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.


United For Secure Elections
for more facts and information on the 2004 Election see: election.solarbus.org