

New Mexico's Election Facts

Unexplainable Irregularities, Evidence of Fraud, Voter Disenfranchisement

"Phantom votes are not possible." – New Mexico's Secretary of State

"We don't spend a lot of time on undervote issues. I'm just speculating that some voters are just not concerned with the presidential race." - New Mexico's Secretary of State

Exit Poll: Kerry 50.1 - Bush 47.5
Certified Result: Kerry 48.9 – Bush 50.0

Inaccurate Vote Counts, Stunning Errors, Likely Fraud

- According to official New Mexico State election data there was a pattern of **stunning errors and severe irregularities**. A study conducted by Ellen Theisen and Warren Stewart of Voters Unite concluded that without examining the paper ballots and the electronic voting data certified by the State of **New Mexico, the certified results cannot be regarded as an accurate reflection of the voters' intent**.
- The New Mexico Secretary of State has called for the **destruction of November election data from voting machines** - despite a pending dispute over the accuracy of the Presidential race results.

The Undervote Phenomenon: Minority Votes Disappear in a Paperless Trail

- There were **21,084 Presidential undervotes** (more voters than votes), an unprecedented rate of 2.72% (**highest in the nation**).
- That means 17,095 people (almost 1 in 20) stood in line on **Election Day but didn't cast a vote for President**; 1,664 people bothered to cast their non-vote early and **another 2,325 mailed their lack of opinion in by absentee ballot**.
- Although only 41% of the state's voters cast their ballots on push-button electronic voting machines (Danaher Shouptronic and Sequoia Advantage), these **machines accounted for 77% of the presidential undervotes**. It is unlikely **1 out of 20** voters using push-button machines didn't vote for president while **only one out of 150** voters casting paper ballots chose no presidential candidate.
- A considerable number of **precincts recorded no undervotes at all**. This means that the distribution of **undervotes across precincts is not normally distributed**.
- In spite of the high statewide undervote rate, **over half of the precincts reported zero presidential undervotes** (representing over 183,000 ballots).
- Push-button voting machines reported much **higher instances of zero-undervotes in early voting than on Election Day**. This suggests the likelihood that some machines were operating differently in early voting than they were on Election Day.
- The average undervote in precincts where pushbutton DRE voting machines were used was **3.5%**, compared to **less than 1%** in precincts that used scanned paper ballots.
- **44% of paper ballot precincts had zero undervotes**, while **2% of push-button precincts had zero undervotes**. **89 precincts had more than 10% undervotes**, and all but one of these used pushbutton machines. Overall these precincts had an **undervote rate of 14.72% (1 in every 7)**.

The Phantom Vote Mystery: “Unacceptable Anomalies”, Unexplained Votes

- New Mexico **reported 2,087 phantom votes** (more votes recorded than ballots cast) for president in a total of 250 precincts. The margin of victory according to the **same canvass report was 5,988**. There has been no explanation for phantom votes.
- A few examples were the Dona Ana Precinct that reported **107 absentee ballots and 325 votes for president**. Taos County reported no overseas absentee ballots, yet 54 overseas absentee votes for president. Bernalillo County Precinct **reported 166 absentee ballots and 318 presidential votes**. In each of these cases, **paper ballots are available**, yet these **phantom votes were certified**.
- Though the vast majority of phantom votes (1,528) were reported from optical scan machines, **phantom votes also occurred on paperless machines**. In early voting, large numbers of phantom votes were reported in two Bernalillo County Precincts, both of which used the Sequoia Edge. One Precinct **reported 141 phantom votes (79% more votes than ballots cast)** and the other reported **130 (56% more votes than ballots)**.

Jim Crow is Alive and Well: Hispanic and Native American Disenfranchisement

- **Strikingly higher undervote rates** were reported in **precincts with predominately Hispanic or Native American** populations, reflecting a direct correlation to the ethnicity of a precinct. Election records show that push-button machines introduce a significant distortion in the voting record statewide, **particularly in areas where minority populations dominate**.
- On Election Day, Native American plurality precincts **reported an 8.26% undervote rate, or 1 in 12**. Hispanic plurality precincts reported an **undervote rate of 5.69%, well above the statewide average of 2.72%**. Meanwhile plurality **Anglo precincts on Election Day were only slightly above** the state average with an **undervote rate of 3.14%**.
- Precincts that are overwhelmingly dominated (over 75%) by **Native American and Hispanic populations** had **8.51% and 7.13% undervote rates respectively**, while precincts **with over 75% Anglo populations reported a 2.66% undervote rate**, slightly below the state average. While rates in early and absentee voting are lower across the state, the disparity between the relatively low undervote rates in Anglo precincts and the **unusually high** Native American and Hispanic precincts **can still be observed**.

Widespread Voting Machine Errors Found a Day Before Certification

- In a report submitted to the Secretary of State the day before certification, an independent auditor noted **well over 500 errors in the 100 precincts that he was asked to examine**.
- There are 1,332 other precincts in the state and if they had the same error rate of **5 per precinct**, there may be as many as **6,500 uncorrected errors that weren't identified**, let alone corrected before Governor Richardson certified the election.

Sources: Study by Ellen Theisen and Warren Stewart of Voters Unite, *"Myth Breakers: Facts about Electronic Elections"*, VotersUnite.Org

United For Secure Elections

for more facts and information on the 2004 Election see: election.solarbus.org