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Resolution No. 07-14-22/111-07

**A Resolution Calling on The New Mexico Legislature to Enhance the Faith of
The Voting Public in Election Outcomes Through Improved Election
Processes**

WHEREAS, faith in our election process is the foundation upon which our democracy rests; and

WHEREAS, the processes around elections should be designed to encourage voter participation while discouraging election fraud; and

WHEREAS, when irregularities are identified in the course of an election, they can undermine the legitimacy of our elected leaders; and

WHEREAS, there have been many changes in election laws over the past decade to increase voter participation; and

WHEREAS, some of these changes have increased the risk of election fraud; and

WHEREAS, other measures such as photo voter identification have been left out of current policy despite being overwhelmingly supported by the public; and

WHEREAS, New Mexico has long struggled to effectively and efficiently remove inactive voters from the voter rolls; and

WHEREAS, allowing those who have either moved or passed away to remain on the voter rolls creates an unacceptable risk that other votes can be nullified through the theft of a previous voter's identity; and

WHEREAS, the distribution of absentee ballots to voters – while necessary to include those who are unable to go to the polls in person due to illness, disability, or military deployment – creates a higher level of risk for voter fraud; and

WHEREAS, some jurisdictions such as the City of Rio Rancho, require a copy of a valid identification when submitting an absentee ballot; and

WHEREAS, requiring photo identification for both in-person and absentee voting has not decreased voter participation in Rio Rancho; and

WHEREAS, the lack of a clear chain of custody that shows who has handled absentee ballots may enable fraud; and

WHEREAS, it is the desire of the Board of County Commissioners of Otero County to improve both the actual security of elections, and the perceived security of elections in order to restore and maintain the faith in our election system.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF OTERO that it requests the New Mexico Legislature adopt the following changes to the New Mexico Election Code:

1. **Photo ID.** Voters shall provide a photo identification that may include any identification issued by a government agency, passport, driver's license, student identification card, commercial transaction card, insurance card, union card, a professional association card, or a voter identification card issued by the County Clerk. The law should allow those who cannot provide one of the previous forms of identification to submit an affidavit that the voter is the person on the registration rolls with the voter's date of birth and the last four (4) digits of the voter's social security number.

2. **Efficient Removal of Inactive Voters.** New Mexico law provides for the removal of inactive voters from the voter rolls after the failure to vote in two consecutive general elections. Inactive voters should be removed from the registered voter rolls prior to the next municipal, primary, or general election. The Legislature should require the Secretary of State to use, on an on-going basis, data-matching software to find voters who have moved or died and to flag those registrations for review.
3. **Prohibit the Use of Unsupervised Ballot Drop Boxes.** Unattended ballot drop boxes – even those who are electronically surveilled – pose an unacceptable risk to the election process by making illegal ballot harvesting easier and should be prohibited.
4. **Absentee Ballot Chain of Custody and Photo ID.** Voters casting absentee ballots should be subject to the same voter identification requirements as proposed above for in-person voting. There should be an enhanced chain of custody process for returning absentee ballots that includes identifying those who return absentee ballots on behalf of others.
5. **Post-election Audit.** An automatic post-election audit involving at least ten percent (10%) of all of the precincts involved in a given municipal, primary, or general election, prior to canvass certification. Precincts shall be chosen at random and any deviation greater than 2% shall trigger an automatic recount.

PASSED, APPROVED AND ADOPTED this 14th day of July, 2022.

**THE BOARD OF COUNTY COMMISSIONERS OF
OTERO COUNTY, NEW MEXICO**

Vickie Marquardt, Chairman

Gerald R. Matherly, Vice-chairman

Coy D. Griffin, Commissioner

Attest: _____
Robyn Holmes, County Clerk