

Uniformity in Election Administration: A 2008 Survey of Swing State County Clerks New Mexico Edition

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Introduction

The Democracy SOS Project aims to increase transparency in election administration and to monitor the actions of election officials, starting with Secretaries of State. This series reports the results of surveys of county clerks in 10 “swing states” during the 2008 Presidential Election. FairVote staff and interns surveyed nearly every county clerk in Missouri, New Mexico, Colorado, Pennsylvania and Virginia, as well as election officials in counties with at least 500,000 residents in Ohio, Florida, Minnesota, Michigan and Wisconsin.

We asked questions designed to shed light on the practices of the county, as well as their interpretation and compliance with state law. We asked questions regarding the allocation of voting machines and poll booths in order to assess the county clerks’ preparedness in ensuring that there would not be long lines and everyone would be able to vote on Election Day. We asked every county clerk if they planned to put together a written allocation plan of their machines/booths to assess if these plans have been well thought out. We inquired as to when draft and final versions of the ballot would be ready to assess their clarity and ensure the public has time to review the ballot before Election Day, which helps cut down the amount of time voters spend in the voting booth. Finally, we asked about the number of post-secondary institutions in each county and if they had on-campus polling locations to evaluate accessibility for youth voters.

There are 33 counties in New Mexico and FairVote was able to survey all but 4 counties. We were unable to reach three counties: Quay, San Miguel, and Torrance. One jurisdiction, Rio Arriba County, was contacted, but refused to complete the survey.

Type of Voting Equipment and Number per Precinct

The first question we asked each county clerk clarified the type of voting equipment used in the county as well as the number of machines per precinct. We looked up the machines used in each county and whether or not they had central or precinct-based count on the website *verifiedvoting.org*. We then compared the information to responses by the county clerks. Each county clerk surveyed in New Mexico was able to successfully tell us which types of voting equipment they used and the number of machines per precinct. All counties surveyed use optical scan machines and the Election Systems & Software (ES&S) AutoMARK Ballot-Marking Device (BMD) for disabled voters. All counties surveyed had one of each type of machine per precinct. All of the counties implement a precinct-based count on Election Day, as opposed to a central-count location for the county.

Voting Equipment Used in New Mexico

	Optical Scan	BMD Automark
Number of Counties*	29	29

*Out of 29 surveyed

Allocation of Poll Booths in each Precinct

Our next question sought to address how county clerks determine the number of poll booths needed for the November 2008 election.

In general, county clerks cited experience, past voter turnout, current voter registration, and precinct population most frequently as factors that they use to determine the number of booths needed. Some counties mentioned giving one privacy booth per 400 registered voters and therefore their allocation formula relied on this standard. However, a number of counties will send a particular number of booths to all precincts, regardless of outside factors¹ and one county will send 2 or 3 booths arbitrarily to precincts with no formula on how to allocate them.²

One county will send 2-3 booths arbitrarily to precincts, with no formula on how to allocate them.

Clerks noted that voters rarely experience long lines in New Mexico and past elections have been run without incident. Some clerks suggested that if turnout is high, they will use table dividers to accommodate more voters on Election Day. Several counties reported that they plan to send a minimum of 2 to 3 booths to every precinct in their county. Similarity, some counties will send a maximum of 4 booths to each precinct, without considering increases in voter registration or anticipated voter turnout.

¹ Catron, Cibola, Grant, Guadalupe, Toas County Clerks

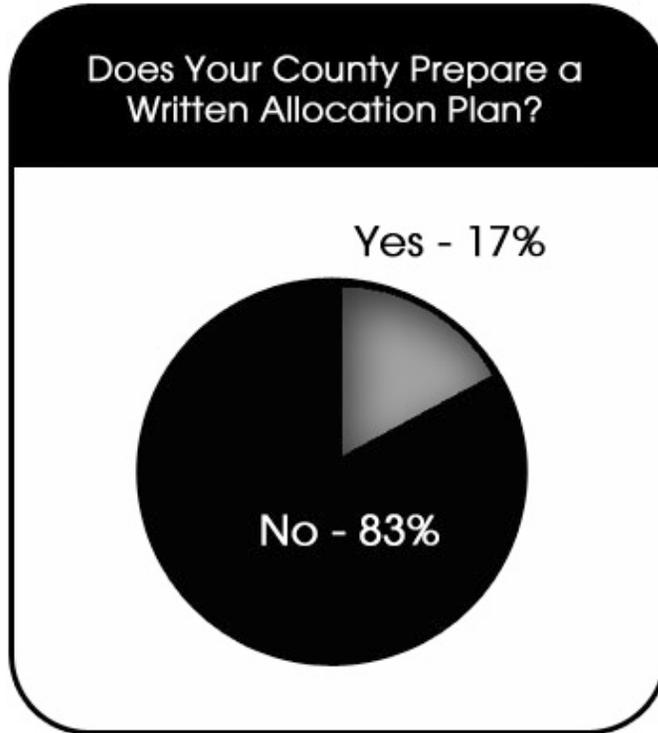
² Harding County Clerk

Written Allocation Plan

To gauge overall organization and planning, we asked county clerks if they would be preparing a written allocation plan of their poll booths for the upcoming November election. Our survey found that the majority of county clerks did not have a written plan for poll booth allocation, nor did they intend to draft one. Out of the 29 county clerks surveyed, only 5 were preparing a written booth allocation plan.

A fairly standard explanation for not creating a written poll booth allocation plan was that since elections had always been run a certain way, the county clerks saw no need to put a plan in writing. Santa Fe County's Clerk said she saw no reason to put together a written plan since her county has "a staff with over 100 years of experience." Since these county employees know what they are doing, they

suggest a written plan would be redundant. One of the most telling responses, however, came from the Union County Clerk. She gave a very simple answer for not putting together a written plan: it is not required by statute.



Readiness of Rough and Final Drafts of the Ballot

We asked county clerks when the rough and final drafts of their ballots for the November election would be ready as a means of understanding their election planning timeline, as well as to find out when we would be able to see a copy of the ballot to evaluate its clarity. We wanted to determine which ballots were made available to the public for

Many clerks will not prepare a rough draft [ballot] for the November election.

comment and which ballots went through multiple drafts or edits. In addition, giving voters the opportunity to see the ballot before Election Day encourages them to prepare to vote. This preparation leads to voters spending less time in the booth, which in turn leads to shorter lines on Election Day.

In general, we found that many clerks will not prepare a rough draft for the November election. Most county clerks said their rough and final drafts would be completed on the same date. When we clarified the rationale for releasing a rough draft, county clerks said

sample ballots are made by the state and that they are not involved in the production of the ballot. Some explained that final ballots would be ready whenever the Secretary of State sent them³ or whenever the printer sends them,⁴ and most others simply gave a date between 28 to 45 days before the election. One county was unable to answer when they would receive the final ballot.⁵

College Campuses and Polling Locations

The final question in our survey was intended to determine which counties had a post-secondary institution, and whether or not there was a polling place on campus. We were curious about the placement of polling locations on campus because in recent election cycles, on-campus polling locations have had the longest lines in the country. Voting

16 of 28 post-secondary institutions in the 29 counties surveyed have on-campus polling places.

should be as accessible for college students as it is for all other voters.

Of the 29 counties surveyed, there were 28 universities, colleges, community colleges or junior colleges and 16 of those post-secondary education institutions reportedly had a polling location on campus. This percentage of on-campus polling locations is quite high, which means New

Mexico students may be more likely to have poll access than their peers in other states. All large college campuses had on-campus polling locations.

Conclusions

We have concluded that the state of New Mexico has done a good job of standardizing voting equipment across counties in the state. However, there is still work to be done in a number of areas, including setting standards for poll booth allocation and mandating written election plans.

The state's first objective should be to develop a standard formula for the allocation of poll booths. The lack of written allocation plans in the vast majority of New Mexico counties, as well as the responses given for the rationale behind poll booth allocation, demonstrates insufficient preparation for the November election. County clerks should be required to draft a written allocation plan for poll booths, to be finalized by a specified date well in advance of the election.

New Mexico does an excellent job ensuring students have access to polling places on Election Day

All county clerks should receive a draft of their ballot before printing a final version. This draft should be available for scrutiny by NGOs and public interest groups. It should be available to voters so they are able to see at least a draft of the ballot before Election Day.

³ Colfax, Curry, Grant, McKinley, and Roosevelt County Clerks

⁴ Cibola, De Baca, San Juan, and Socorro County Clerks

⁵ Mora County

If the state provides a voter-guide, a copy of the actual ballot should be included to give voters sufficient preparation before Election Day.

Finally, New Mexico does an excellent job ensuring students have access to polling places on Election Day. FairVote suggests that counties continue monitoring campuses without polling places and that they add locations if county clerks deem that an on-campus precinct would serve a sufficient number of voters. Currently, 16 of the 28 post-secondary institutions in the surveyed counties have on-campus polling locations, which covers most of the larger population schools. We recommend that New Mexico include on-campus polling locations at any university branch or college with student housing.

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