending November 3. Voters must vote in their county for their vote to be counted, and nearly all counties had some voter convenience centers on Election Day allowing voters to vote at any location.

This chapter has the following 6 sections:

- Section 2.1 examines why voters contact the Secretary of State or visit her webpage.
- Section 2.2 examines the voter experience for vote by mail (VBM) voters.
- Section 2.3 examines in-person voter interaction with the election administration process, including reported average wait times in line to vote, voter-ballot interactions, voter-poll worker interactions, location of polling places, and differences between voting modes.
- Section 2.4 examines voter confidence in their ballots being counted as intended at multiple levels of election administration including the voter's ballot at his or her vote center, all of the ballots in the county, all of the ballots in the state and all of the ballots in the nation. We also examine voter confidence over time, comparing the current results with data collected in 2006-2016. This section also looks at the overall election experience.
- Section 2.5 examines voters' reports concerning the implementation of New Mexico's voter identification law and voter attitudes toward voter identification policies.
- Section 2.6 examines opinions toward election reform proposals that are being considered at the local, national or international level. These include attitudes toward the Electoral College, voter ID, Election Day voter registration, automatic voter registration, all mail elections, an open primary system, and public financing.

## 2.1 Contacting the Secretary of State

The Secretary of State (SOS) and her office, as the head election administrator, plays an important role in creating seamless elections and providing information to voters about the voting process including how to register or request a mail ballot, where to vote, how to fix their registration, and how to contact their county clerk. Therefore, the SOS website is an important and primary resource for voters.

- Almost two in five voters (38%) visited the SOS website.
- Almost ½ of those voters did so to check or update their registration.
- 13% visited it to find contact information about their county clerk.
- 7% visited the website to request an absentee ballot.
- 5% visited to register to vote.

• About 86% of voters who visited her website indicated that it was very (43%) or somewhat (43%) easy to find what they were looking for while 14% indicated it was somewhat (11%) or very hard (3%).

## 2.2 Vote by Mail (VBM)

Absentee by mail voters made up 10% of New Mexico voters in 2018 and vote by mail (VBM) continues to be an important voting mode, especially for those voters who have health disabilities and for those uniform and overseas voters who no longer live in New Mexico or cannot be present to vote in-person. Appendix C provides a frequency report specifically on the experiences and attitudes of uniform and overseas voters, therefore we focus here on regular absentee voters. New Mexico provides no-excuse absentee voting, allowing voters to choose the VBM option for any reason. However, voters have to request a ballot for each election because there is no permanent absentee by mail status in New Mexico. Absentee voters, overall, appear satisfied with their voting experience suggesting that New Mexico County Clerks are doing a good job assisting these types of voters.

- About one-quarter of absentee voters indicated they called or emailed their county clerk about their VBM ballot.
- About half of VBM voters chose this method because of the convenience of voting in their home.
- Another one-quarter wanted to avoid lines on Election Day, and one in five did not want to travel to a voting location.
- Another 10% indicated they had to work on Election Day.
- Two percent of VBM voters indicated they voted this way because they didn't know where to vote in person.
- Thirteen percent of VBM voter indicated they VBM because they are homebound or for health reasons.
- Two in five VBM voters chose this method because they wanted time to study and complete their ballot.
- Ninety-nine percent of regular absentee vote by mail voters received their ballot through the USPS, while less than 1% received it via email.
- 90% of VBM returned their vote through the USPS, another 1% emailed it, and other 9% delivered it in-person to the county clerk's office or to an Election Day precinct or vote center. Being able to drop off VBM ballots is an important resource for voters and should be expanded.
- Over 96% of VBM voters indicated it was very easy (74%) or somewhat easy (22%) to follow VBM voting instructions, only 4% thought it was somewhat or very hard.

- While two thirds (67%) of VBM voters were not at all (36%) or not too (32%) concerned that their vote would arrive on time to be counted, one third were either somewhat (20%) or very (12%) concerned.
- Despite one-third of voters being concerned about it arriving on time, only 11% of voters contacted their county clerk to determine whether or not their ballot arrived on time. Voters may be unaware of this option. County Clerks should do more to let voters know they can check on the status of their VBM ballot.
- About one-quarter of VBM voters indicated they contacted the county clerk at some point during the voting process. 94% were satisfied with their interactions.

## 2.3 Early and Election Day Voter Experiences

#### **Wait Times**

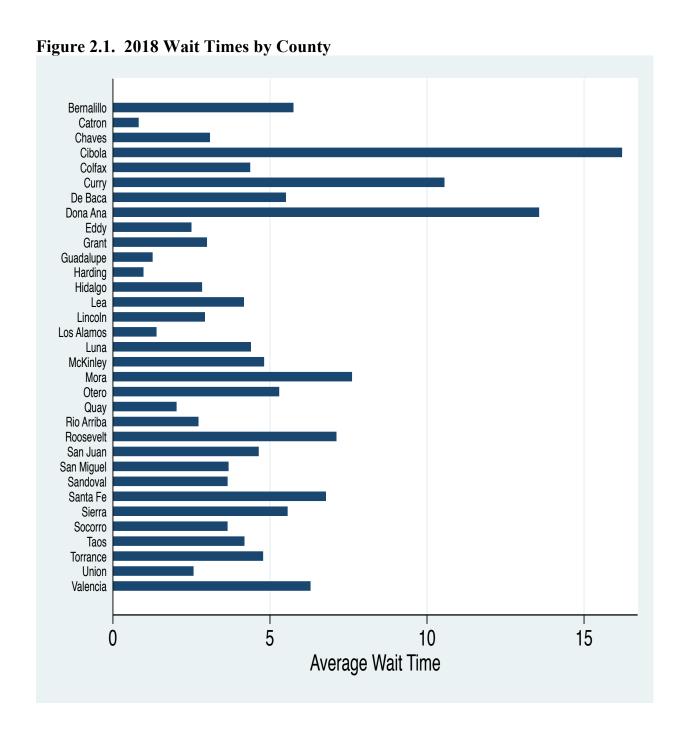
Wait times and line length were one of the items addressed in *The American Voting Experience:* Report and Recommendations of the Presidential Commission on Election Administration. <sup>13</sup> The commission recommended that no voter wait in line longer than 30 minutes. New Mexico voters, on average, reported waiting about 6 minutes in line to vote during the 2018 midterm election. This includes an average wait time of 4.5 minutes for early voters, and an Election Day average wait time of 8 minutes. Figure 2.1 shows the average break-down of wait times in 2018 by county. Catron and Harding County had the shortest waits averaging less than 1 minutes and Cibola had the longest average wait time averaging 16 minutes, but most importantly all counties were below the 30-minute maximum recommendation.

- A little more than one-quarter of voters indicated they waited 0 minutes to vote. This was true for three in five voters during early voting and two in five voters on Election Day.
- We also asked voters if they considered their wait time to be no wait time, a short wait time, a moderate wait time or a long wait time. Over half of voters indicated they felt their vote time was virtually no wait time, another one-third indicated it was a short wait time, 9% of voters indicated it was a moderate wait time, and only 2% of voters indicated it was a long wait time.

While in the past NM has had isolated line or wait time problems there appeared to be no such problems in any locations in 2018. In both 2016 and 2018, election lines seemed very manageable and generally short. Where there were long lines, for example at the University of New Mexico, they moved very quickly due to good planning, lots of poll workers, lots of voting booths and lots of counting machines.

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<sup>&</sup>lt;sup>13</sup> The report can be found at: http://www.supportthevoter.gov/



#### **Ballot length**

We also explored voters' attitudes toward their ballots in a variety of ways. Ballot length is sometimes a problem for voters that can also influence election administration and the processing of voters. However, in 2018, the ballot was generally not seen as too long.

• Compared to 2016 the ballot was not a problem for many voters because of its length. Just over 8 in 10 voters either strongly disagreed (24%) or somewhat disagreed (55%) with the statement, "the ballot was too long," while about 1 in 5 either somewhat agreed (17%) or strongly agreed (4%).

Recent research suggests that some voters are very concerned about their ballot privacy and doubt that their vote is secure and/or private. Some counties use voter privacy sleeves some do not. The voter privacy sleeve is a long legal sized file folder that the voter can place their ballot into when they are moving from station-to-station in the polling location to ensure privacy. To assess voters' general attitudes toward the privacy of their ballot, we asked voters to agree or disagree with the following statement, "My ballot privacy was protected."

- About 96% of the voters either strongly agree (60%) or somewhat agree (36%) that their privacy was protected.
- A positive local experience strongly influences attitudes toward ballot privacy. Voters who had a hard time finding a polling location, or had to go far out of their way to vote, or had a hard time finding a place to park, were less likely to feel their ballot was private and secure.
- Helpful poll workers were associated with a positive feeling that voter's ballot privacy was protected and that the information on their ballot was secure after voting.
- Demographics and partisanship proved to be unrelated to ballot privacy along with voting mode.

Ballot privacy is primarily related to voters' local experience. This suggests that a good voting experience is affected by many events that happen during the voting process. Performing better in all areas of the election process improves the quality of the experience for the voter, makes them feel their ballot is private and secure, and increases voter confidence.

#### **Voter-Poll Worker Interactions**

Poll locations and 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. In most voting locations in NM, poll workers are given a specific job and trained for that position and most

<sup>&</sup>lt;sup>14</sup> Gerber, Alan S., Gregory A. Huber, David Doherty, Conor M. Dowling, and Seth J. Hill. 2013. "Do Perceptions of Ballot Secrecy Influence Turnout? Results from a Field Experiment." *American Journal of Political Science* (forthcoming; formerly NBER Working Paper w17673).

voters are likely to visit a voting convenience center instead of a precinct. VCCs need to be in large areas with lots of parking to facilitate many voters.

- We find that 96% of voters either strongly (61%) or somewhat agreed (35%) that their poll workers were helpful.
- Only 4% of in-person voters indicated they were not helpful. This is consistent with statewide results in 2016.

## Finding VCCs/Precincts

Despite fewer polling locations in a VCC environment, voters do not appear to be inconvenienced in terms of voting locations. Both early and Election Day voters reported that they easily found their voting location. These voters were asked to strongly agree, somewhat agree, somewhat disagree, or strongly disagree with the following statement, "The location was easy to find."

- Almost all (97%) early and Election Day voters indicated that they either "strongly agreed" or "somewhat agreed" with the statement that their voting location was "easy to find."
- Only 3% of early and Election Day voters "somewhat disagreed" or "strongly disagreed" with the statement that the location of their voting site was easy to find.
- There were no differences between members of different parties, men and women, across different education groups, between Hispanics and non-Hispanics, or younger and older voters.

We also found that most voters did not feel that they had to go far out of their way to vote with the new vote center model, regardless of whether they voted early or on Election Day. We asked voters to agree or disagree with the statement, "I had to go far out of my way to vote." We found that 95% of voters disagreed with this statement and 5% agreed with it. Given that much of NM is rural the fact that the vast majority of New Mexicans did not feel they had to go far to vote suggests that most of the state is being served well by their county clerks.

#### **Parking Problems**

We found that most voters did not have problems parking during early or Election Day voting. We asked early and Election Day voter to agree or disagree with the statement, "It was hard to find a place to park" on a four-point scale with "strongly disagree" as the first category and "strongly agree" as the last. We found that 90% of the voters disagreed with the statement while only 10% of the voters agreed, which was very similar to what we found in 2016. We found no difference in the education, age, or gender of those that indicated they had a hard time parking.

#### 2.4 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 make, they should feel confident that the process that placed those individuals into power was fair and honest and that future elections can result in a change of leadership.<sup>15</sup>

We focus on four levels of voter confidence.

- We asked in an independent question, "How confident are you that YOUR vote in the General Election was counted as you intended?" Response options were "very confident", "somewhat confident", "not too confident" and "not at all confident." This level, the personal vote, is the most important level of voter confidence because it represents how the voter feels about his/her own voting experience and its accuracy.
- 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. The second, third and fourth levels were asked together in a grid.
- The third level is confidence in the process at the state level and therefore is an aggregation of how voters feel about the election process within their larger election administrative unit.
- The fourth level is confidence that all the ballots were counted correctly nationwide and is an aggregation of how voters feel about the election process across many election administrative units.
- The results are presented in Table 2.1 and show both the frequency of response and the confidence averages across levels of administration and for each voting mode (Election Day, early, and absentee). The variables are coded on a 4-point scale, from 1 to 4, so that a higher average indicates greater confidence. Overall, the results show that voters have very high confidence that their votes were counted correctly.
- Just over half (56%) of voters were very confident and another 3 in 10 (31%) were somewhat confident that their vote was counted correctly. Thus, almost 9 in 10 voters (87%) were very or somewhat confident that their ballot was counted correctly.
- About 8 in 100 voters (8%) were not too confident and only about 5 in 100 voters were not at all confident (5%).

The results also show that as the election administrative unit is more distant from the voter (e.g. from personal to national) voter confidence significantly declines. <sup>16</sup> This result is consistent over

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<sup>&</sup>lt;sup>15</sup> INSERT YOUR ELJ PAPER HERE

 $<sup>^{16}</sup>$  A paired t-test shows that there are significant declines in vote confidence as we move from personal vote to county to state and nation (all of these have p < .001).

time and we have observed the same pattern in every election cycle. As people get further away from the voting process, they become more concerned about its accuracy.

- For example, 56% of voters are very confident that their vote was counted as intended.
- Only 46% of voters are very confident in the process at the county level.
- Only 37% of voters are very confident in the process at the state level.
- Only 22% of voters are very confident in the process nationwide.

Table 2.1. Frequency and Means of Personal, County, State and National Voter Confidence

	Your Vote	Votes in your	Votes in your	Votes
		county	state	nationwide
Frequency				
(4) Very confident	56	46	37	22
(3) Somewhat confident	31	34	40	30
(2) Not too confident	8	12	14	34
(1) Not at all confident	5	8	9	14
Total	100	100	100	100
Averages				
Election Day voters	3.31	3.10	2.99	2.42
Early voters	3.46	3.24	3.10	2.40
Absentee voters	3.28	3.14	3.10	2.47
Overall Average	3.39	3.18	3.06	2.41

At the bottom of Table 2.1 average voter confidence levels are broken down by voting mode. Previous research has found that voting mode can influence voter confidence.<sup>17</sup>

- Early voters were the most confident that their vote was counted as intended, followed by Election Day and then absentee voters –though the difference between Election Day and absentee voters is very small.
- The fact that absentee voters had the lowest confidence is consistent with research that suggests that voters who are farther away from the vote counting process are less confident that their ballots were counted accurately. NM results over time, however, are mixed, sometimes showing a difference between in-person and vote-by-mail voters and

<sup>17</sup> 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 and Atkeson, Lonna Rae, (2014) "Voter Confidence Ten Years after Bush V. Gore," in Ten Years after Bush V. Gore, edited by R. Michael Alvarez and Bernard Grofman, (Cambridge University Press), Charles Bullock and M.V. Hood III, (2005) "Punchcards, Jim Crow and Al Gore: Explaining Voter Trust in the Electoral System in Georgia , State Politics and Policy Quarterly 5: 283-94.

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- sometimes not. Given absentee voter confidence is similar to Election Day voter confidence we do not see a substantive difference in 2018.
- Table 2.1 also shows that there are similar patterns between voter confidence at the personal and county level. Early voters have the highest levels of confidence with absentee and early voters having largely similar views.
- When we consider confidence in the different levels of government, we see that voter confidence declines with each expanded unit of election administration: county is less than personal, state voter confidence is less than county, and national voter confidence is less than state.

This last finding is consistent over time and across states. Figure 2.2 shows the results for different levels of voter confidence from 2006 to 2018.<sup>18</sup>

- Personal voter confidence has the highest confidence and monotonically declines with each higher level of election administration unit.
- Personal voter confidence has remained fairly high throughout the decade, though we see a small decline in 2018 that is a bit troubling if it continues into 2020.
- At the county level, we see that voter confidence was about the same as personal confidence, but in 2018 we see a dip. Voters were more confident that their vote was counted correctly than all of the voting in the county. Again, we will have to see if 2018 is an anomaly in this way or whether this is a changing trend in the data after the 2020 election.
- State voter confidence has increased over time on average by quite a bit, peaking in 2016, but the decline in 2018 is worrisome and something to watch in 2020.
- National voter confidence, however, has seen a tremendous decline. A majority of voters are either not too (30%) or not at all confident (21%). This is likely due to the ongoing rhetoric in the 2016 and 2018 elections regarding rigged elections, and accusations made by both parties about voter irregularities, voter fraud, and voter suppression.<sup>19</sup>

<sup>19</sup> Steven Smith, Betsy Sinclair and Patrick Tucker. "It's largely a rigged system: Voter Confidence and the Winner Effect in 2016." Forthcoming at Political Research Quarterly.

<sup>&</sup>lt;sup>18</sup> 2006 voter confidence is for CD1. 2012 and 2014 voter confidence levels are for Bernalillo County. During Secretary of State Dianna Duran tenure she refused to provide sample frame information to have a statewide voter survey.

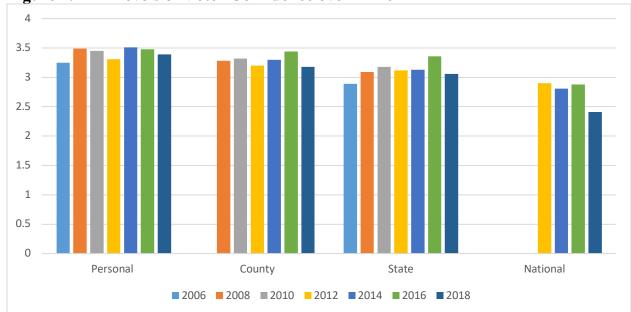


Figure 2.2 All Levels of Voter Confidence over Time

## **Voter Confidence by County**

In Figure 2.3 we show average voter confidence by county. For the most part, counties are clustered fairly close to each other, but a few counties stand out as exceptions. On the positive side, these include Guadalupe and Union counties where voters indicated exceptional voter confidence. Counties that did poorer include Cibola and Valencia. Valencia had the unfortunate experience of having a very close race for Sheriff that shifted 9 days after election night totals due to errors found during the canvassing process. Not all of the county's data was uploaded to the NMSOS website, which led to initial inaccurate total numbers. Cibola experienced the longest lines in the state, which helped to reduce voter confidence. These negative experiences have significant effects on voters' views of the legitimacy and fairness of the process. County clerks are at the front of this process and therefore their actions and leadership matter a great deal.

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<sup>&</sup>lt;sup>20</sup> See Julia M. Dendinger, "Denise Romero, first female sheriff-elect, upsets Noah in final official election tally," available at: <a href="http://www.news-bulletin.com/news/denise-romero-first-female-sheriff-elect-upsets-noah-in-final/article-9da2355a-e9ed-11e8-bd73-9735b574e7d1.html">http://www.news-bulletin.com/news/denise-romero-first-female-sheriff-elect-upsets-noah-in-final/article-9da2355a-e9ed-11e8-bd73-9735b574e7d1.html</a>.

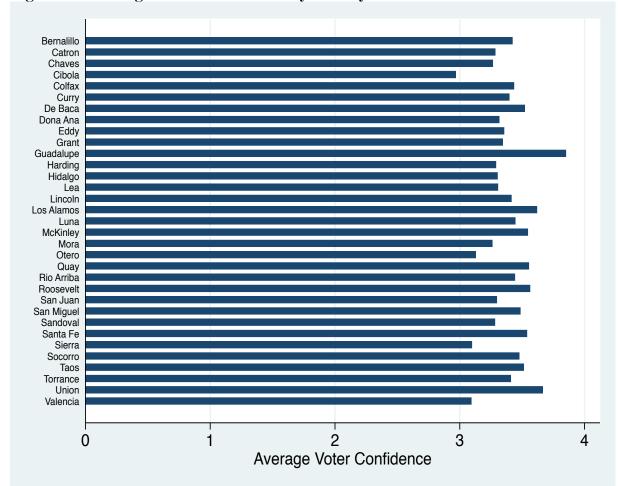


Figure 2.3 Average Voter Confidence by County

#### Voter Experiences, Demographics and Voter Confidence

Experience with the ballot, the polling location, and interactions with poll workers are the objective experiences the voter has with the voting process.<sup>21</sup> These experiences are the core local factors that influence voter confidence and are factors that election administrators can influence through a well-designed voting facility and well-trained poll workers. When voters have a good local experience, they feel more confident that their vote is counted.<sup>22</sup> Local

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<sup>&</sup>lt;sup>21</sup> 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, Atkeson, Lonna Rae, 2014, and Bullock and Hood, 2005.

<sup>&</sup>lt;sup>22</sup> Voter confidence is also affected by winning and losing, such that winners are more confident than losers. In some years, voters win and lose elections resulting in changes in confidence between years. In 2008, for example, Democrats won overwhelmingly and won the House of Representatives, a win-win for Democrats. However, they lost the House in 2010 and then Republicans maintained the House again in 2012, despite Democratic gains in the Senate and a win in the White House.

election officials should do as much as they can to make the local experience a completely positive one for voters.

- Feelings that ballot privacy was protected increase voter confidence. Twenty-nine percent of voters who thought their ballot privacy was not protected well were very confident, while 69% of voters who thought their ballot privacy was protected were very confident.
- Helpful poll workers increase voter confidence. Only 36% of voters who thought a poll worker was not helpful were very confident compared to 67% of voters who thought their poll worker was helpful were very confident.
- For absentee voters, dropping off the ballot at a polling location increases voter confidence. Ensuring voters can drop off in-lieu-of ballots on Election Day should be continued and perhaps even encouraged. In addition, drop off during early voting should be allowed. Many voters may not be aware of this opportunity and an information campaign about this option could benefit voters and increase voter confidence among this group.

Finally, it is important to consider whether voters' demographic characteristics are associated with higher or lower voter confidence. We found that gender has no relationship to voter confidence, while older voters have higher levels of voter confidence. However, being associated with different ethnic groups, such as Hispanic/Latino, black or Native American/American Indian, is not associated with different levels of voter confidence. In 2018, we also found that voters with higher levels of formal education had higher voter confidence, as we saw in 2016, 2014, 2012, and 2008.

## **Overall Voter Experience**

An alternative measure of the voter experience is to ask about the overall voter experience. We asked, "How would you rate your voting experience overall?" Responses were coded on a 1 to 4 scale with higher numbers related to a better voting experience. Thus, poor is coded 1 and excellent is coded 4. We found that overall voters had a very positive election experience in 2016. The results are shown in Table 2.2. We include parallel information from 2006 through 2018.

- Overall voter experience in 2018 was fairly typical with nine in ten voters indicating that their experience was good (53%) or fair (37%).
- We can see this fluctuates over time with both 2016 and 2012 showing the highest experience ratings.

Table 2.2. Evaluation of Voter Experience over Time

	2018	2016	2014	2012	2010	2008	2006
Excellent	53	66	45	63	48	52	25
Good	37	30	45	34	45	46	57
Fair	7	3	8	3	6	2	14
Poor	3	1	2	0	0	0	4
Total	100	100	100	100	100	100	100
Average	3.49	3.60	3.33	3.59	3.41	3.49	3.03

#### 2.5 Voter Identification

Beginning in 2006, survey data showed that the voter identification law was not implemented uniformly. In Bernalillo County where we have looked at this issue extensively, we found that the VCC model of elections produced more uniform implementation across VCCs. But, we have not looked at the state implementation process since 2010 when the precinct model was still widely used.

The minimum identification required for voters under state law is to state their name, address, and birth year. Voters can 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 did have to include an address, but it did not have to match the address in the voter registration rolls (§ 1-1-24 NMSA 1978).

In 2018, we asked, "In New Mexico, the voter gets to choose how they want to be identified at the polls. They can provide (1) their name, address, and birth year, (2) a photo ID, or (3) a non-photo ID. What type of identification did you provide?"

Nearly half of all voters statewide provided the minimum identification their name, address and birth year. But, almost two in five voters (39%) were asked for or provided a photo or non-photo ID. From experience, we know that voters often get in line and pull out their driver's license or other state-issued ID because they believe it's required, because they see someone else do it, or because they want to provide it. In open-ended responses to election security questions, voters mentioned the lack of ID as a potential security threat, and one voter indicated, "I tried to give the poll worker my driver's license, but she told me she didn't want it and just asked for my name, address, and birth year."

Because it is the voter's choice how they want to be authenticated, to identify incorrect voter ID procedures we asked, "Thinking back, did your poll worker ask for a photo or non-photo ID or did you just provide it to them without being asked?"

• Table 2.3 shows the results; 30% of voters indicated they were asked for the ID, while 59% indicated they just provided it to the poll worker and another 11% indicated that they did not remember.

- When we look at this by demographic characteristics we find that those with a high school diploma or less are more likely to indicate the poll worker asked for the ID.
- We also find that Hispanics and Native Americans indicate they recall being asked for ID more often than whites or blacks. Whites indicated the poll worker asked for ID 27% the time, for blacks it was 23% of the time, but for Hispanics it was 38% of the time.

Table 2.3. Frequency of Voter Identification Method

Name, address, and birth year	49%
A photo id (driver's license, military ID or passport)	39%
A non-photo ID (e.g. utility bill)	1%
I didn't provide any sort of ID the poll worker knew me	2%
Registration card/County Bar Code	7%
Name only	1%
Name and address	1%

• We estimate that 80% of voters were identified correctly—with the minimum voter ID or with the voter's preferred method, while 20% were identified incorrectly.

#### **Attitudes toward Voter ID**

Voter identification laws have been a hot topic in NM since 2000 when it first appeared on the state legislative agenda. Voter authentication and identification is an important component of election administration because only qualified electors are allowed to vote. The Help America Vote Act 2002 (HAVA) established a minimum threshold for voter identification in federal elections. Many states, however, have mandated higher standards, especially for in-person voting. The laws across states are quite complex and varied, but 17 states require some form of photo-identification, another 16 require some sort of identification, but not necessarily a photo-ID, and about 18 states, including New Mexico, require no additional documentation.<sup>23</sup>

New Mexico has not been exempt from the voter identification law debates. Most legislative sessions for the past several years included a voter ID bill, although this was not a prominent issue in the 2018 legislative session.<sup>24</sup> These debates have become very partisan as Democratic leaders have focused on voter access and the possibility of disenfranchising some voters, while Republicans have focused on protecting the system against fraud and ensuring only eligible voters get to cast a ballot.<sup>25</sup>

Attitudes toward voter identification are complex and take on different perspectives depending on how the question is framed. Because of the complexities and the nature of the debates going

<sup>&</sup>lt;sup>23</sup> See the National Conference on State Legislatures website on photo identification laws at: <a href="http://www.ncsl.org/research/elections-and-campaigns/voter-id.aspx">http://www.ncsl.org/research/elections-and-campaigns/voter-id.aspx</a>.

<sup>&</sup>lt;sup>24</sup> In the 2015 legislative session, for example, both HB340, sponsored by Rep. Brown and HB61 sponsored by Honorable James Smith and Honorable Daniel Ivey-Soto.

<sup>&</sup>lt;sup>25</sup> Liebschutz, Sarah and Daniel J. Palazzolo. 2005. "HAVA and the State," *Publius* Fall: 497-514.

on in the statehouse, across the states, and among activists we examine an expanded set of questions and attitudes toward voter identification.

- First, we asked a simple question about how strongly voters agree or disagree with the following statement, "Photo identification should be required of each voter at the polls." We find that almost 7 in 10 (69%) voters support voter ID.
- We find that Democrats are the most split on this with just under half (48%) supporting voter ID and just over half not supporting it (52%). Republicans overwhelmingly support photo ID, with 96% of Republicans supporting this measure. Independents also strongly favor voter ID, with 87% supporting voter ID policies.
- Over time there has been a significant decline in support for this issue among Democrats, which has affected the overall support levels. In both 2008 and 2010, NM Democrats overwhelmingly supported voter ID policies with 70% supporting such policies in 2006 and nearly 80% in 2010, but this declined in 2012 and has held steady since 2014.
- Figure 2.4 shows support for voter ID over time. In the early years, opinions were changing as voters learned about the issue and received cues from intraparty and interparty elites; in the last three elections opinions have stabilized.

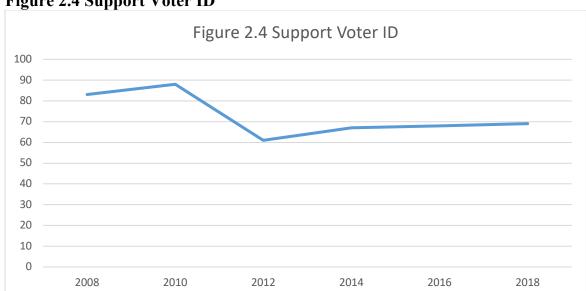


Figure 2.4 Support Voter ID

To assess attitudes toward the trade-off between vote fraud and greater access, we repeated a question that we have asked respondents since 2006, "Which is more important, ensuring that everyone who is eligible has the right to vote or protecting the system against fraud?" Our results, (Table 2.4) in 2018 are similar to what we have seen in the last few elections.

- Almost three in five voters (58%) thought that protecting voter access was most important and
- Nearly 2 in 5 voters (39%) thought that preventing voter fraud was more important.

• Over time more voters believe that it is more important to ensure that everyone who is eligible has the right to vote.

Table 2.4. Voter Attitudes toward Voter Identification over time?

2018 Which is more important?	
Ensuring that everyone who is eligible has the right to vote	58
Protecting the voting system against fraud	39
Don't know	3
2016 Which is more important?	
Ensuring that everyone who is eligible has the right to vote	53
Protecting the voting system against fraud	40
Don't know	3
2014 Which is more important?	
Ensuring that everyone who is eligible has the right to vote	58
Protecting the voting system against fraud	38
Don't know	4
2012 Which is more important?	
Ensuring that everyone who is eligible has the right to vote	62
Protecting the voting system against fraud	34
Don't know	4
2010 Which is More important?	
Ensuring that everyone who is eligible has the right to vote	44
Protecting the voting system against fraud	53
Don't Know	3
2008 Which is More important?	
Ensuring that everyone who is eligible has the right to vote	42
Protecting the voting system against fraud	39
Both are equally important/neither	16
Don't Know	3

We find that partisanship is the main determinant of attitudes toward access and integrity.

- Almost 8 in 10 Democrats (77%), compared to over 3 in 10 (34%) Republicans believe that it is more important to ensure that everyone who is eligible has the right to vote. Democrats, over time, have increased their support for access over integrity.
- Nearly 2 in 3 Republicans (64%), compared to over 2 in 10 (21%) Democrats believe that it is more important to protect the system against fraud.
- Gender did not influence the responses to this question.
- More educated voters were more supportive of ensuring that everyone who is eligible has the right to vote. 65% of voters with post-graduate degrees indicated it was more important to ensure everyone who is eligible has the right to vote, while 53% of high school graduates or less and 54% of those with associate degrees or some college, and 57% of those with a college degree held the same attitude.

• African American were the most likely group of voters to feel it was more important to ensure eligible voters got the chance to vote. Hispanic voters were the least likely group of voters to feel this way.

To assess how voters' feel about the current NM Voter ID law, we asked, "New Mexico's voter ID law requires voters to identify themselves. The minimum identification is to state their address, name, and birth year. Do you think the minimum identification is: too strict, just right, or not strict enough?"

• We find that about half of voters think the law is just right (50%) and just under half think it is not strict enough (46%). This is fairly similar to what we saw in 2014 and 2012, but shows a large change compared to 2010. In 2010, three in five voters (61%) indicated that the New Mexico law was not strict enough and about two in five (38%) indicated it was just right.

It appears that the electorate understands photo identification issues differently as the debate has expanded over time resulting in increased partisan polarization on this and many other election reform-related issues.

• Table 2.5 shows that in 2010 when we first asked this question almost three quarters of Independents thought the law was not strict enough and two in five (39%) Democrats felt the same. However, by 2018 nearly three in five (57%) Independents and only one in five Democrats felt the same.

Thus, the national framing of the debate has influenced individual attitudes on this issue with Democrats more concerned about access and Republicans and Independents more concerned about integrity.

Table 2.5. Voter Attitudes toward New Mexico Voter ID Law by Partisanship
2018 Is the New Mexico voter ID

2010 Is the New Mexico voter 1D				
	<b>Democrats</b>	Independents	Republicans	
Not strict enough	19	57	82	
Just right	76	41	16	
Too strict	5	3	2	
2016 Is the New Mexi	ico Voter ID			
Not strict enough	21	56	86	
Just right	77	43	14	
Too strict	2	1	0	
2014 Is the New Mexico voter ID?				
Not strict enough	29	61	86	
Just right	69	39	14	
Too strict	2	0	0	

2012 Is the New Mexico voter ID?				
Not strict enough	31	50	87	
Just right	69	50	13	
Too strict	0	0	0	
2010 Is the New Mexico Voter ID?				
Not Strict Enough	39	72	83	
Just right	60	28	17	
Too Strict	1	0	0	

Overall, the 2018 survey results are very similar to the 2016 results. 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.

#### 2.6 Attitudes toward Election Reforms

Election reforms have been an expanding area of public policy over the last two decades. For example, over this time New Mexico has implemented numerous reforms. In 2006, after several problems were identified in the DRE machines that were used in the 2002 and 2004 elections, New Mexican election activists in 2005 filed a lawsuit to end the use of electronic voting machines that do not provide for a voter verifiable and auditable paper trail.<sup>26</sup> In 2005, New Mexico mandated that voting systems include a paper trail.<sup>27</sup> In 2006, during the legislative session New Mexico legislators passed a bill to move to a statewide optical scan paper ballot system in time for the federal 2006 general election.<sup>28</sup> New Mexico was the first state that moved from a predominantly electronic voting system to one that mandated optical scan paper ballots statewide, with the intent of providing a paper trail so that elections could be audited for accuracy and to provide an environment that would promote greater voter confidence.<sup>29</sup> In 2010, NM moved from a precinct based voting system to one that allowed for voting convenience centers (VCCs), which provides voters the opportunity to vote at any VCC in their county. In

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<sup>&</sup>lt;sup>26</sup> The Associated Press State & Local Wire, January 14, 2005, Friday, BC Cycle, accessed via Lexis-Nexis on May 31, 2007; also see

<sup>&</sup>lt;sup>27</sup> New Mexico Senate Rules Committee Substitute for Senate Bills 678, 680, 718 & 735. 2005. 47<sup>th</sup> New Mexico Legislative Session First Legislative Session, available at:

https://www.nmlegis.gov/Sessions/05%20Regular/bills/senate/SB0718RUS.pdf

<sup>&</sup>lt;sup>28</sup> New Mexico Senate Bill 0295. 2006. 47<sup>th</sup> New Mexico 5ession Second Legislative Session, available at: https://www.nmlegis.gov/Sessions/06%20Regular/final/SB0295.pdf

<sup>&</sup>lt;sup>29</sup> Atkeson, Lonna Rae. R. Michael Alvarez, Thad E. Hall. 2010. "Assessing Electoral Performance in New Mexico using an Eco-system Approach: New Mexico 2008," Typescript, University of New Mexico. Available at: https://polisci.unm.edu/common/c-sved/papers/2012-bernalillo-county-elections-administration-report.pdf.

2019, a number of election reforms bills passed the legislature and were signed by Governor Lujan Grisham; therefore, NM voters will see more change in the near future.

## The National Popular Vote becomes Law

The National Popular Vote (NPV) passed the legislature in 2019 and is a good example of how a policy issues evolves and gains support over time. The NPV will give New Mexico's Electoral College votes to the presidential candidate that wins the popular vote nationally, regardless of the vote outcome in NM. The NPV does not take effect until enough states pass the measure to guarantee that the candidate that wins the national popular vote will also win the Electoral College.

During the 2011 regular session of the New Mexico State Legislature, the House of Representatives passed House Memorial 56, which called on New Mexico's Secretary of State to "study and compare the current Electoral College system and the national popular vote system" and present her findings to the New Mexico Legislature. After which, the University of New Mexico's Center for the Study of Voting, Elections and Democracy (C-SVED) sponsored a state conversation about the National Popular Vote through a citizen panel that met 3 times across the state educating members of the community about the current Electoral College system and how a national popular vote system would alter that.

Citizen panel members included state legislators, election administrators (in particular, county clerks), interest groups focused on election work (including the League of Women Voters, Common Cause, and Verified Voting of New Mexico), prominent members of different New Mexico communities including the Hispanic and Native American communities, and students from the University of New Mexico and New Mexico State University.<sup>31</sup>

In the 2017 legislative session, the New Mexico Senate passed the National Popular Vote bill by a 26-16 margin. The bill gained some initial traction when the House approved it in a 5-4 vote in the House Government, Indian and Veteran's Affairs Committee, but it was defeated in the House Local Government, Elections, Land Grants and Cultural Affairs Committee when it tied on a 3-3 vote.

In the 2018 legislative session, the League of Women Voters in Santa Fe County took a special interest in the question, organizing several interest groups activities, starting a list serve to keep supporters apprised of legislative activity, and mobilizing members around key committee hearings and votes in both houses.

• We asked several survey questions on our postelection survey over the last 3 election

<sup>&</sup>lt;sup>30</sup> For an overview of the national popular vote plan go to: www.nationalpopularvote.com.

<sup>&</sup>lt;sup>31</sup> See Lonna Rae Atkeson, Kim Proctor, and Jim Noel, "Report of the Citizen Panel The Electoral College and the National Popular Vote Plan," Center for the Study of Voting, Elections and Democracy, Political Science Department, University of New Mexico, available at http://polisci.unm.edu/c-sved/index.html

cycles that showed generally strong support for some sort of national popular vote presidential system. We asked, "How do you think we should elect the President: should it be the candidate who gets the most votes in all 50 states, or the current Electoral College system?"

- In 2018, we found that 62% of voters supported giving the presidency to the candidate who got the most votes, in 2014 we found that 72% of voters supported, in 2016 and 2012 support was also at (62%).
- In 2016, we specifically asked about the NPV. We asked voters whether they "strongly agree," "somewhat agree," "somewhat disagree," or "strongly disagree" that, "New Mexico should pass legislation to support the national popular vote initiative, which would give New Mexico's Presidential electors to the candidate who won the most voters in the nation." We found that 55% of the voters either strongly agreed or somewhat agreed to the statement, while 45% of the voter either somewhat disagreed or strongly disagreed.
- Not surprisingly, given that under the current Electoral College system, Democrats have recently lost twice while winning the popular vote (Bush 2000 and Trump 2016) and Republicans have won twice while having lost it, this is a highly partisan issue. In 2018, 92% of Democrats and 26% (up from 19% in 2016) of Republicans, and just half of Independents (51%) supported selecting the candidate who wins the most popular votes nationally to serve as President.

## Same Day Voter Registration and Automatic Voter Registration become Law

NM also passed same-day voter registration. This dramatically changes our election system, moving it from a list of states with one of the longest pre-registration requirements (28 days) to a state with no requirement for advanced registration to participate starting in 2021 when voters will be able to register on Election Day. During the 2020 federal elections, voters will be allowed to register to vote during early voting, as well as make changes to their registration, but will not be able to vote on Election Day. The law does not allow voters to change parties during a primary election and does require same-day registrants to provide a state issued ID and an affidavit swearing they have not already cast a ballot in the election.

- Our postelection survey shows that almost ½ (49%) of voters supported same-day registration, while just above half (51%) of voters did not support same-day registration. Compared to other election reform measures, support for this measure was much less strong.
- Partisanship structured support for this measure. Seven in 10 Democrats supported this with 44% strongly agreeing and 26% somewhat agreeing.
- Only two in five Independents supported this measure with 25% strongly agreeing and another 16% somewhat agreeing.
- Almost one in four Republicans supported this (23%) with a mere 10% strongly supporting it and other 13% somewhat supporting it.

Governor Lujan Grisham also signed as part of the same bill automatic voter registration, which automatically registers qualified electors when they get their driver's license or state ID at the Motor Vehicle Division. The new law codified the current practice that allows drivers the option of registering to vote at the DMV, but the new law will require qualified electors to opt-out of the system if they do not want to be registered.

- Our postelection survey shows that this was a very popular measure. We asked voters whether they "strongly agree," "somewhat agree," "somewhat disagree," or "strongly disagree" that, "Eligible voters should be automatically registered to vote through their state DMV or other state agencies." We found that fully two-thirds of voters (67%) agreed with this statement, while only 33% disagreed.
- While attitudes were clearly related to partisanship, it was somewhat weaker than for the national popular vote with larger numbers of both Independents and Republicans supporting this measure. While 85% of Democrats agreed with the statement, 60% of Independents also did and 45% of Republicans also did.

## **Open Primary Elections Stalls**

New Mexico has a closed primary system in which voters who do not identify with a major party are not allowed to participate in the process. In June of 2014, an Independent voter sued the state of New Mexico to open up the primary to Independent voters by allowing them to choose a party ballot during the primary election.<sup>32</sup> In February of 2017, the state Supreme Court upheld the closed primary, making it a legislative decision to change it.<sup>33</sup> In 2018, legislation to open up the primary to voters who do not designate a major party stalled.

- Voters support opening the primaries to unaffiliated voters. About 7 in 10 voters either "strongly agree" (50%) or "agree" (19%) that primary elections should be open to all voters, not just those registered as Democrat or Republican. Eleven percent of voters "somewhat disagree" and 14% of voters "strongly disagree."
- These numbers are similar to what we saw in 2014 when 73% of voters supported open primaries and in 2016 when 72% of supported open primaries.

## **Straight Party Option is not Introduced**

In 2012, the Republican Secretary of State opted out of the straight party ballot option, which had been part of New Mexico balloting for decades. She and previous NM SOS under NMSA 1978 Section 1-10-12 had explicit authority to decide the format of the paper ballots used in NM elections. Until GOP SOS Duran, secretaries had allowed a straight party ballot option. With the election of Democrat Maggie Toulouse Oliver, who campaigned on reinstating it in her 2016 election bid, the straight party option was reinstated. She argued that the straight party option allowed some voters, who had difficulty with long paper ballots to exercise their right to vote more easily. She said, "As Secretary of State, I am committed to making it easier—not harder—

https://www.abqjournal.com/943916/new-mexico-supreme-court-upholds-closed-primary-elections.html.

<sup>&</sup>lt;sup>32</sup> See http://krqe.com/2014/06/04/independent-voter-sues-nm-for-open-primaries/

<sup>&</sup>lt;sup>33</sup> See "New Mexico Supreme Court Upholds Closed Primary," available at:

for New Mexicans to vote," said Secretary Toulouse Oliver. "From moms juggling work and kids to elderly veterans who find it hard to stand for long, straight-party voting provides an option for voters that allows their voices to be heard while cutting in half the time it takes them to cast their ballot,"<sup>34</sup>

However, NM Republicans and Libertarians criticized the decision as partisan maneuvering and filed a lawsuit. The court agreed with the critics in a unanimous decision that prevented the SOS from moving forward with her decision saying that the legislature must make such decisions, and that those decisions cannot be delegated to the executive in charge of the election process.

Our surveys over time captured public views on this issue, and in 2012 after the change we examined this question extensively. One complaint about paper ballots is the length of the ballot. For example, in 2014, the Bernalillo County ballot was exceptionally long, double-sided and with a 6-point font. Bernalillo County is the largest election jurisdiction in the state with over 415,000 voters, and one-third of all New Mexican voters. The ballot included federal (US Senate and US House), all state and some county offices, county ballot measures, Constitutional Amendments, and bond issues. All in all, there were 80 ballot questions and 69% of Bernalillo County voters indicated that the ballot was too long. The survey of the county of the county voters indicated that the ballot was too long.

One advantage of a straight party option is it helps some voters more easily complete their ballot. Given the length of New Mexico ballots, the straight party option allows some voters more ballot usability. Thus, the straight party option represents an accessibility issue.

- In 2012, the New Mexico Secretary of State removed the straight party option, but in both 2008 and 2010 in our post-election statewide surveys, we asked whether voters used the straight party option.
- Our results indicate that over one-quarter of voters (28% of voters in 2008 and 27% of voters in 2010) used the straight party option.
- In 2012, we asked voters to agree or disagree with the following statement, "I would have preferred to be able to use the straight party option." About two in five voters 42% agreed with this statement.<sup>37</sup>
- In 2014, we asked Bernalillo County voters whether they would like to have the straight party option reinstated and not quite half (47%) indicated that they would.<sup>38</sup> This outcome was heavily predicted by whether they had ever used the straight party option. While 75% of those voters who had never used the straight party option indicated they would not like to have the straight party option reinstated, 77% of voters, a near equal

http://www.sos.state.nm.us/uploads/FileLinks/c785f44b017b423b97cb8fe41dffa5d4/Statewide 8 31 2018.pdf for current information on voter registration statistics in New Mexico.

https://polisci.unm.edu/common/documents/2014-bernalillo-county-nm-election-administration-report.pdf.

<sup>&</sup>lt;sup>34</sup> See KRWG Public Media at <a href="https://www.krwg.org/post/new-mexico-reinstates-straight-ticket-voting-option">https://www.krwg.org/post/new-mexico-reinstates-straight-ticket-voting-option</a>.

<sup>&</sup>lt;sup>36</sup> See Atkeson et al, "2014 Bernalillo County Election Administration Report," available at: <a href="https://polisci.unm.edu/common/documents/2014-bernalillo-county-nm-election-administration-report.pdf">https://polisci.unm.edu/common/documents/2014-bernalillo-county-nm-election-administration-report.pdf</a>
<sup>37</sup> Atkeson et al, 2012, "The 2012 Bernalillo County Election Administration Report," available at:

https://polisci.unm.edu/common/c-sved/papers/2012-bernalillo-county-elections-administration-report.pdf.

See Atkeson et al, "2014 Bernalillo County Election Administration Report," available at:

percentage, who had used the straight party option indicated they would like to have it reinstated. Thus, those who had previously interacted with the ballot in this way would prefer the option to use it again.

• In 2018, we find identical support for reinstatement with nearly half (47%) of voters indicating they would prefer to have seen the straight party option reinstated. As in 2014, we find that this is heavily structured by strength of partisanship. Three in five (59%) voters who identify as strong partisans, and who are the most likely beneficiaries of such an option, support the straight party option. While weak, leaning, Independent and non-major party registrants do not. Two in five (40%) of weak and leaning partisans support it. One quarter (22%) of Independents support it.

We also consider who takes advantage of the straight party option. It may be that certain types of voters rely on the straight party option more than other types of voters and therefore removing the straight party option affects some voters more than others. For example, in a recent case on straight party voting in Michigan, the District Court found that black voters were more likely to use the straight party option.<sup>39</sup> Does this hold true in New Mexico? Do we see that minority voters are more likely to participate in this way? We can look at this in 2008 and 2010 when straight-party voting was still an option, and we asked in our postelection voter survey, "Did you use the straight party option on the ballot to cast your votes?"

- Table 2.6 shows the crosstab between straight party usage by self-identified ethnicity.
- We find that minority voters are more likely to use the straight party option than white voters. While one-quarter (25%) of white voters indicated they used the straight party option, over two in five (42%) black voters did. We also see large differences between whites and Native Americans and Hispanics. Nearly two in five (37%) of Native Americans and over one-third (35%) of Hispanics used the straight party option.

Table 2.6. Percentage of Voters Who Used the Straight Party Option by Ethnicity

	Black/African- American	Native American/American Indian	Hispanic/Latino	White
No	58	63	65	75
Yes	42	37	35	25
Total	100	100	100	100

We also consider age, since older voters are likely to have the hardest time filling out a paper ballot and may benefit the most from having this option. Using the same surveys, we recoded age into the following categories 18-29, 30-49, 50-64, 65 and older. Table 2.7 shows that voters who are 65 and over were the most likely to have used the straight party option.

56

<sup>&</sup>lt;sup>39</sup> See John Counts, 2018, "Straight Ticket Voting to Remain an Option, Federal Judge Rules," MLive Michigan, available at: <a href="https://www.mlive.com/news/index.ssf/2018/08/michigans\_straight-ticket\_law.html">https://www.mlive.com/news/index.ssf/2018/08/michigans\_straight-ticket\_law.html</a>, accessed September 7, 2018.

Table 2.7. Percentage of Voters who Used the Straight Party Option by Age

	18-29 years	30-49 years	50-64 years	65+ years
No	74	70	77	68
Yes	26	30	23	32
Total	100	100	100	100

We also find that partisans and non-partisans used the straight party option. Table 2.8 shows that Democrats are more likely to use the straight party option than Republicans, but more than a quarter of voters in both parties used the straight party option suggesting it is a popular election tool. Only Independent voters, who are not psychologically tied to a party, used it infrequently, but even then, 10% of Independents took advantage of this time-saving device.

Table 2.8. Percentage of Voters who Used the Straight Party Option by Party

	Democrats	Independents	Republicans
No	54	90	75
Yes	35	10	25
Total	100	100	100

These results suggest that some voters prefer the straight party option because it decreases their voting time and increases their voting efficiency. It reduces time with the ballot because voters can simply choose one option, and then pick the races independently where they want to choose the other party option. Straight party voting does not prevent voters from voting for alternative party candidates; voters can always mark another party candidate on their ballot. Straight party voting also creates voter efficiency because voters are less likely to make a mistake on the ballot and have to spoil their ballot, or override the errors on the tabulator and vote an incomplete ballot. For voters who struggle with motor disabilities, the straight party option helps them immensely because they have to fill in fewer ovals. While the Dominion ICE voting machines currently used by the State provide alternative self-directed methods of voting for disabled voters it is slow and cumbersome and not easy to work with.<sup>40</sup> Therefore, the straight party option represents another and easier option for voters who find the paper ballots cumbersome or painful to use.

Given these considerations, in 2012 after the practice had been eliminated, we recommended their reinstatement. While it is also true that the option likely benefits the dominant political party in the state, it also benefits voters. Our interest has always been in helping voters and therefore we have supported the straight party option for this reason. In our 2012 Election Administration Report we stated, "Some voters prefer the straight party option, no doubt because

57

<sup>&</sup>lt;sup>40</sup> See Atkeson et al, "2014 Bernalillo County Election Administration Report," available at: <a href="https://polisci.unm.edu/common/documents/2014-bernalillo-county-nm-election-administration-report.pdf">https://polisci.unm.edu/common/documents/2014-bernalillo-county-nm-election-administration-report.pdf</a> for a discussion of the problems with using Dominion ICE machines for disabled voters.

it reduces their time with a long and arduous ballot. The Secretary of State should consider allowing the option again."<sup>41</sup> We stand by that recommendation.

## Ranked Choice Voting/Instant Runoff

Ranked choice voting has recently become a popular reform across the country and in New Mexico. Ranked choice voting is a method of candidate selection in which voters rank each candidate in the contest from their most to least favored. Votes are counted in the "first round" based upon voters' first ranked choices. If a candidate wins a majority of the votes, he or she is declared the winner. If no candidate wins a majority, the candidate with the least number of votes is eliminated and his or her voter's second choice preference is counted and added to the total. At this point, a new tally is completed and if a majority candidate emerges then he or she is declared the winner. If not, the process is repeated until 1 candidate wins a majority of the votes. The state of Maine holds all its elections using ranked choice voting. The city of Santa Fe, NM converted to ranked choice voting in its most recent mayoral content. Other municipalities are considering it across the state.

Ranked choice is a complicated reform to explain therefore our question provided a hover option that allowed the voter to obtain more information.

• We asked, "Ranked choice voting or instant run-off is an election reform that allows voters to rank candidates from their most favorite to least favorite." We found that a simple majority of voters (51%) supported RCV, while 49% did not.

#### **Mail Elections**

We also asked questions about moving to mail elections. For mail elections, all registered voters receive a ballot in the mail. The voter marks the ballot, puts it in a secrecy sleeve, or envelope, and then into a separate mailing envelope, and returns the package via USPS. We asked whether voters "strongly agree," "somewhat agree," "somewhat disagree," or "strongly disagree" to, "New Mexico should move to all mail elections." We found that nearly 1 in 5 voters either "strongly agreed" (6%) or "somewhat agreed" (12%) to the statement, while 4 in 5 either "strongly disagreed" (54%) or "somewhat disagreed" (30%) to the statement. These are the same results from the 2016 election.

- Demographic characteristics do not seem to influence the behavior towards mail elections.
- Partisanship seems to have a small relationship with support for mail elections; 25% of the Democrats support moving towards mail elections, while only 9% of Republicans, and 16% of the Independents do so.

<sup>41</sup> See Atkeson et al, 2012, "The 2012 Bernalillo County Election Administration Report," available at: <a href="https://polisci.unm.edu/common/c-sved/papers/2012-bernalillo-county-elections-administration-report.pdf">https://polisci.unm.edu/common/c-sved/papers/2012-bernalillo-county-elections-administration-report.pdf</a>, page xiii.

- Republicans are adamantly opposed to these types of elections; fully 74% of Republicans strongly disagree with the statement compared to 51% of Independents and 40% of Democrats.
- In the security section, we note that voters feel that mail elections are the least secure and most open to voting fraud, which is likely why NM voters are not supportive of all mail elections.

## **Public Financing**

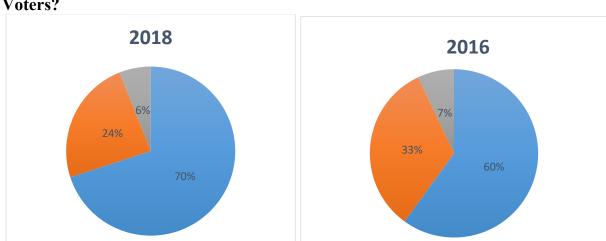
New Mexico is one of 13 states that have implemented some kind of a public financing system, with Albuquerque and Santa Fe among the few municipalities with such systems. At the state level, among the 22 states that elect judges to the State Supreme Court, New Mexico is one of only two states (along with West Virginia) that offer public financing for candidates. New Mexico also offers public financing for the Court of Appeals, and for Public Regulation Commissioners, who are elected in district-wide races. Albuquerque and Santa Fe both offer public financing systems for mayoral and city council candidates. We began asking questions about public financing in 2016.<sup>42</sup>

- In our 2018 survey, we asked several statements that voters could agree or disagree with. There is strong support for public financing in NM. 65% of voters strongly (25%) or somewhat (40%) agree that "all elected offices should be eligible to receive public financing, 35% disagree either somewhat (17%) or strongly (18%). This is consistent with what we found in 2016.
- In addition, 63% indicate that they "support public financing even if some of the funding might go to candidates I don't agree with." In 2016, we found this was 66%.
- Nearly 8 in 10 voters (78%) of voters indicate they pay attention to whether a candidate is publicly or privately funded or not. This is an 11-point increase from 2016. However, it is hard to know what the implication of that is. In Albuquerque's most recent mayoral contest the only candidate to accept public funding won, while in Santa Fe's mayoral contest the person who accepted public financing lost. Thus, voters consider many factors in their vote decision, but clearly, they believe the use of public finance money is an important one.
- Two-thirds (67%) of voters believe that, "Public financing would allow people like me to run for office." These results are very similar to what we found in 2016.

We also asked, "Generally speaking, do you think New Mexico's elected officials are more responsive to campaign donors or voters? Figure 2.4 shows the results for both 2018 and 2016. Voters have become quite a bit more cynical in the last two years. Seven in ten voters indicate that candidates are more responsive to donors in 2018, while that was 10 points less, six in 10 voters, in 2016.

59

<sup>&</sup>lt;sup>42</sup> Please refer to our 2017 report on public financing entitled, "2017 Campaign Finance Report" available at: <a href="https://polisci.unm.edu/common/c-sved/papers/2017-campaign-finance-update.pdf">https://polisci.unm.edu/common/c-sved/papers/2017-campaign-finance-update.pdf</a>.



■ Donors ■ Voters ■ Both Equally

Figure 2.4. Are NM's Elected Officials More Responsive to Campaign Donors or Voters?

#### **Independent Redistricting**

■ Donors ■ Voters ■ Both Equally

In 2018 and 2019, legislation was introduced in the NM House to create an Independent Redistricting Commission to facilitate a less partisan process in redistricting NM's Congressional, Legislative, Public Regulation Commission, and other local districts across the state after the 2020 census. Both times the measure failed and received little committee interest. However, with gerrymandering under fire, and courts across the country repeatedly finding that states have implemented unfair partisan districts and declared them void, many states are considering alternatives to the legislative process. A total of 25 states have some sort of redistricting commission. Fourteen states have an Independent Redistricting Commission whose purpose is to draw plans for state legislative districts, 6 states have an advisory commission that assists in the process and five states have a backup commission that makes redistricting decisions if the legislature fails to do so.<sup>43</sup>

Given the 2020 census is almost upon us, we asked two questions about the redistricting process in NM.

- First, we asked how strongly voters agreed or disagreed with the following, "An Independent Redistricting Commission should be created to determine district boundaries after the 2020 census." In principle, voters support an independent commission with over 8 in 10 (84%) of voters either strongly (44%) or somewhat agreeing (39%).
- A majority of Democrats (89%), Independents (81%), and Republicans (76%) support it. Indeed, this measure has the strongest support among all the election measures we

<sup>&</sup>lt;sup>43</sup> This information comes from the National Conference of State Legislatures and is available at: <a href="http://www.ncsl.org/research/redistricting/2009-redistricting-commissions-table.aspx">http://www.ncsl.org/research/redistricting/2009-redistricting-commissions-table.aspx</a>.

examined. While we often saw party polarization across election reform issues, here we see congruence. All partisans want a process that is more independent than partisan.

However, when we followed up this question with what voters might be thinking about in terms of public policy that should help guide redistricting principles we found that voters were highly uncertain. The problem is very difficult because there are many ways to draw a district. Districts can be drawn based upon a variety of goals including 1) favoring one party over the other -- partisan gerrymandering, 2) matching the partisan breakdown of seats to the electorate, 3) maximizing competitiveness, 4) maximizing the number of majority-minority districts, 5) keeping communities together by making districts compact (using natural and administrative borders such as rivers, hills and lakes, or cities, counties, and neighborhoods).

We focused on two goals: keeping communities together and competitiveness. Normatively speaking competitive elections are supposed to promote two goals. First, they inform the electorate about the issues at stake and create choice, and second, they are supposed to promote a more responsive government.

- We asked, "After the 2020 census, NM will have to reapportion its districts to ensure equal representation. Which of the following statements come closest to your view? They should create electoral districts that hold communities together even if it means that one party will dominate; they should create electoral districts where there is close competition between the two parties, even if it means that communities will be disconnected, or don't know."
- We found that the modal response was don't know with two in five voters selecting this option.
- However, we do find some partisan differences. For Democrats, the mode is don't know (41%), but for Independents and Republicans the mode is competition. 42% of Republicans and 38% of Independents prefer the goal of competition, while only 32% of Democrats chose this option.
- Given that NM is dominated by the Democratic Party, we are not surprised to find that out party members would prefer competitive districts that would increase the probability of an in-party loss, and for Independents provide a more informative contest that clarifies differences.

Given the various goals around redistricting, some effort should be made to educate the public about redistricting and its implications for electoral representation.

# **Chapter 3 Voter Confidence, Voter Experience and Election Security**

## 3.1 Concern about Hacking

What role does election security play in voter confidence? Measuring voter confidence is one good way to determine how the public views the integrity and legitimacy of our elections. Because elections are the link between citizens and their elected representatives it is necessary for voters to have confidence that elections result in impartial and legitimate outcomes. If voters lose faith, or have low confidence in one of the most fundamental aspects of a democratic society--the validity of the election outcomes and the correct counting of individual votes--then the legitimacy of representative democracy itself may be at risk. Voter confidence, is different from diffuse system support, and can be viewed as a performance measure stemming from a very visible governmental process, one in which most citizens have personal experience.

Recently, legislators, jurists, citizen activists, and academics have linked voter fraud issues with voter confidence, making an important theoretical link in various policy debates on election reform and pushing for policies that protect the system against fraud to ensure higher confidence. The events of the recent campaigns make this question particularly pertinent. Therefore, it is important to extend our research efforts to understand how security measures influence voter confidence, and how voters view the efficacy and security of the voter system in New Mexico.

We asked early in our survey, but after the voter confidence questions, "How concerned are you about the possibility of cyber threats or hacking of New Mexico Elections?" Table 3.1 shows the frequency of responses. Nearly one-quarter of voters indicate they are very concerned with another two in five voters indicating they are somewhat concerned, suggesting a rather large majority of voters are worried about election security. No doubt, talk during the 2016 election, by then presidential candidate Donald Trump about rigged elections and candidate Hillary Clinton about Russian interference, set the stage for increased concern about the possibility of cyber threats or other forms of vote tampering.<sup>46</sup>

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<sup>&</sup>lt;sup>44</sup> Atkeson, Lonna Rae, and Kyle L Saunders. "The Effect of Election Administration on Voter Confidence: A Local Matter?" *PS: Political Science and Politics* 40 (2007): 655–60; Atkeson, Lonna Rae, R. Michael Alvarez, and Thad E. Hall. "Voter Confidence: How to Measure It and How It Differs from Government Support." *Election Law Journal: Rules, Politics, and Policy* 14, no. 3 (June 18, 2015): 207–19. doi:10.1089/elj.2014.0293; Atkeson, Lonna Rae. 2014. "Voter Confidence in 2010: Local, State, and National Factors," in R. Michael Alvarez and Bernard Grofman (eds), "Election Administration in the United States: The State of Reform after Bush V. Gore. New York: Cambridge University Press.

Atkeson, Lonna Rae, R. Michael Alvarez, Thad E. Hall. 2015. "Trust in Elections and Trust in Government: Why Voter Confidence Differs from Other Measures of System Support," *Election Law Journal* 14(3): 207-219.
 Healy, Patrick, and Jonathan Martin. "Donald Trump Won't Say If He'll Accept Result of Election." *The New York Times*, October 19, 2016, https://www.nytimes.com/2016/10/20/us/politics/presidentialdebate.html; Chozick, Amy. Oct. 11, 2016. "John Podesta Says Russian Spies Hacked His Emails to Sway Election," *New York Times*

Table 3.1. Concern about possibility of Cyber Threats or Hacking

Very concerned	23%
Somewhat concerned	40%
Not too concerned	29%
Not at all concerned	8%

But what is the relationship between security and voter confidence? Do concerns about security affect voter confidence? The answer is yes, voters who indicate they are more concerned about the possibility of cyber threats or hacking are more likely to be less confident at all levels of voter confidence.

- 64% of voters who are not at all concerned about cyber threats are very confident that their vote was counted as intended versus 46% who are very concerned.
- 59% of voters who are not at all concerned about cyber threats are very confident that the votes in their county were counted correctly versus 37% who are very concerned.
- 52% of voters who are not at all concerned about cyber threats are very confident that the votes in their state were counted correctly versus 27% who are very concerned.
- 30% of voters who are not at all concerned about cyber threats are very confident that the votes in the nation were counted correctly versus 9% who are very concerned.
- The gap between the high and the low shows that the effect is fairly consistent across all levels of government. We might have expected to see that national voter confidence is more affected by concerns about cyber threats than personal voter confidence, but the strength of the relationship is about the same.

## 3.2 Election Security

Election security is a potentially big umbrella and election administrators may have a different understanding of election security than voters. Therefore, to understand voter perceptions of election security, we asked the following open-ended question, "What concerns you the most about election security in New Mexico?" Voters could write any comments they wished, and were allowed multiple responses. Responses suggested 6 consistent concerns, along with a significant number of voters who talked about the strengths of NM's election security especially the fact that NM has paper ballots<sup>47</sup> These 6 include: 1) vote hacking and vote tampering, 2) vote fraud, meaning allowing ineligible voters to vote, disapproval that NM doesn't have a voter ID law or a voter was not asked for an ID to vote, 3) corruption among election officials, poll workers, or the individuals who service the machines, 4) ballot procedures, especially discussion of absentee ballot procedures, 5) voter suppression, meaning rules or procedures put into place to deny some voters the franchise, 6) the quality of the voter rolls including the prospect of dead people voting. Table 3.2 shows the results, we note that a majority of voters chose not to write

<sup>&</sup>lt;sup>47</sup> We limited our analysis here to our random sample respondents.

anything, but the fact that two in five did suggests there is quite a lot of concern and interest regarding election security.

Table 3.2. Open Ended Responses to Concerns about NM Election Security

Open End Concerns about Election Security	%
Voter Tampering/Machine Hacking	16
Voter Fraud	11
Vote Tampering/Corrupt politicians	7
Ballot procedures, absentee	5
NM has good security, paper ballots, no concerns	4
Voter Suppression	2
Voter Tampering/Voter Rolls/Dead Voters	1
No comment	58

The results indicate a variety of concerns, but several concerns are very much related to vote tampering. Vote hacking, the voter rolls, and corrupt politicians, poll workers, or others involved in the election process are all related to concerns that people, mostly electronically, but possibly some other way, are altering either individual ballots to influence vote outcomes or altering aggregate vote counts. If we consider these responses together nearly a quarter of voters had concerns that individual ballots or vote counts had the potential to be fraudulent if vigorous methods were not in place to stop it.

The largest frame centered on the possibility of vote hacking and cyber security. No doubt news stories about Russian and Chinese election interference, and attempts to access voter registration files during the 2016 election, were pivotal in shaping these concerns, but they also stem from people's personal experiences with technology including identity theft, Facebook hacks, and other email hacks.

- 16% of Voters indicated they were worried about vote tampering. Several were concerned about the possibility of hacking and that NM may not have the resources to ensure election security. For example, one voter said, "I believe that any online activity can be hacked. With that said, there are security measures that can be taken to minimize and/or detect these intrusions. The state should spend the money to ensure we maintain the best security in our electronic systems."
- While we saw no demographic differences in terms of hacking, we did find that Democrats (24%) were far more concerned about hacking than Republicans (8%) or DTS (10%).
- Concern about corrupt election actors especially election officials, but also the technicians who service machines or poll workers, was mentioned by 7% of voters.

- While we once again saw no demographic differences in terms of corruption, we did find a strong partisan difference with both a substantial percentage of Independents (11%) and Republicans (10%) rather the Democrats (3%) citing this as a problem. This reflects the state's Democratic Party dominance.
- While only 1% of respondents indicated the voter rolls were a concern, it parallels concerns about hacking and should be thought of as a technology issue. For example, one voter noted that, "the master database of voters is held by a private organization offsite from the polling place."
- Voters also frequently talked about the quality of the voter rolls in terms of having dead people on the rolls or people who have moved. Our own analysis, however, suggests there are no dead voters in NM.

In addition, numerous people wrote about ballot procedure irregularities, especially in absentee voting, and either indirectly or directly called out Dona Ana, Cibola, and Valencia for perceived mismanagement of ballots. Although, there was no actual mismanagement of ballots found in these counties,<sup>48</sup> the fact that the clerks could not 1) complete absentee ballot counting in Dona Ana election night, 2) that there were reported problems of slow machine counting in Cibola that led to delays, and 3) that in Valencia a race outcome was changed during canvassing all set the stage for voter concerns.

For example, one voter said,

"I think that based on the facts of this election there is some concern about ballot counting. Very inadequate. Absentee ballots should be the first to be counted in any election. There is no reason for a candidate to be awarded a victory and then have to go back and concede because absentee ballots were not counted. Very fishy."

This highlights how atypical procedures can have long and short term effects on voter confidence and the legitimacy of the election. The fact is NM law allows counties to start the absentee vote count early before Election Day so that this count can be complete on Election Day. Indeed, at 7:00 PM when the polls close, the first votes that usually post are absentee voter counts. Thus, it was a surprise to many voters when they went to bed on election night thinking that the Republican congressional candidate was in the lead in the Second Congressional District only to wake up the next day and find that the count was not yet complete and that further counting switched the seat from the Republican to the Democratic candidate.

- 5% of voters were concerned about irregularities in ballot processing, especially absentee ballots.
- 8% of Republicans, 2% of Independents and 3% of Democrats held ballot procedure concerns.

<sup>48</sup> We performed an e-forensics Benford's Law Test on the election outcomes in CD2 by vote mode and found no evidence for ballot fraud using this technique.

• There were no differences in concern about ballot procedures across demographic groups.

One concern that was not related to election administration per se was voter suppression. Two percent of voters talked about voter suppression in fairly abstract ways. For example, two typical voters on this issue said,

"I was able to vote but many in my life could not due to overt voter suppression. I do not trust a system built on tweedism and gerrymandered to hell to be a fair representation of the will of the American people."

"Voter suppression towards minorities, elders, and our military serving outside the United States."

These voters are concerned about voter rights, but do not target NM election officials as part of the problem. They did not cite specific instances of voter suppression in New Mexico, but in other states or other election jurisdictions. These voters are concerned about voter ID laws or other rules that might diminish turnout.

On the other side of this political debate is voter concerns about fraud. Over 1 in 10 (11%) of voters cited the possibility of voter fraud and the lack of a voter identification requirement that likely encourages it as a serious security risk. One voter captured this sentiment in his comments, "Voter ID is a must. You need ID to buy alcohol, tobacco, drive, etc. Why not vote? One reason —to enable fraud."

- Voter fraud was mentioned by 11% of voters. Voters complained about not being asked for an ID or only being asked verbally to authenticate themselves, or discussed the possibility of ineligible voters casting ballots.
- Party differences were once again strong with 23% of Republicans indicating this was a concern, versus 11% of Independents and only 3% of Democrats.
- We also saw that whites and Native Americans were more concerned about the possibility of voter fraud than Hispanics.

It is important to note that 4% of voters voluntarily wrote that they had no concerns about election security whatsoever, and many of those commented on the fact that NM uses paper ballots, which creates greater security and legitimacy. These voters indicated that election security was a strength in NM. For example, one voter said,

"With paper ballots and considering our tabulating machines are Independent of the internet, I have no concerns about election security in New Mexico."

Once again, we find that party is the divider with Democrats mentioning no concerns 5%, DTS 3%, and Republicans only .5%.

#### Hacking and breaking into What?

The free responses above correlate nicely with our set of security questions about electronic hacking in voter's state or local community. We asked 3 questions about how much of a problem is it that: 1) people break or hack into the computers that manage voter rolls to improperly alter those records, 2) people break or hack into the voting equipment you might use to cast a ballot to change how votes are counted, and 3) people break or hack into websites or computer systems of candidates to disrupt their campaigns. Voters could respond with a major problem, a major problem, but not too major, a small problem, or not a problem at all.

- Approximately two in five voters (about 40%) indicated that hacking into voter rolls or voting equipment is a problem, while about three in five voters (about 60%) believe that it is either a small or no problem at all. The mode for these two questions is "not a problem at all."
- But, three in five voters (60%) believe that hacking into websites or computer systems of candidates to disrupt their campaigns is a problem.
- This aligns with voter understanding of the security risks from the 2016 election when presumably Russian hackers broke into the DNC computers.<sup>49</sup> Thus, consistent with facts on the ground, voters are most concerned about events that have been corroborated.
- Voter concerns about foreign interference in the election were much higher in 2016 than 2018. In 2016, over three in five voters (62%) indicated they thought there was a lot (39%) or some (23%). In 2018, only two in five voters (41%) indicated they thought there was a lot (10%) or some (31%).
- In terms of demographic differences, we find very little substantive difference on the last question about breaking into computer systems to disrupt their campaigns, but we find some differences on the first two. Education has a weak relationship to the first two security questions with more educated voters indicating they are less concerned. Asian voters and voters who refused to identify a racial or ethnic group were the most concerned and African Americans were the least concerned. Age and sex substantively did not matter.
- Party matters also for the first two questions, but not for the last one where partisans were in general agreement. Otherwise, Republicans and Independent voters were more concerned than Democrats. Given the state is largely controlled by the Democratic Party, it is not surprising that the out-group partisans, GOP and Independent voters, are more concerned about hacking than the in-group.

# 3.3 Priorities in Election Security

In terms of election security, NM has been a national leader. Before any other state NM required both paper ballots and risk limiting postelection audits.

<sup>&</sup>lt;sup>49</sup> For a good overview about 2016 hacking facts see: <a href="https://www.cnn.com/2016/12/26/us/2016-presidential-campaign-hacking-fast-facts/index.html">https://www.cnn.com/2016/12/26/us/2016-presidential-campaign-hacking-fast-facts/index.html</a>.

New Mexico went to an all paper ballot election environment in 2006 requiring a verifiable audit paper trail for each voter. These ballots are held for 22 months after the election in case legal questions arise about the election or the vote count. In 2008, NM implemented its first postelection audit. However, the initial legislation was not "risk limiting" and therefore was changed in 2009 and risk limiting audits began after the 2010 election. A risk limiting audit is based upon hand counts that are compared to the machine count. The number of ballots examined depends on the closeness of the contests examined to ensure that the election outcome is correct and has a high probability of being found and corrected if it were wrong.

The federal National Voter Registration Act of 1993 requires voter registration list maintenance, which include voter registration list purging. Therefore, in compliance with federal law, NM, in March of odd-numbered years routinely purges voters from the voter registration file to ensure an accurate voter list. The guidelines for the list maintenance are found in both state law, 1-4-28, NMSA, 1978 and in administrative code, 1.10.35.9, NMAC, 1978. These provisions set forth nondiscriminatory procedures to identify, notify and purge voters who are no longer eligible to vote in NM because they have changed their residence, and neither responded to the formal maintenance notification, updated their registration or voted for 2 federal election cycles.

New Mexico counties also train poll workers for each election. State law requires that the presiding judge, the head of an election unit such as a vote center or precinct, be trained and certified on the specific duties of the presiding judge.

List maintenance and purging, postelection auditing, and poll judge training are actions taken by the state and/or counties to maintain the integrity and legitimacy of each and every election in New Mexico. To assess how voters' feel about these actions, we asked a series of statements about these topics to which they could respond strongly agree, somewhat agree, somewhat disagree or strongly disagree to gauge the value voters place on these security measures. We find,

- Over 9 in 10 voters agreed that it is important to have a postelection audit.
- Nearly 9 in 10 voters agreed that it is important to have a paper record of each vote.
- Eight in 10 voters agreed that it is important to properly train poll workers to handle ineligible voters.
- We also asked whether, "Eligible voters get mistakenly removed from the voter registration rolls during purges and clean up" which is a potential cost for voters who have to reregister. We find that over 7 in 10 voters think it's likely that happens at least some of the time. Importantly, we also asked voters if it is important to assure accurate rolls even if that means some voters have to re-register and fully 7 in 10 voters agreed that it is important to have accurate voter rolls. Thus, even though voters believe that some mistakes are made in the purging process, they still agree it is important for the state to maintain clean voter files.

## 3.4 Experiences and Beliefs with Election Security Problems

We asked, "Which of the following situations did you personally observe in the 2018 general election?" and "How likely or unlikely is it that the following situations happened in your state?" Table 3.3 and Table 3.4 show the results for these two questions and we find that very few people indicate they observed any of these, but believe that it is likely that illegal voting occurs. Although we explicitly ask about personal observations of fraud in the first set of questions, we find that voters not only consider their personal experiences in these answers, but also vicarious voter experiences that they read about happening in other states or other election jurisdictions outside of their own. For example, several voters mentioned voting irregularities in California, Florida, and North Carolina.

- Overall, few voters (6%) indicated they observed some type of election fraud in the 2018 election in New Mexico and 8% of voters indicated they have personally witnessed election fraud at some point in their life. Again, keep in mind that even though we cue personal observation open-ended comments reveal that many voters personal experience often involves what they read or see from their news sources.
- But, Table 3.4 shows that a much larger set of voters think vote fraud or intimidation is likely even if they have not observed it. One in five voters think absentee mail fraud is very likely, 15% think that vote bribery is very likely, 12% think that voter suppression is very likely, 10% think machine hacking is very likely, and 8% think it is very likely that some voters are intimidated at the polling place.
- A majority of voters believe that it is unlikely that voting machines fail to record votes correctly, that voters are bribed, or that voter suppression, or voter intimidation takes place.
- But a majority of voters believe that voting by mail incurs some fraudulent risks. Fears about absentee ballot fraud are consistent over time in New Mexico. For example, we asked from 2008-2016, "If election fraud happens at all, do you think it is more likely to take place with absentee mail voting or in-person voting in a voting center?" We find that voters consistently believe that in-person voting fraud is very unlikely, with a high of 15% in 2008 and a low of 10% in 2016. But voters consistently believe that mail fraud is a more likely problem with nearly two-thirds of voters (66%) thinking that way in 2008 and just over half holding this belief in both 2014 (50%) and 2016 (56%).

Table 3.3. Which of the following situations did you personally observe in the 2018 General Election? [check all that apply]

	Yes
Bribery or paying for votes	2%
Someone being improperly denied the chance to vote	4%
Intimidation at the polling place	4%
Cheating in the counting of votes	4%
Voting machines failing to record votes correctly	4%
Someone using a false identity to vote illegally	4%

Table 3.4. How likely or unlikely is it that the following situations happened in your state?

	Very	Somewhat	Somewhat	Very
	likely	likely	unlikely	unlikely
Bribery or paying for votes	15%	30%	23%	32%
Someone being improperly denied the chance to vote	12%	30%	28%	30%
Intimidation at the polling place	8%	19%	27%	46%
Voting machines failing to record votes correctly	10%	27%	29%	34%
Absentee voter mail fraud	21%	30%	24%	25%

While none of the values in Table 3.4 are very large, we followed this series of questions with an open-ended question asking voters if they had personally seen any other observations of fraud. The open-end responses help to explain what voters experience at the polls and how it affects their attitude toward the process. Perhaps the most cited process for concern, outside of concern for the lack of voter ID requirements, was the absentee voter process.

- Several voters indicated they never received their absentee ballot, and several other voters indicated they never requested an absentee ballot, but the voter rolls indicated they did so when they went to vote.
- Voters also mentioned general concerns with absentee ballots and the possibility of the ballot being filled out by the wrong person.
- In general, NM voters are fairly concerned about the possibility of fraud with absentee voting. We asked, "How likely or unlikely is it that the following situations happened in your state?" We included several of the items asked about this election including: bribery, someone being improperly denied the chance to vote, intimidation at the polling place, voting machines failing to record vote correctly and absentee voter mail fraud. Mail fraud was the only item that a majority of voters believed was very (21%) or somewhat (30%) likely.<sup>50</sup>
- Again, we saw a number of voters pointing to the late counting of absentee ballots as an irregularity that they found disturbing
- Several voters did not like that poll workers include their party identification on their name tag. This has been something we have included in our report for the last decade and again suggest a change in law is in order. The purpose of the law is to ensure that voters know there is a balance of political parties, Democrats, Republicans, Libertarians, etc. in each voting location, to ensure a fair process. However, the party identification of the poll worker may be seen as a form of electioneering by voters in the polling place. Polling place electioneering is not allowed by statute and voters and poll workers are not allowed to wear buttons, shirts or other items that may be construed as electioneering. If the intent of the law is to ensure voters that poll workers from different parties are

70

<sup>&</sup>lt;sup>50</sup> There have been several absentee voter fraud cases in New Mexico, for example see: (https://truethevote.org/arrest-made-new-mexico-voter-fraud-case)

running the vote center, then this information could be better achieved through other reporting means. It's very clear from our over time observations that some voters find party name tags intimidating; they may only see one or two poll workers who may be of the opposite party as themselves. And thus, the designed message from the policy is not apparent.

- Voters also mentioned problems with poll workers being untrained, unknowledgeable about processes, rude, and partisan. The poll worker is an election agent, independent from county and state officers, the county and state election agent that voters interact with and as such plays a pivotal role in voter confidence. These interactions are critical to the voter experience. Therefore, the more local election officials can do to improve the voting center environment, and voter interactions with poll workers the more confident voters will be in New Mexico elections.
- Several voters specifically mentioned that they thought they had registered at the DMV, but when they went to vote they were not registered.
- Finally, voters mentioned the voter registration file and the fact that they have received mail for voters from the County Clerk who no longer lived there. In one case, I received an email from a voter who indicated they received the former residence's scannable voter identification form in the mail. In other cases, voters mentioned seeing former neighbors or dead voters on the voting rolls.

The demographic and partisan relationships between likeliness of fraud are actually quite interesting except for gender, where there is no substantively interesting difference. For simplicity, we use average scores across groups for each item. Items scale from 1 (strongly disagree) to 4 (strongly agree). A score above 2.5 indicates a majority of voters agree that action is somewhat or very likely.

Figure 3.1 shows the average results by party. Two factors help to explain the differences we see in party. First, the state is largely controlled by the Democrats, thus we see that, in general, Democrats are the least likely to believe that these events occur except for voter suppression which they are the most likely to believe. This is consistent with the national fraud frame for the Democratic Party, which is concerned about voter suppression and preventing illegible voters from voting. Interestingly, there are no substantively interesting differences across partisanship for voter intimidation.

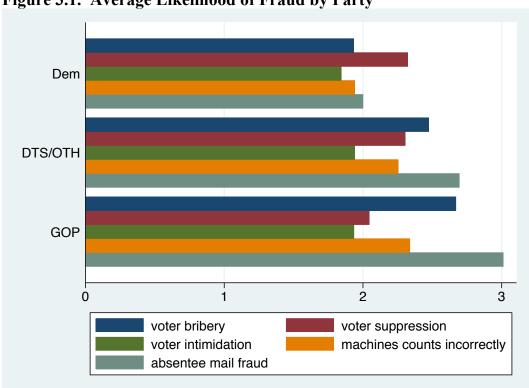


Figure 3.1. Average Likelihood of Fraud by Party

Figure 3.2 shows the same results by education. In general, more educated voters are less concerned about fraud than less educated voters except for voter suppression, which shows that all voters regardless of education feel approximately the same way.

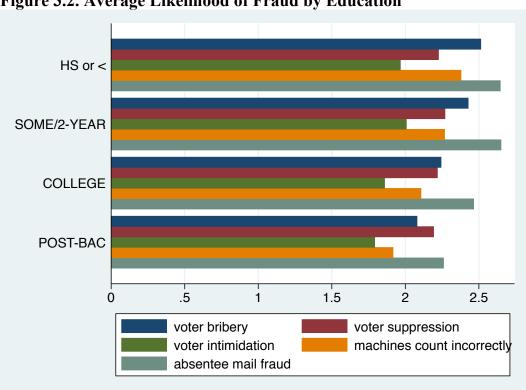


Figure 3.2. Average Likelihood of Fraud by Education

Figure 3.3 shows the same results by age. Different age effects may have to do with different experiences at the polls. Younger voters have had fewer experiences and may be treated differently at polling locations given that most poll workers are older. Voter bribery is an upside-down U shape with the youngest and oldest voters the least concerned, but with middle age voters the most concerned. Beliefs about the likelihood of voter suppression and voter intimidation are much more common among younger voters than older voters. Younger and middle age voters are more likely to see machine count problems than older voters. And, mail fraud also has sort of an upside-down U shape with the youngest and oldest voters a bit less concerned about mail fraud than middle-age voters. The youngest and oldest voters are the most likely to use vote by mail, which helps to explain the difference.<sup>51</sup>

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<sup>&</sup>lt;sup>51</sup> Vote by mail usage by age is the following 18-30 10%, 31-48 6%, 46-55 7, 56-65 8%, over 65 14%.

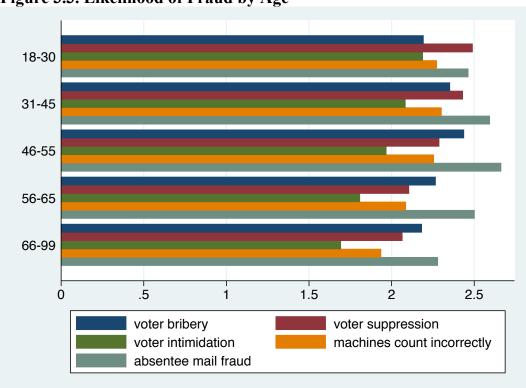


Figure 3.3. Likelihood of Fraud by Age

Figure 3.4 shows the results by ethnicity. Interestingly whites and blacks are least likely to see bribery as likely. All groups see mail fraud as most likely. All groups see voter suppression as less likely, except whites. All groups see voter intimidation as the least likely. Whites, and then blacks are the least likely to believe that voting machines may be counting incorrectly.

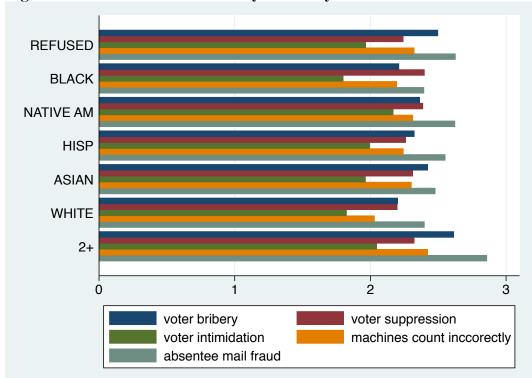


Figure 3.4. Likelihood of Fraud by Ethnicity

#### **Frequency of Fraud**

In one more look at various kinds of fraudulent claims that are possible, we asked, "Below is a list of possible illegal election activities that may or may not take place in YOUR COMMUNITY. Please tell me whether you think each event occurs all or most of the time, some of the time, not much of the time, never, or don't know." Table 3.5 shows a detailed display of the results.

- First, we note that voters indicate they don't know whether these actions are likely or not quite frequently. From 22%-38% of voters indicate that they don't know and for hacking into tabulators to change votes the don't know response was the mode at 38%.
- Voters are most concerned about the possibility that the Secretary of State would make rules that favor one party or another. Not quite half (48%) of voters believe that happens all or most of the time (17%) or some of the time (31%). This is consistent with our 2010 data that shows that voters see fraud as often involving election officials who make rules.<sup>52</sup>
- About two in five voters (38%) believe that a non-US citizen votes all or most of the time (16%) or some of the time (23%) and about two in five voters believe that a non-US citizen

<sup>52</sup> Atkeson, Lonna Rae. 2014. "Voter Confidence Ten Years after Bush V. Gore," in *Election Administration in the United States: The State of Reform after Bush V Gore*, edited by R. Michael Alvarez and Bernard Grofman, Cambridge University Press.

- voters not much of the time (22%) or never (16%).
- Almost half of voters tend to believe that casting double votes, vote tampering, and machine hacking happen very infrequently.
- A little over one-third (35%) of voters believe that someone pretends to be another person and casts a vote for them (35%), while 38% believe it happens not much of the time (28%) or never (12%).

Table 3.5. Below is a list of possible illegal election activities that may or may not take place in YOUR COMMUNITY. Please tell me whether you think each event occurs:

	All or most	Some of	Not	Never	Don't
	of the time	the time	much		know
A voter casts more than one	6%	21%	32%	16%	25%
ballot					
Tampering with ballots to	5%	18%	31%	17%	29%
change votes					
Someone pretends to be another	8%	27%	28%	12%	25%
person and casts a vote for them					
A non-US Citizen votes	16%	23%	22%	16%	23%
Someone hacks into the vote	3%	12%	27%	20%	38%
tabulators and changes					
individuals votes					
The secretary of state or other	17%	31%	19%	11%	22%
state or local election official					
makes rules that favor one party					
or another					

- We built an average index of fraud frequency that ranges from 1 to 4 using all 6 items to examine demographic and partisan differences. We find no substantive differences between men and women.
- We find large differences between partisans, see Figure 3.5. Democrats are far less likely to believe that fraud happens more frequently than Republicans or Independents. This represents polarization and the distrust between the parties and between the dominant party and Independent voters. Independents are closer to Republicans than Democrats on these issues.
- We find that as education increases estimates regarding the frequency of fraud decreases, see Figure 3.6. This suggests that knowledge and information are important to sifting through fraudulent claims about voting. Education materials focusing on election security could be valuable in reducing beliefs about fraud.
- We find that younger voters and older voters have the lowest estimates for the frequency of fraud, and middle-aged voters the highest, see Figure 3.7.

• We find that voters who refused to identify an ethnicity had the highest estimates for the frequency of fraud along with those who indicated two or more ethnicities. African American's had the lowest estimates. These results are found in Figure 3.8.



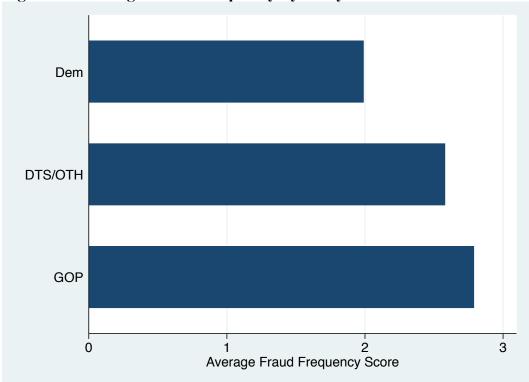


Figure 3.6. Average Fraud Frequency by Education

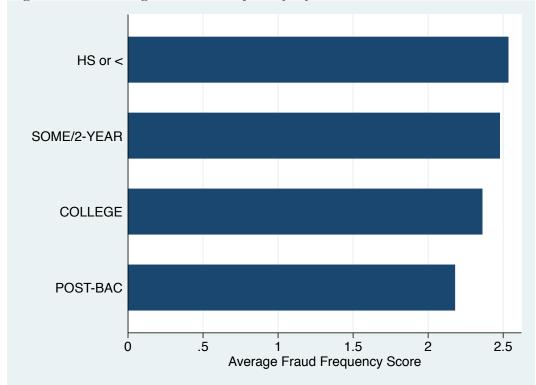
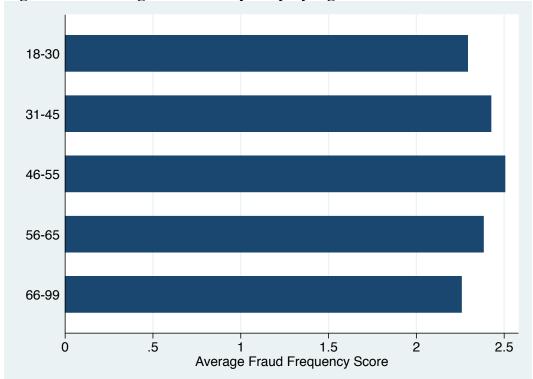


Figure 3.7. Average Fraud Frequency by Age



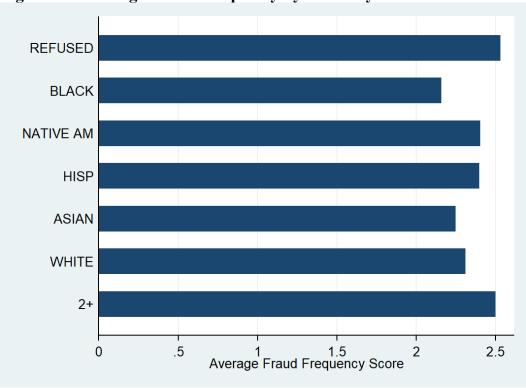


Figure 3.8. Average Fraud Frequency by Ethnicity

For the top four questions in Table 3.5, we have over time data. In Figure 3.9 we show the overtime percentage of voters who indicated that this activity happens "all, most or some of the time". The patterns are similar over time with a belief that a non US citizen vote is the most likely to happen and tampering physically with votes the least likely to happen. Compared to 2008 the results suggest that New Mexicans overall are slightly less likely to believe illegal election activities happen more frequently, except for the frequency at which a non-citizen votes, which had remained constant.

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<sup>&</sup>lt;sup>53</sup> Statewide data are used for 2008, 2010, 2016 and 2018, Bernalillo County data are used for 2012 and 2014.

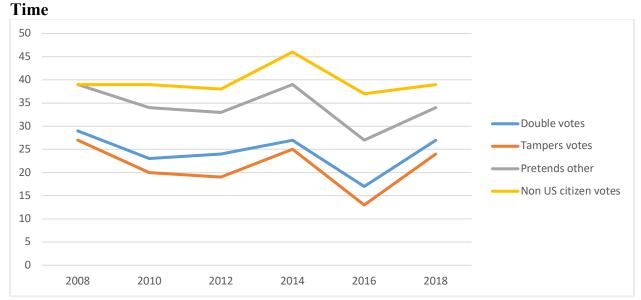


Figure 3.9. Possible Illegal Election Activities Overtime % All, Most, or Some of the

#### 3.5 Frequency of a Fair Election Process

We also asked a more detailed response set on a broader set of indicators toward the end of the survey that captured voter perceptions of the larger context in which elections are operating in. Besides election officials, journalists, foreign governments, campaign donors, and candidates help to craft the election experience. How do voters feel about the election ecosystem and the various players and parties within it? Table 3.6 shows the results and there is some good news and some bad news.

- Voters believe that votes are counted accurately nearly three quarters (72%) of the time. Very few voters (4%) believe that votes are never counted accurately.
- Over three in five voters (62%) believe that election officials are fair all or most of the time. Very few voters (4%) believe that election officials are never fair.
- Voters also feel that they are given a genuine choice at the ballot box "nearly half the time" and "at least half the time" 69% of the time. Given the power of incumbency, and the large number of elections where voters have little information about the candidates this is surprisingly high.
- On the more negative side, voters tend to be cynical about the election context and half of them believe that rich people buy elections all or most of the time.
- Voters are also very cynical about the news media and journalists and over half of them (51%) believe journalist never (22%) or only some of the time (29%) provide fair coverage of candidates.
- Party heavily structures most of these findings, see Figure 3.10. The most extreme case is on the question about journalists providing fair coverage where over half (53%) of Democrats believe journalists provide fair coverage all (6%) or most of the time (47%)

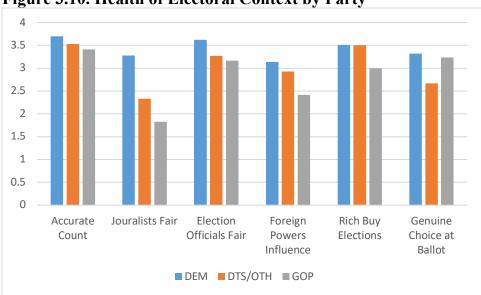
while only 9% of Republicans believe they do so all (3%) or most of the time (6%). The modal response for Republicans is never (46%), while the modal response for Democrats is most of the time (47%). Independents are much closer to Republicans than Democrats with just over one in five (20%) believing that journalists provide fair coverage all (3%) or most of the time (17%). Another 17% indicated about half of the time and but over 3 in 5 (63%) indicated either never (29%) or some of the time (34%).

- Democrats and Republicans are most similar on being offered a genuine choice at the ballot box, while Independents are a bit less enthusiastic. Given they are not partisans this is perhaps not too surprising.
- Democrats and Independents feel very similarly that the rich buy elections.
- Democrats are more concerned about the influence of foreign governments on voters than either Independents or Republicans.

The least partisan differences are found on the question about votes being counted accurately and election officials are fair. Given that these are the two questions focused on election administration, and they have the least partisan differences, and they have the highest support levels compared to other aspects of our election process election administration is the most trusted and healthiest component.

Table 3.6. How Often do the Following Things occur in Election in the US?

	All of the	Most of the	About half	Some of	Never
	time	time	the time	the time	
Votes are counted accurately	6%	66%	10%	14%	4%
Journalists provide fair coverage	4%	29%	16%	29%	22%
of candidates					
Election officials are fair	6%	56%	15%	19%	4%
Foreign governments try to	14%	20%	12%	47%	7%
influence voters					
Rich people buy elections	23%	27%	14%	31%	5%
Voters are offered a genuine	10%	37%	22%	26%	5%
choice at the ballot box					



#### Figure 3.10. Health of Electoral Context by Party

#### **Election Security Discussion**

Overall, voters have some concerns about election security, especially about voter equipment and voter rolls, and how the nature of the election process itself ensures electoral integrity and security. Some voters' security concerns were resolved because of NM's smart policy choices to have 100% paper ballots and a postelection audit. When the audit law was written we only had the technical capability of using the number of registered voters to pick precincts for the audit. We now have the ability to move that unit of analysis to the voter level, which would create more accuracy within our audit. We recommend the SOS office consider this change. But, we also think more can be done to assuage voter concerns.

Specifically, our open-ended comments point to a lack of information about election security that helped to make voters insecure. We note below a few of the open-ended comments related to lack of information:

- "I'm concerned about security in general, is there security at all? What kind of security? Who has access to this 'security'?"
- "I don't know enough about the election process to answer this question. Specifically, after my ballot is entered into the machine, what happens?"
- "I don't know enough about the security process. I know the process of voting was efficient, fair, and painless."
- "What level of security do we have? Not talked about!"
- "There is little or no information available in state to secure votes. I would like to see ID required."

- "Public should be publicly informed of what and how measures are taken to ensure our ballots are securely accounted for. These measures should be published not once but least by weekly in newspapers and bulletins."
- "Is our state currently suited to find and neutralize the threat presented? To include where they came from?"
- "That we have no idea how the votes are being counted and who is doing the counting."
- "I don't know what security measures are currently in place to protect the integrity of the voting results, so I don't have a response."

Information about security is a solvable problem. We know from experience that voters are deeply unaware of the details of the process and how election security is maintained. However, there are many redundancies built into the process to ensure that all the votes are counted correctly, that only eligible voters participate, and that poll workers and other local election officials remain honest. In addition, there are many internal securities to the voter file that will prevent hacking and the fact that voting is federalized and local is another important security measure.

But this information must be made available to voters. Therefore, we suggest two approaches. The first would be a web presence on election security. The second would be an education module that could be used in American government classes or election administration classes that focuses on maintaining security. This could also be made available on the web and be provided to NM American government classes across the state. Such a guide may even be useful for other states and other localities.

#### Post Script: 2018 and Beyond

Table PS.1 provides an overview of the election studies we have completed in NM since 2006. These studies have 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 2006, we did our first election ecosystem study that included a voter survey, Election Day observations, and a poll worker study. In 2008, we included everything from 2006 and expanded our study to provide additional analyses of New Mexico's first post-election audit. In 2010, we had to scale back some of our efforts, but managed to continue our statewide voter survey and poll worker survey in five counties (Bernalillo, Dona Ana, Santa Fe, San Juan, and Lincoln) and four of the largest counties in the state. We also did 2010 Election Day observations in Bernalillo County. In 2012 and 2014, we focused all of our efforts on the biggest county in the state, Bernalillo County. In 2016, we have data for Bernalillo County and a separate statewide survey. This provides us with 7 successive elections on voters, 6 on poll workers, and 6 Election Day and early observations in Bernalillo County that resulted in a qualitative report. In 2018, we observed the election process in Bernalillo County, but did not write a report. We include in Appendix E a copy of our Election Day Observation Survey.

To our knowledge, the New Mexico Election Studies (NMES) is a unique state data set and one that demonstrates the power and value of a data driven approach to election administration. We commend the transparency and commitment of local election officials in New Mexico and the Secretary of State to this endeavor. Their openness and willingness to be on the front burner and having us in their backyard all the time is a testament to their strong commitment to a high-quality voting experience.

**Table PS.1 New Mexico Election Studies** 

	2006	2008	2010	2012	2014	2016	2018
CD1	X						
Bernco				X	X	X	
Statewide		X	X			X	X
Poll workers	X	X	X	X	X	X	
Election	X	X	X	X	X	X	
Observations							

Overall, we have found again and again a system that is fundamentally working as designed and where voters have a high degree of confidence that their votes were counted correctly. Over the course of our efforts, we have continued to see improvement in election administration and increasing comfort with the paper ballot system adopted in 2006. Indeed, many positive responses regarding the security of elections in NM centered on the fact that we use paper ballots and have a post-election audit. New training methods and implementation of new reforms, especially the vote center model, have resulted in better run elections with a higher degree of voter confidence and satisfaction with their election experience. That being said, there is always room for improvement and we are confident that the information we provide here will be beneficial to that continuing effort. As we move into preparation for the 2020 election cycle, and possibly smaller off year local contests, we hope that our report provides useful insights and

information to improve the quality of the election experience and create greater uniformity in election administration at vote centers and precincts in New Mexico and across the county.

Critical to continued improvement of the process is consistent systematic feedback on the process, which has been supported by NM election officials since 2006. We note that our 2006 study provided a baseline from which to examine events in subsequent elections and that, in general, we have seen tremendous change and improvement over the last decade. Making the voter the priority has made NM elections better run and more successful than many other states and has resulted in both greater confidence and satisfaction with the election than we saw when we started these studies. Nevertheless, 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 and choices. So, we call for continued support for this evaluation in future elections and perhaps for helping voters gain information about the security of our election systems. In addition, an examination of election procedures including the voter registration process, the voter purging process, an audit of the quality and accuracy of the voter rolls, a consideration of processes at the state level, including resource allocation to counties as well as the counting of absentee and provisional ballots should be added. Each of these dimensions of election administration in New Mexico merit independent study to create a long-term analysis that feeds back into the election administration improvement process, which we hope will be facilitated in the 2020 federal election and thereafter.

### **Appendix A. Selected Frequency Report**

1. How interested were you in the 2018 election? (n=6,633)

Very interested	84%
Somewhat interested	14%
Not too interested	2%
Not at all interested	0%

2. On average, how many days in a typical week did you? (n=6860)

	0	1	2	3	4	5	6	7	n
Watch network or cable TV news stories either online or on TV (e.g. CBS, NBC, CNN, FOX)? Or listen to NPR?	18%	6%	6%	7%	7%	12%	6%	38%	6,586
Read a daily newspaper (either online or paper)?	31%	11%	9%	7%	5%	7%	4%	26%	6,531
Read news stories posted on Twitter, Facebook, or other social media?	42%	7%	7%	7%	5%	7%	4%	21%	6,519
Discuss politics with family or friends?	11%	12%	15%	15%	11%	12%	5%	19%	6,568

3. Thinking in political terms, would you say that you are: (n=6,623)

	, ) ( 0,0-0)
Very liberal	18%
Somewhat liberal	19%
Moderate	20%
Somewhat conservative	19%
Very conservative	17%
Haven't thought much about it	4%
Don't know	3%

4. Do you consider yourself to be a Libertarian? (n=5,855)

Yes	13%
No	87%

5. How confident are you that YOUR vote in the General Election was counted as you intended? (n=6,632)

Very confident	56%
Somewhat confident	31%
Not too confident	8%
Not at all confident	5%

6. Thinking about your county, state, and nation, how confident are you that all of the ballots were counted **as the voters intended**?

	Very confident	Somewhat confident	Not too confident	Not at all confident	n
	confident	confident	confident	confident	
Your county	46%	34%	12%	8%	6,618
Your state	37%	41%	13%	9%	6,462
Nationwide	14%	35%	30%	21%	6,462

#### **Election Security**

7. How concerned are you about the possibility of cyber threats or hacking of New Mexico Elections? (n=6,630)

(12 0,000)	
Very concerned	23%
Somewhat concerned	40%
Not too concerned	29%
Not at all concerned	8%

8. Please indicate how much you agree or disagree with the following statements.

o. Freuse indicate now inden you agree	Strongly	Somewhat	Somewhat	Strongly	n
	agree	agree	disagree	disagree	
a. It is important to assure accurate voter rolls, even if some eligible voters are removed and required to re-register for future elections	47%	23%	14%	16%	6,427
b. Every state should have a post- election auditing process to ensure that votes were counted correctly	67%	25%	5%	3%	6,459
c. Poll workers are properly trained to handle illegitimate voters	58%	23%	10%	9%	5,570
d. It is important to me that there is a paper record of my vote	64%	23%	8%	5%	6,382
f. Eligible voters get mistakenly removed from the voter registration rolls during purges/clean-up.	37%	35%	16%	12%	4,833

9. How much of a problem do you believe people breaking or hacking into the following is in your state and community?

	A major problem	A problem, but not too major	A small problem	Not a problem at all	n
a. People breaking or hacking into the computers that manage voter rolls to improperly alter those records.	21%	20%	25%	34%	3,839
b. People breaking or hacking into the voting equipment you might use to cast a ballot to change how votes are counted	21%	18%	23%	38%	4,028

c. People breaking or hacking into websites or computer systems of candidates to	33%	27%	22%	18%	4,269
disrupt their campaigns.					

10. Which of the following situations did you personally observe in the 2018 General Election? [check all that apply] (n=6,639)

### ##################################	
	Yes
Bribery or paying for votes	2%
Someone being improperly denied the chance to vote	4%
Intimidation at the polling place	4%
Cheating in the counting of votes	4%
Voting machines failing to record votes correctly	4%
Someone using a false identity to vote illegally	4%

11. Have you ever personally witnessed what you believe to be election fraud? (n=6,614)

Yes	9%
No	91%

12. Do you think election fraud has changed the outcome of any election in which you have participated? (n=6,624)

Yes	29%
No	34%
Don't Know	37%

13. How much do you think Russia, China or other foreign powers influenced voters in the 2016 and 2018 elections?

	A lot	Somewhat	Not too much	Not at all	n
a. 2016 presidential election	39%	24%	13%	24%	5,984
b. 2018 midterm election	10%	31%	29%	30%	5,307

14. How much have companies like Facebook and Twitter done to make sure there is no interference form a foreign country in this year's midterm election? (n=6,627)

A great deal	3%
A good amount	10%
Not very much	40%
Nothing at all	17%
Don't Know	30%

15. Below is a list of possible illegal election activities that may or may not take place in YOUR COMMUNITY. Please tell me whether you think each event occurs:

COMMONITY I. I lease tell life wheth	er you tillik e	acii eveni (	occurs.			
	All or most	Some	Not	Never	Don't	n
	of the time	of the	much		know	
		time				
A voter casts more than one ballot	6%	21%	32%	16%	25%	6,604
Tampering with ballots to change	5%	18%	31%	17%	29%	6,585
votes						

Someone pretends to be another	8%	27%	28%	12%	25%	6,597
person and casts a vote for them						
A non-US Citizen votes	16%	23%	22%	16%	23%	6,595
Someone hacks into the vote	3%	12%	27%	20%	38%	6,605
tabulators and changes individuals						
votes						
The secretary of state or other state	17%	31%	19%	11%	22%	6,601
or local election official makes						
rules that favor one party or						
another						

16. How likely or unlikely is it that the following situations happened in your state?

	Very	Somewhat	Somewhat	Very	n
	likely	likely	unlikely	unlikely	
Bribery or paying for votes	15%	30%	23%	32%	4,914
Someone being improperly denied the	12%	30%	28%	30%	5,239
chance to vote					
Intimidation at the polling place	8%	19%	27%	46%	5,227
Voting machines failing to record	10%	27%	29%	34%	4,948
votes correctly					
Absentee voter mail fraud	21%	30%	24%	25%	5,024

#### **Absentee Voters**

17. How did you receive your ballot for the 2018 general election?? (n=719)

	J
Mail	98%
E-mail	1%
FAX	1%

18. How did you return your ballot for the 2018 general election? (n=718)

Mail	89%
E-mail	1%
Hand delivered	10%

19. Overall, how easy or hard was it to follow all the instructions necessary to cast your ballot and return it to be counted? (n=718)

( , )	•
Very easy	74%
Somewhat easy	22%
Somewhat hard	4%
Very hard	0%

20. How concerned were you that your ballot would arrive at the County Clerk's office in time to be counted? (n=718)

Very concerned	12%
Somewhat concerned	20%
Not too concerned	32%
Not at all concerned	36%

21. Did you contact the County Clerk to determine if your ballot had been received? (n=714)

Yes	11%
No	89%

22. Why did you vote absentee (percent yes)? (n=744)

Did not want to travel to a voting location.	22%
Did not know where to vote.	2%
Planned to be out of town.	20%
Convenience of doing it in my home.	50%
Had to work on Election Day.	10%
Wanted to avoid lines.	26%
Homebound/health.	13%
Wanted time to study and complete ballot.	39%

23. Did you experience any of the following when you attempted to vote absentee in this general election?

	Yes	n
a. I did not know how to obtain an absentee ballot	6%	625
b. I had difficulty registering to vote	1%	592
c. I had difficulty requesting an absentee ballot	4%	654
d. My ballot did not arrive on time	2%	631
f. I expected to receive a ballot automatically, but did not.	5%	568
g. I was informed that there was a problem with my signature. 1%		625

24. Did you call or email the county clerk about the process of absentee voting? (n=716)

Yes	26%
No	74%

25. Did the county clerk contact you regarding your ballot or other administrative issues? (n=715)

Yes	8%
No	92%

26. Overall, how satisfied were you with your interactions with the county clerk? (n=192)

Very satisfied	76%
Somewhat satisfied	18%
Not very satisfied	2%
Not at all satisfied	4%

#### **Your Voting Experience**

27. How would you rate your voting experience overall? (n=6,503)

	,	,	 	•	
Excellent		53%			

Good	37%
Fair	7%
Poor	3%

28. Did you visit the Secretary of State's website at any time prior to the election? (n=6,492)

Yes	38%
No	62%

29. [If yes in 28] Why did you visit the Secretary of State's website? (n=2,642)

Register to vote	5%
Check or update my voter registration	49%
Find information about my county clerk	13%
Request an absentee ballot	7%
Something else:	26%

30. How easy or hard was it to find what you were looking for on the secretary of state's website? (n=2,655)

Very easy	3%
Somewhat easy	10%
Somewhat hard	43%
Very hard	44%

31. How long was the voting line when you got to your polling location? (n=5,766)

Very long	4%
Somewhat long	9%
Not very long	25%
Not long at all	62%

32. Did you consider the overall wait time at the vote center to be: (n=5,761)

No wait time	53%
Short wait time	36%
Moderate wait time	9%
Long wait time	2%

33. About how many minutes did you wait in line before you were able to vote? \_\_\_\_\_Minutes (n=5,273) (average wait time both mode 6 minutes)

Minutes		Early	Election Day
0 Minutes		29%	22%
1-5 Minutes		51%	42%
6-10 Minutes		10%	16%
11-15 Minutes		5%	7%
16-20 Minutes		2%	5%
21-40 Minutes		2%	5%
41-120 Minutes		1%	3%
	Average	4 minutes	9 minutes

34. In New Mexico, the voter gets to choose how they want to be identified at the polls. They can provide (1) their name, address, and birth year, (2) a photo ID, or (3) a non-photo ID. What type of identification did you provide? (n=5,647)

Name, address, and birth year	49%
A photo id (driver's license, military ID or passport)	39%
A non-photo ID (e.g. utility bill)	1%
I didn't provide any sort of ID the poll worker knew me	2%
Registration card/County Bar Code	7%
Name only	1%
Name and address	1%

35. Thinking back, did your poll worker ask for a photo or non-photo ID or did you just provide it to them without being asked? (n=1,586)

Poll worker asked for the ID	30%
I just provided it to the poll worker	59%
I Don't remember	11%

36. How many contests did you vote on your 2018 ballot? (n=6,398)

All of the contests	72%
Nearly all of the contests	18%
Most of the contests	5%
About 1/2 of the contests	2%
Just a few contests	2%
No contests; I voted a protest	1%
ballot	

37. Please mark how much you agree or disagree with the following statements regarding the voting location where you voted:

	Strongly	Disagree	Agree	Strongly	n
	disagree			agree	
The location was easy to find	1%	1%	19%	79%	5,722
I had to go far out of my way to vote	67%	28%	4%	1%	5,675
It was hard to find a place to park	58%	33%	6%	3%	5,669
The poll workers were helpful	1%	3%	35%	61%	5,676
My ballot privacy was protected	1%	3%	36%	60%	5,686
The ballot was too long	24%	55%	17%	4%	5,667

#### **Thinking About Politics**

38. Generally speaking, do you think of yourself as a: (n=6,406)

Strong Democrat	29%
Democrat-not so strong	11%
Independent-closer to Democrats	11%
Independent	11%
Independent-closer to Republicans	7%
Republican-not so strong	7%
Strong Republican	19%
Other	5%

39. Compared to a year ago how are each of the following doing economically?

	Much	Somewhat	Same	Somewhat	Much	n
	better	better		worse	worse	
You and your family	14%	24%	46%	13%	3%	6,410
National economy	23%	27%	26%	19%	5%	6,373
State economy	10%	27%	40%	18%	5%	6,356

40. How much do you approve or disapprove of how the following are handling their jobs.

101 110 W Mach do Jourapprove	or wisespro .	01 110 0110	rome wing are		1000.
	Strongly	Approve	Disapprove	Strongly	n
	approve			disapprove	
President Donald Trump	23%	16%	9%	52%	6,307
Governor Susana Martinez	9%	30%	30%	31%	6,217
Senator Tom Udall	24%	43%	20%	13%	6,108
The US Congress	3%	21%	32%	44%	6,135
Your US House Member	16%	52%	21%	11%	6,007
Your County Clerk	17%	70%	10%	3%	5,956
Sec. of State Maggie	16%	57%	19%	8%	5,885
Toulouse Oliver					
Senator Martin Heinrich	27%	40%	18%	15%	6,112
NM State Legislature	4%	49%	32%	15%	5,987
The US Supreme Court	14%	50%	25%	11%	6,116
New Mexico Supreme Court	9%	65%	19%	7%	5,800
Univ. of New Mexico	11%	50%	26%	13%	5,899
New Mexico State Univ.	13%	64%	16%	7%	5,750

41. Thinking in political terms, please rate the ideology of the following political leaders or institutions:

	Very	Somewhat	Moderate	Somewhat	Very	n
	Liberal	Liberal		Conservative	Conservative	
Donald Trump	2%	2%	5%	27%	64%	5,269
Barack Obama	44%	36%	17%	2%	1%	5,945
Martin Heinrich	31%	43%	21%	4%	1%	5,269
Tom Udall	26%	43%	25%	5%	1%	5,176
Please Mark	2%	2%	94%	1%	1%	4,771
Moderate						
Gary Johnson	26%	17%	26%	23%	8%	5,101
Mick Rich	4%	6%	21%	28%	41%	2,545
Steve Pearce	1%	2%	9%	24%	64%	5,333
Michelle Lujan	36%	42%	17%	3%	2%	5,497
Grisham						
Democratic Party	47%	37%	13%	2%	1%	5,899
Republican Party	2%	2%	5%	26%	65%	6,028
University of New	28%	35%	29%	6%	2%	4,269
Mexico						
New Mexico State	16%	30%	39%	13%	2%	3,816
University						
Libertarian Party	23%	17%	25%	23%	12%	4,868

<sup>42.</sup> Which political activities have you done, if any, since the 2016 election? [mark all that apply] (n=6,639)

	Yes	No
I protested, marched	14%	86%
I put up a sign, or sticker on my property	20%	80%
I attended a fundraising event	14%	86%
I watched a candidate debate	56%	44%
I donated money to a candidate	25%	75%
I donated money to a political cause	21%	79%
I went to a candidate rally	13%	87%
I posted a political story or comment on	28%	72%
social media		
I wrote, emailed or called a public official	30%	70%
I signed a petition	40%	60%
I joined a political interest group (e.g.	18%	82%
ACLU, LWV, NRA)		
I didn't to any of those	15%	85%

#### 43. Who did you vote for Governor? (n=6,034)

Michelle Lujan Grisham (Democrat)	57%
Steven Pearce (Republican)	43%

#### 44. Who did you vote for in the race for US House? ( n=5,986 )

Republican Candidate (i.e. Arnold-Jones, Herrell, McFall)	35%
Democratic Candidate (i.e. Haaland, Small, Lujan)	59%
Libertarian Candidate (i.e. Princeton, Manning)	6%

#### 45. Who did you vote for in the race for Land Commissioner? (n=5,912)

Stephanie Garcia Richard (Democrat)	52%
Patrick H. Lyons (Republican)	41%
Michael Lucero (Libertarian)	7%

46. Please indicate how much you agree or disagree or with the following statements:

+0. I lease indicate now inden you ag	Strongly	Somewhat	Somewhat	Strongly	n
	agree	Agree	Disagree	disagree	
Public officials don't care much	25%	44%	26%	5%	6,068
about what people like me think.					
I have been discriminated against	11%	19%	22%	48%	6,020
because of my gender.					
I consider myself well qualified	42%	41%	11%	6%	6,051
to participate in politics.					
American society hasn't dealt	13%	19%	25%	43%	5,984
fairly with people from my ethnic					
background.					
After elections, elected	2%	31%	43%	24%	6,027
representatives accommodate					
citizen wishes.					
I have been discriminated against	11%	16%	20%	53%	5,989
because of my race.					

47. Which is more important? (n=6,106)

Ensuring that everyone who is eligible has the right to vote	58%
Protecting the voting system against fraud	39%
Don't know	3%

48. New Mexico's voter ID law requires voters to state their address, name, and birth year. Do you think the minimum identification is? (n=6.102)

Too strict	4%
Just right	50%
Not strict enough	46%

49. How would you feel if you had a son or daughter who married someone who is in the opposite political party as you? (n=6,050)

Very upset	3%
somewhat upset	13%
not too upset	27%
not at all upset	57%

50. How do you think we should elect the President: should it be the candidate who gets the most votes in all 50 states, or the current Electoral College system? (n=6,049)

,	2 3 (		
The candidate who gets the	most votes in all 50 states	3	63%
The current Electoral College	ge system		37%

51. Please mark how much you agree or disagree with the following election reforms.

	Strongly	Somewhat	Somewhat	Strongly	n
	agree	Agree	Disagree	disagree	
Primary elections should be open to all	55%	20%	11%	14%	6,033
voters, not just those registered as Democrat					
or Republican.					
New Mexico should move to all mail	6%	12%	29%	53%	5,993
elections.					
Photo identification should be required of	50%	19%	15%	16%	6,038
each voter at the polls.					
An independent redistricting commission	44%	39%	11%	6%	5,924
should be created to determine district					
boundaries after the 2020 census.					
Voters should be able to register on Election	29%	20%	22%	29%	6,018
Day.					
Eligible voters should be automatically	40%	27%	14%	19%	6,019
registered to vote through their state DMV					
or other state agencies.					
I would like to see a straight party option on	23%	24%	22%	31%	5,994
the ballot to make it easier to vote.					

52. After the 2020 census, NM will have to reapportion its districts to ensure equal representation. Which of the following statements come closest to your view? (n=6,011)

They should create electoral districts that hold communities together even if it	25%
means that one party will dominate.	
They should create electoral districts where there is close competition between	36%
the two parties, even if it means that communities will be disconnected	

Don't know	39%
------------	-----

53. Ranked choice voting or instant run-off is an election reform allows voter to rank candidates for their favorite to least favorite. Do you think: (n=5,659)

Ranked Choice voting should be used and winners should receive the major	rity of the 51%
votes	
The candidate with the most votes, but not necessarily a majority of the vot	tes should win 49%

54. Generally speaking, do you think New Mexico's elected officials are more responsive to campaign donors or voters? (n=5,915)

Donors	70%
Both equally	24%
Voters	6%

#### 55. Public financing provides a fixed amount of money to fund qualified candidate campaigns.

Please mark how much you agree or disagree with the following statements.

Trease mark now much you agree of disag	Strongly	Somewhat	Somewhat	Strongly	n
	agree	Agree	Disagree	disagree	
I pay attention to whether a candidate is	31%	47%	16%	6%	5,930
publicly or privately financed.					
I would support public financing even	26%	37%	18%	19%	5,889
if some of the funding might go to					
candidates I don't agree with.					
Public financing would allow people	23%	44%	19%	14%	5,772
like me to run for office.					
2+2=5	1%	1%	2%	96%	5,834
All elected offices should be eligible to	25%	40%	17%	18%	5,822
receive public financing					

### 56. Which level of government has the main responsibility for making sure election are safe and secure? (n=5,946)

(12 0)3 (0)	
Federal government	31%
State government	47%
Local government	22%

57. In your view, how often do the following things occur in election in the US?

	All of	Most of	About half	Some of	Never	n
	the time	the time	the time	the time		
Votes are counted accurately	6%	66%	10%	14%	4%	5,929
Journalists provide fair	4%	29%	16%	29%	22%	5,934
coverage of candidates						
Election officials are fair	6%	56%	15%	19%	4%	5,895
Foreign governments try to	14%	20%	12%	47%	7%	5,901
influence voters						
Rich people buy elections	23%	27%	14%	31%	5%	5,893
Voters are offered a genuine	10%	37%	22%	26%	5%	5,907
choice at the ballot box						

58. Thinking about issues in politics today that matter to you, how often would you say your side has been winning or losing? ( n=5,847 )

Winning a great deal more often than losing	4%
Winning somewhat more often than	20%
Losing somewhat more often than winning	40%
Losing somewhat more often than winning	25%
Losing a great deal more often than winning	11%

59. How much do you think you can trust the municipal, county, state or federal government to do what is

right?

	Always	Most of	About half	Some of	Never	n
		the time	the time	the time		
Municipal/City	2%	45%	25%	22%	6%	5,907
County	2%	44%	26%	23%	5%	5,877
State	1%	32%	34%	27%	6%	5,881
Federal	1%	19%	26%	43%	11%	5,891

#### The following information is for statistical purposes only.

60. Are you? (n=6.639)

Male	54%
Female	46%

61. Respondent age? (n=6,639)

18 thru 30	11%
31 thru 45	19%
46 thru 55	16%
56-65	23%
Over 65	32%

62. What is the highest grade of education you have completed? (n=5,956)

Less than a High School degree	1%
High School degree	7%
Some college	19%
Completed trade school/associates degree	13%
College degree	31%
Master's degree	21%
JD/MD/PhD	8%

63. Are you of Hispanic, Latino, or of Spanish origin? (n=5,871)

Yes	29%
No	71%

64. [if Hispanic/Latino] Would you describe your Hispanic/Latino origin as? (n=1,320)

Mexican	36%
Spanish	46%
Puerto Rican	2%
Central American	3%

Mixed Hispanic	3%
Mixed Hispanic/Native American	2%
Something else	7%
Don't know	1%

65. What racial or ethnic group best describes you? (n=5,751)

Black/African American	1%
Native American/American Indian	3%
Hispanic/Latino	28%
Asian American	1%
White/Anglo	65%
Two or more	2%

66. What is your current marital status? (n=5,925)

Married	53%
Living with a partner	7%
Divorced	15%
Widowed	6%
Single	18%
Separated	1%

## Appendix B. 2018 Election Administration, Security, and Election Reform Survey Methodology

The 2018 New Mexico Election Administration, Security and Reform Survey was based on a probability and non-probability sample. The probability sample consisted of 15,000 2018 voters. The non-probability sample was sent to 53,000 voters who included emails with their voter registration. The data on voters was obtained from the New Mexico Secretary of State's office days after the election.

Survey questions asked about their election experience (voter confidence, voting problems, method of voting, experience with poll workers, experience with the ballot, *etc.*), their attitudes toward possible election reforms including voter record purging, fraud, voter access, voter identification, same day registration, etc. 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 statewide contests (vote choice, candidate evaluation, candidate ideology, *etc.*) and a variety of demographic information.

Our probability sampling method used a mixed mode design. All 15,000 sample members were sent first class postcards on November 12<sup>th</sup>, 2018 requesting their participation in our survey. The postcard provided sample respondents with a URL (vote2018.unm.edu) that directed them to the survey. Sampled voters who did not respond were re-contacted two times with an additional postcard. The second postcard was sent November 27<sup>th</sup> and the third was sent December 13<sup>th</sup>. For a 2000 person subgroup of hard-to-reach respondents instead of sending out a 3<sup>rd</sup> reminder postcard, we sent out a letter, survey, and return addressed postage paid envelope requesting they participate on December 17.

A total of 1,781 sample members from our probability sample responded to our request. The response rate is 11.7% using Response Rate 2 (RR2) calculations, as defined by the American Association for Public Opinion Research. It is important to note that this is the minimum response rate and includes all sample members who we tried to contact, regardless of whether we were able to contact them or not. A large number of postcards were returned as undeliverable. After the first contact, sample members with emails were contacted both with a reminder postcard and a reminder email.

The non-probability sample was contacted via email with a link that connected them to the survey. Respondents were contacted three times. They were contacted on December 4, December 12 and December 18. Thank you notes were sent to respondents on December 27.

A total of 5,135 sample respondent from our non-probability sample responded to our request for a response rate of 9.7%. Again, this represents the minimum response rate and includes all sample members who we tried to contact, regardless of whether we were able to contact them or not.

The data were weighted using a raking procedure based upon the following characteristics: age, sex, vote mode (early, absentee, Election Day), county, party and vote for governor. Data from the voter file and the election outcomes furnished the data for the characteristics of the population.

# Appendix C. UOCAVA 2018 Election Administration, Security, and Election Reform Survey

1. How interested were you in the 2018 election? (n=694)

Very interested 91%
Not too interested 1%
Somewhat interested 7%
Not at all interested 1%

2. On average, how many days in a typical week did you?

	0	1	2	3	4	5	6	7	n
Watch network or cable TV news stories either online or on TV (e.g. CBS, NBC, CNN, FOX)? Or listen to NPR?	31%	5%	6%	7%	5%	9%	7%	30%	669
Read a daily newspaper (either online or paper)?	18%	7%	6%	5%	6%	9%	7%	42%	665
Read news stories posted on Twitter, Facebook, or other social media?	33%	8%	7%	8%	6%	6%	4%	28%	664
Discuss politics with family or friends?	4%	9%	10%	17%	12%	14%	6%	27%	669

3. Thinking in political terms, would you say that you are: (n=669)

Very liberal 40%
Somewhat liberal 31%
Moderate 14%
Somewhat conservative 8%
Very conservative 5%
Haven't thought much about it 1%
Don't know 1%

4. Do you consider yourself to be a Libertarian? (n=599)

Yes 92% No 2%

5. How confident are you that YOUR vote in the General Election was counted as you intended? (n=668)

Very confident50%Somewhat confident43%Not too confident6%Not at all confident1%

6. Thinking about your county, state, and nation, how confident are you that all of the ballots were counted **as the voters intended**?

Very	Somewhat	Not too	Not at all	n
confident	confident	confident	confident	

Your	41%	45%	9%	5%	664
county					
Your state	41%	51%	6%	2%	652
Nationwide	11%	36%	30%	23%	651

#### **Election Security**

7. How concerned are you about the possibility of cyber threats or hacking of New Mexico Elections? (n=661)

Very concerned 19% Somewhat concerned 30% Not too concerned 44% Not at all concerned 7%

8. How much of a problem do you believe people breaking or hacking into the following is in your state

and community? (paper survey only)

	A major problem	A problem, but not too major	A small problem	Not a problem at all	n
a. People breaking or hacking into the computers that manage voter rolls to improperly alter those records.	26%	26%	29%	19%	291
b. People breaking or hacking into the voting equipment you might use to cast a ballot to change how votes are counted	23%	22%	32%	23%	306
c. People breaking or hacking into websites or computer systems of candidates to disrupt their campaigns.	45%	29%	19%	7%	345

9. Please indicate how much you agree or disagree with the following statements.

	Strongly	Somewhat	Somewhat	Strongly	n
	agree	agree	disagree	disagree	
a. It is important to assure accurate voter rolls, even if some eligible voters are removed and required to re-register for future elections	26%	24%	25%	25%	612
b. Every state should have a post-election auditing process to ensure that votes were counted correctly	69%	27%	3%	1%	601
c. Poll workers are properly trained to handle illegitimate voters	55%	28%	10%	7%	475

d. It is important to me that there is a paper record of my vote	54%	28%	13%	5%	586
f. Eligible voters get mistakenly removed from the voter registration rolls during purges/clean-up.	46%	36%	9%	9%	461

10. Which of the following situations did you personally observe in the 2018 General Election? [check all that apply]

	%	n
Bribery or paying for votes	1%	525
Someone being improperly	8%	562
denied the chance to vote		
Intimidation at the polling	2%	531
place		
Cheating in the counting of	2%	530
votes		
Voting machines failing to	4%	541
record votes correctly		
Someone using a false identity	1%	526
to vote illegally		
Other	14%	574
None of these	74%	

11. Have you ever personally witnessed what you believe to be election fraud? (n=618)

Yes 5% No 95%

12. Do you think election fraud has changed the outcome of any election in which you have participated? (n=618)

Yes 29% No 35%

Don't Know 36%

13. How much do you think Russia, China or other foreign powers influenced voters in the 2016 and 2018 elections?

	A lot	Somewhat	Not too much	Not at all	n
a. 2016 presidential election	55%	31%	7%	7%	576
b. 2018 midterm election	9%	46%	33%	12%	478

14. How much have companies like Facebook and Twitter done to make sure there is no interference form a foreign country in this year's midterm election? (n=612)

A great deal

0%

A good amount	12%
Not very much	54%
Nothing at all	11%
Don't Know	23%

15. Below is a list of possible illegal election activities that may or may not take place in YOUR COMMUNITY. Please tell me whether you think each event occurs:

invicting 1: I lease ten me whether y	ou tilling caci	i Cicii cocc	*10.			
	All or	Some of	Not	Never	Don't	n
	most of	the time	much		know	
	the time					
A voter casts more than one	1%	9%	39%	22%	29%	598
ballot						
Tampering with ballots to change	1%	10%	36%	19%	34%	598
votes						
Someone pretends to be another	1%	14%	38%	17%	30%	597
person and casts a vote for them						
A non-US Citizen votes	3%	12%	32%	26%	27%	599
Someone hacks into the vote	1%	10%	28%	19%	42%	598
tabulators and changes						
individuals votes						
The secretary of state or other	12%	30%	20%	10%	28%	598
state or local election official						
makes rules that favor one party						
or another						

16. How likely or unlikely is it that the following situations happened in your state?

	Very	Somewhat	Somewhat	Very	n
	likely	likely	unlikely	unlikely	
Bribery or paying for votes	4%	21%	29%	46%	395
Someone being improperly	17%	39%	27%	17%	456
denied the chance to vote					
Intimidation at the polling	6%	24%	26%	44%	435
place					
Voting machines failing to	8%	35%	31%	26%	402
record votes correctly					
Absentee voter mail fraud	4%	24%	28%	44%	412

17 How did you receive your ballot for the 2018 general election? (n=589)

 Email
 90.0%

 Mail
 8.0%

 Fax
 0.2%

 Other
 1.8%

18. How did you return your ballot in the November 6, 2018 general election? (n=590)

Voted by email 86% Vote by mail 12% Vote by FAX 2% 19. Was the primary reason you were outside of the United States on November 6, 2018 because you were on active military duty? (n=581)

Yes 11% No 89%

20. Please write the overseas country that you were in on November 6, 2018. (n=568)

USA Canada 9% Mexico 6% Oceania 7% Asia 12% Africa 4% South America 4% 2% Central America Middle East 4% Western Europe 42% Eastern Europe 2% On a ship 1%

21. Did you experience any of the following when you attempted to vote absentee in the November 6,

2016 general election?

* <u>8</u>			
	Yes	No	n
I did not know how to obtain an absentee ballot	14%	86%	551
I had difficulty registering to vote.	4%	96%	512
I had difficulty requesting a ballot or completing an FPCA.	8%	92%	560
My ballot did not arrive on time.	2%	98%	555
My ballot did not arrive at all.	1%	99%	545
I expected to receive a ballot automatically, but did not.	12%	88%	512
I was informed that there was a problem with my signature.	1%	99%	556
I had problems printing out my ballot.	7%	93%	538
I had problems scanning my ballot to return it.	4%	96%	530
I had problems mailing my ballot back to the County Clerk.	2%	98%	486

22. How important is it for you to keep your vote choice secret? (n=582)

Very important 28% Somewhat important 42% Not important 30%

23. Do you feel your vote choices are kept private as an overseas voter or is someone able to connect you to your vote? (n=569)

Kept private 37% My vote choice is known 63%

24. Did you call or email the county clerk about the process of overseas voting? (n=576)

Called 15% Emailed 58% Did not call or email 27% 25. Did the county clerk contact you regarding your ballot or other administrative issues? (n=576)

Yes 75% No 25%

26. Overall, how satisfied were you with your interactions with the county clerk? (n=499)

Very satisfied 87%
Somewhat satisfied 10%
Not very satisfied 2%
Not at all satisfied 1%

27. Did you seek voting information from the Federal Voting Assistance Program (FVAP)? (n=575)

Yes 41%
No, and I am not familiar with the FVAP 38%
No, but I am familiar with the FVAP 21%

28 Please indicate which if any FVAP products or services you used for voting assistance. [mark all that apply] (n=256)

FVAP.gov 100% FVAP staff support 0% FVAP online assistant tool 0%

29. Did you seek voting information from the Overseas Vote Foundation (OVF)? (n=568)

Yes 11%
No, and I am not familiar with the OVF 75%
No, but I am familiar with the OVF 14%

30. Overall, how satisfied were you with the Overseas Vote Foundation website? (n=123)

Very satisfied 64% Somewhat satisfied 29% Not too satisfied 5% Not at all satisfied 2%

31 Have you ever tried to give money to a political candidate while you were an overseas resident? (n=571)

1=371) Yes

Yes 19% No 81%

32 If you've tried to give money to a candidate, were you successful? (n=111)

Yes 8% No 92%

#### **Your Voting Experience**

33. How would you rate your voting experience overall? (n=572)

Excellent 59% Good 35% Fair 5% Poor 1%

#### **Your Voting Experience**

34. Did you visit the Secretary of State's website at any time prior to the election? (n=569)

Yes <b>→ GO TO Q36</b>	38%
No $\rightarrow$ GO TO Q37	62%

35. [If yes] Why did you visit the Secretary of State's website? (n=212)

Register to vote	3%
Check or update my voter registration	23%
Find information about my county clerk	14%
Request an absentee ballot	43%
Request an overseas ballot	0%
File a voter complaint form	0%
Something else:	17%

36. How easy or hard was it to find what you were looking for on the secretary of state's website? (n=214)

Very easy	40%
Somewhat easy	45%
Somewhat hard	12%
Very hard	3%

37. How many contests did you vote on your 2018 ballot? (n=567)

All of the contests	71%
Nearly all of the contests	16%
Most of the contests	6%
About 1/2 of the contests	2%
Just a few contests	4%
No contests; I voted a protest ballot	1%

#### **Thinking About Politics**

38. Generally speaking, do you think of yourself as a: (n=564)

51%
12%
5%
18%
4%
2%
6%
2%

39. Compared to a year ago how are each of the following doing economically?

1	0		0	0		
	Much	Somewhat	Same	Somewhat	Much	n
	better	better		worse	worse	
You and your	8%	21%	59%	11%	1%	563
family						
National	9%	24%	34%	26%	7%	550
economy						
State economy	4%	17%	58%	18%	3%	533

40. Which is more important? (n=568)

Ensuring that everyone who is eligible has 78%

the right to vote

Protecting the voting system against fraud 18% Don't know 4%

41. New Mexico's voter ID law requires voters to state their address, name, and birth year. Do you think the minimum identification is? (n=564)

Too strict 9%
Just right 74%
Not strict enough 17%

42. How do you think we should elect the President: should it be the candidate who gets the most votes in all 50 states, or the current Electoral College system? (n=561)

The candidate who gets the most votes in all 50 states
The current Electoral College system

83%
17%

43. Please mark how much you agree or disagree with the following election reforms.

	Strongly	Somewhat	Somewhat	Strongly	n
	agree	Agree	Disagree	disagree	
Primary elections should be	50%	22%	16%	12%	558
open to all voters, not just					
those registered as Democrat or					
Republican.					
New Mexico should move to	9%	25%	36%	30%	551
all mail elections.					
Photo identification should be	26%	22%	23%	29%	558
required of each voter at the					
polls.					
An independent redistricting	58%	32%	9%	1%	550
commission should be created					
to determine district boundaries					
after the 2020 census.					
Voters should be able to	55%	23%	14%	8%	563
register on Election Day.					
Eligible voters should be	68%	21%	6%	5%	563
automatically registered to vote					
through their state DMV or					
other state agencies.					
I would like to see a straight	25%	28%	24%	23%	558
party option on the ballot to					
make it easier to vote.					

44. After the 2020 census, NM will have to reapportion its districts to ensure equal representation. Which of the following statements come closest to your view? (n=559)

They should create electoral districts that hold communities together even if it means that one party will dominate.

They should create electoral districts where there is close competition between 27% the two parties, even if it means that communities will be disconnected.

Don't know 44%

45. Ranked choice voting or instant run-off is an election reform allows voter to rank candidates for their favorite to least favorite. Do you think: (n=529)

Ranked Choice voting should be used and winners should receive the majority 60% of the votes

The candidate with the most votes, but not necessarily a majority of the votes should win 40%

46. Generally speaking, do you think New Mexico's elected officials are more responsive to campaign donors or voters? (n=522)

Donors 49% Both equally 37% Voters 14%

#### 47. Public financing provides a fixed amount of money to fund qualified candidate campaigns.

Please mark how much you agree or disagree with the following statements.

, ,	Strongly	Somewhat	Somewhat	Strongly	n
	agree	Agree	Disagree	disagree	
I pay attention to whether a	34%	43%	17%	6%	547
candidate is publicly or					
privately financed.					
I would support public	41%	36%	13%	10%	546
financing even if some of the					
funding might go to					
candidates I don't agree with.					
Public financing would allow	35%	44%	13%	8%	532
people like me to run for					
office.					
All elected offices should be	38%	42%	12%	8%	541
eligible to receive public					
financing					

48. Which level of government has the main responsibility for making sure elections are safe and secure? (n=549)

Federal government 38% State government 44% Local government 18%

49. In your view, how often do the following things occur in election in the US?

if your view, now often do the following timings occur in election in the CS.						
	All of	Most of	About half	Some of	Never	n
	the time	the time	the time	the time		
Votes are counted	4%	7%	10%	11%	2%	551
accurately						
Journalists provide fair	3%	36%	21%	30%	10%	552
coverage of candidates						
Election officials are fair	5%	63%	16%	15%	1%	547
Foreign governments try	16%	25%	10%	47%	2%	553
to influence voters						

Rich people buy elections	29%	30%	12%	27%	2%	552
Voters are offered a	6%	37%	25%	29%	3%	555
genuine choice at the ballot box						

#### The following information is for statistical purposes only.

- 50. Age of respondent (n=548)
  - 18-35 15%
  - 31-45 27%
  - 46-55 13%
  - 56-65 19%
  - 65+ 26%
- 51. Are you? ( n=556 )

Male 49% Female 50% Other 1%

52. What is the highest grade of education you have completed? (n=560)

Less than a High School degree 0.3%
High School degree 0.7%
Some college 6%
Completed trade school/associates degree 5%
College degree 26%
Master's degree 39%
JD/MD/PhD 23%

53. Are you of Hispanic, Latino, or of Spanish origin? (n=554)

Yes **→GO TO Q55** 14% No**→GO TO Q56** 86%

54. [if Hispanic/Latino] Would you describe your Hispanic/Latino origin as? (n=75)

Mexican37%Spanish25%Puerto Rican3%Central American1%Something else33%

55. What racial or ethnic group best describes you? (n=554)

 Black/African American
 1.0%

 Native American/American Indian
 0.4%

 Hispanic/Latino
 14.0%

 Asian American
 1.3%

 White/Anglo
 79.0%

 Other: \_\_\_\_\_\_
 5.3%

56. What is your current marital status? (n=558)

Married 65%

Living with a partner	9%
Divorced	6%
Widowed	2%
Single	17%
Separated	1%

# Appendix D. Uniform and Overseas Citizens Absentee Voting Act (UOCAVA) Survey Methodology

The 2018 UOCAVA New Mexico Election Administration, Security and Reform Frequency Report was based on a census of the NM UOCAVA population. The sample frame consisted of 1,258 2018 UOCAVA voters. The data on UOCAVA voters was obtained from the New Mexico Secretary of State's office a couple of weeks after the election.

Survey questions asked about their election experience (voter confidence, voting problems, method of voting, experience with their county clerk, experience with the ballot, *etc.*), their attitudes toward possible election reforms including voter record purging, fraud, voter access, voter identification, same day registration, etc. They were also asked a variety of demographic information.

We first contacted all 1,258 UOCAVA voters over email on November 19, 2018 requesting their participation in our survey. The email provided sample respondents with a link that directed them to the survey. UOCAVA voters who did not respond were re-contacted two times with an additional email. The second contact was made November 27 and the third December 2. On December 8 we sent out a thank-you to UOCAVA voters who completed the survey and closed the study.

A total of 696 UOCAVA voters from our sample frame responded to our request. The response rate is 55.2% using Response Rate 2 (RR2) calculations, as defined by the American Association for Public Opinion Research. It is important to note that this is the minimum response rate and includes all sample members who we tried to contact, regardless of whether we were able to contact them or not.

# **Appendix E. Election Day Observation Frequency Report**

# **General Observation Frequency Report**

1. Was the voting location easy to find and clearly marked? (n=53)

Yes 91%

No 9%

2. Was the polling place readily visible from the street? (n=53)

Yes 66%

No 34%

3. Was the polling place adjacent to a major street? (n=52)

Yes 54%

No 46%

4. Were any signs, flags, or banners visible from outside, such as "vote here"? (n=54)

Yes 96%

No 4%

5. Was the signage large enough to draw attention to them? (n=50)

Yes 74%

No 26%

6. Were all campaign materials located at least 100 feet from the polling location? (n=51)

Yes 98%

No 2%

7. Were the activists from political campaigns outside the polling location? (n=51)

Yes 25%

No 75%

8. How difficult was it to find parking? (n=50)

Not at All Difficult

/0%

Somewhat Difficult

30%

Very Difficult

0%

9. How close were you able to park? (n=50)

Not at all Close

6%

Somewhat Close

48%

Very Close

46%

10. Was there adequate parking at the polling location (e.g., could you find a parking space)? (n=51)

Yes 84%

No 16%

11. Was the accessibility to the voting location easy for voters (esp. handicapped)? (n=50)

Yes 94%

No 6%

12. Was there only one entrance into the voting location? (n=52) Yes 79% No 21% 12.1 If more than one, how many entrances? (n=12) 67% 3 17% 4 8% 5 8% 2.58 Mean Range 2-5 13. How many exit polling operations were in place at this location? (n=51) 39% 0 1 21% 2 12% 3 16% 4 6% 2% 5 8 2% 9 2% Mean 2.59 Range 1-10 14. Once inside the building, how easy was it to find the polling place? (n=51) Very Easy 69% Somewhat Easy 23% Somewhat Hard 8% Very Hard 0% 15. Were you greeted immediately after entering the voting center? (n=53) Yes 68% No 32% 16. How were you received after entering the VCC? (n=51) Negatively 2% Neutral 69% 29% Positively 17. Number of poll workers working at the time you were present: (n=52) Mean 4.25 Range 1-11 18. Was there an IT worker on site? (n=52) Yes 44% 56% No

18.1 If so, were there (n=21)

Observing

Resolving problems Other	
	19%
	14%
19. Was there a Bernalillo county	worker on site? (n=51)
Yes 24%	
No 76%	
19.1 If so, were they $(n =$	9)
Observing	45%
Helping poll workers	33%
Resolving problems	11%
Other	11%
20. Were the poll workers dressed	d appropriately? (n=48)
Yes 96%	
No 4%	
21. Were poll workers on a phone	e, or running apps (email, Facebook, etc.) inappropriately: (n=49)
Yes 12%	
No 88%	
22. Was the vote center set-up so	as to enable a circular flow of voters? (n=50)
Yes 84%	
No 16%	
23. Was there a line of voters wai	ting to check in? (n=50)
Yes 58%	
No 42%	
	e from outside the location? (n=27)
Yes 30%	
No 70%	
	g location? (n=50)
24. Was it noisy inside the polling	
Yes 20%	
Yes 20% No 80% 25. How crowded was it inside th	
Yes 20% No 80% 25. How crowded was it inside the Very Crowded	6%
Yes 20% No 80% 25. How crowded was it inside th	
Yes 20% No 80% 25. How crowded was it inside the Very Crowded	6%
Yes 20% No 80%  25. How crowded was it inside th Very Crowded Somewhat Crowded Not Crowded  26. Was the temperature in the vo	6% 26% 68%
Yes 20% No 80%  25. How crowded was it inside the Very Crowded Somewhat Crowded Not Crowded  26. Was the temperature in the volume Yes 84%	6% 26% 68%
Yes 20% No 80%  25. How crowded was it inside th Very Crowded Somewhat Crowded Not Crowded  26. Was the temperature in the vo	6% 26% 68%
Yes 20% No 80%  25. How crowded was it inside the Very Crowded Somewhat Crowded Not Crowded  26. Was the temperature in the volume 16% No 16%  27. Generally speaking, describe	6% 26% 68% oting center comfortable? (n=50) the size of the polling area? (n=50)
Yes 20% No 80%  25. How crowded was it inside the Very Crowded Somewhat Crowded Not Crowded  26. Was the temperature in the volume Yes 84% No 16%	6% 26% 68% oting center comfortable? (n=50)

Helping poll workers 38%

Medium 24% Somewhat Small 28% Very Small 4%

28. Was the ballot marking example sign posted at the voting location? (n=51)

Yes 86% No 14%

28.1 If so, was it easily visible to voters? (n=42)

Yes 88% No 12%

29. Was the voter ID poster posted at the voting location? (n=51)

Yes 67% No 33%

29.1 If so, was it easily visible to voters? (n=32)

Yes 91% No 9%

30. Was the voter bill of rights posted at the voting location? (n=50)

Yes 80% No 20%

30.1 If so, was it easily visible to voters? (n=39)

Yes 95% No 5%

31. Generally speaking, was the interior of the polling place well-lit for completion of a ballot? (n=50)

Yes 98% No 2%

32. Were there any other watchers or challengers present in the polling location? (n=49)

Yes 43% No 57%

33. Were voters being directed on where to go? (n=49)

Yes 92% No 8%

34. Were poll workers asking voters for a photo ID? (n=49)

Yes 12% No 88%

35. Were voters offering identification without being asked? (n=48)

Yes 83% No 17%

36. Were voters being asked to authenticate themselves with their name, address, and birth year after they used their scannable barcode? (n=48)

Yes 79%

No 21%

37. Based on your own observations, were poll workers asking for ID appropriately? (n=48)

Yes 96% No 4%

38. Did you see anyone who tried to vote, but who didn't appear in the voter registration file? (n=50)

Yes 36% No 64%

38.1 If so, were they provided a provisional ballot? (n=17)

Yes 71% No 29%

39. Did you see a voter talking on a cell phone in the voting booth or at the voting location, while you were there? (n=48)

Yes 8% No 92%

40. Did you see a voter taking a photo while in the voting booth or at the voting location, while you were there? (n=49)

Yes 2% No 98%

41. Did voters have adequate privacy while filling out their ballots? (n=49)

Yes 86% No 14%

42. Were voters being offered a privacy sleeve for their ballot? (n=48)

Yes 100% No 0%

43. Did the floor judge examine the ballots as they were fed through the machine in such a way that there could have been privacy issues for the voter? (n=46)

Yes 24% No 76%

44. Were the floor judges rotating voters between the voting machines? (n=47)

Yes 77% No 23%

45. Did the floor judge watch to ensure that the ballot counter was counting accepted ballots accurately? (n=44)

Yes 95% No 5%

46. Were the poll workers generally sticking to their assigned positions? (n=49)

Yes 100% No 0%

47. Did the poll workers appear to be well trained? (n=49)

Yes 96%

No 4%

48. Did there appear to be any conflicts between the poll workers? (n=49)

Yes 6% No 94%

49. Were poll workers friendly/helpful to voters? (n=48)

Yes 98% No 2%

50. Was at least one of the poll workers bilingual? (n=43)

Yes 74% No 26%

51. Did you see the poll workers help someone in a language other than English? (n=46)

Yes 15% No 85%

52. How would you rate the overall quality of the voting center? (n=48)

Excellent 29% Good 56.% Fair 13% Poor 2%

53. Did you see anyone use the ATI? (n=47)

Yes 6% No 94%

53.1.1 How long did it take them to vote in minutes? (n=54)

62% 1 2% 3 2% 4 2% 2% 8 10 5% 13 4% 2% 14 15 7% 20 4% 22 2% 45 4% 60 2% Mean 6.62963

53.2 Based upon your observations, was their experience? (n=27)

Very Easy 52% Somewhat Easy 37% Somewhat Hard 7%

0-60

Range

Very Hard 4%

54. How many on-demand ballot printers were operable? (n=51)

Mean 3.29 Range 1-7

55. How many polling booths were available to voters? (n=55)

Mean 33.69 Range 0-35

56. How many voting machines (ICE)/tabulators were operable? (n=43)

Mean 1.98 Range 1-4

57. Was an ICE machine set aside so that a voter who needed assistance would have privacy? (n=47)

Yes 43% No 57%

58. Did the floor judge encourage voters with rejected ballots to? (n=34)

Submit the ballot 6%
Place in hand counting bin 9%
Spoil ballot, and get a new one 20%
Gave options, but Let the voter decide 65%

59. Were there any reported problems with the ICE voting tabulators? (n=48)

Yes 6% No 94%

60. Were there any reported problems with the ballot on demand system? (n=46)

Yes 13% No 87%

61. Were there any reported problems with the printer used to print ballots? (n=48)

Yes 19% No 81%

62. Were there any reported problems with the signature pad? (n=48)

Yes 6% No 94%

63. Were there any reported problems connecting to the internet? (n=49)

Yes 6% No 94%

### **Frequency Report for Opening Procedures**

1. Did the presiding judge show up at the precinct on time? (n=12)

Yes 100% No 0%

1a. Did all the poll workers show up on time? (n=14)

Yes 86% No 14%

2. Did the presiding judge call roll to make sure that everyone was present? (n=11)

Yes 82% No 18%

3. Did the poll workers verify that all, some or none of the ballot bins in the ICE machines were empty? (n=12)

All of them 50% Some of them 42% None of them 8%

4. Was the zero-tape generated for each ICE machines? (n=11)

All of them 73% Some of them 9% None of them 18%

5. Were all the zero-tapes signed by all the required poll workers for all, some or none of the ICE machines? (n=12)

All of them 67% Some of them 0% None of them 33%

6. Was the zero-tape left on all, some or none of the vote tabulators or was it detached? (n=12)

All of them 25% Some of them 50% None of them 17% Detached 8%

7. Did the polls open on time? (n=13)

Yes 92% No 8%

8. Were there any problems connecting to the internet? (n=12)

Yes 0% No 100%

9. Were there any problems setting up printers? (n=13)

Yes 8% No 92% 10. Did the poll workers have any problems with the passwords they were provided? (n=13)

Yes 31% No 69%

11. Was there an IT worker on site? (n=15)

Yes 67% No 33%

11.a If so were they: (n=9)

Observing (poll workers knew what to do) 56%
Helping poll workers resolve problems 44%
Resolving problems for poll workers 0%

12. Was there a Bernalillo county worker on site? (n=14)

Yes 71% No 29%

## **Frequency Report for Closing Procedures**

1. Were there any voters still in line waiting to vote when the polls closed? (n=11)

Yes 27% No 73%

2. Did the presiding judge properly mark the last voter? (n=11)

Yes 82% No 18%

3. Did the presiding judge assign floor judges to clean/straighten up the voting area? (n=11)

Yes 91% No 9%

4. Was the Presiding Judge the only person to work with closing the ICE machine? (n=11)

Yes 36% No 64%

5. Did the poll workers have to hand tally any ballots? (n=10)

Yes 40% No 60%

5a. If so, were there any problems using the computer to enter in the number of hand tallied ballots? (n=5)

Yes 40% No 60%

6. How many workers were involved in this process? (n=5)

2 60% 4 20% 10 20% 7. How long did it take, on average, to process 1 hand tally ballot (Minutes)? (n=10) 0 60% 5 20% 8 10% 10% 15 Mean 3.3 Range 0 - 158. How long did the whole process take to enter hand counted ballots? (Minutes)? (n=10) 0 70% 11 10% 20 10% 32 10% Mean 6.3 0-32 Range 9. How many ballots did they have to count by hand? (n=9) 78% 3 11% 9 11% 1.33 Mean 0-9 Range 10. Were there any write-in candidates? (n=11) Yes 27% No 73% 11. Were there any problems counting the write-in votes? (n=6) Yes 33% 67% No 12. How many workers were involved in this process? (n=7) 72% 2 14% 3 14% Mean 0.71 0-3 Range 13. Did they actually hand count the ballots or did they just use the machine count for 3rd party? (n=3) Hand count 67% Machine count 33% 1.33 Mean 1-2 range 14. Did the poll workers sign a certificate of election completion stating the total number of voters? (n=9) Yes 100% No 0%

15. Was there an IT worker on site? (n=11)

Yes 64% No 36%

16. If so, were they: (n=6)

Observing (poll workers knew what to do) 0% Helping poll workers resolve problems 67% Resolving problems for poll workers 33%

17. Was there a Bernalillo county worker on site? (n=11)

Yes 36% No 64%

18. If so, were they: (n=4)

Observing (poll workers knew what to do) 25% Helping poll workers resolve problems 50% Resolving problems for poll workers 25%

19. Did the poll workers balance the number of voters from the ballot on demand report with the ICE tapes?

Yes 86% No 14%

20. Was there a problem balancing the number of voters with the number of ballots cast at closing for each ICE machine? (n=10)

Yes 30% No 70%

21. Did poll workers place the ballots in each of the ballot boxes? (n=9)

All 56% Some 33% None 11%

22. Were spoiled ballots also included in each of the ballot boxes? (n=8)

All 25% Some 13% None 62%

23. Were each of the ballot boxes padlocked? (n=9)

All 78% Some 11% None 11%

24. Was there anything other than ballots placed in each of the ballot boxes? (n=11)

Yes 36% No 64%

25. Were the two sets of keys for each of the ballot box locks placed in different envelopes? (n=8)

All 75% Some 0% None 25% 26. Did you see poll workers attempt to feed any uncounted ballots (placed in the emergency slot it the ICE machines) into any of the ICE machines after the polls closed? (n=9)

Yes 11% No 89%

27. Were provisional votes placed in the appropriate bag? (n=9)

Yes 89% No 11%

28. Did the poll workers use any chain of custody forms? (n=8)

Yes 62% No 38%

29. Were the data cards removed from each of the ICE machines? (n=9)

All 78% Some 11% None 11%

30. Did the required members of the Precinct Board (poll workers) sign all copies of the tabulator reports and the election reports? (n=10)

Yes 90% No 10%

### Appendix F. Acknowledgements

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