

# Can we trust the tabulators in NM?

Clay Pryor, 6/17/2024

This is a high level outline of the work I have done investigating the use of tabulators to count paper ballots in New Mexico. There are many other factors to election integrity than just the tabulators and other people are working those issues. I chose to focus on the tabulators because of my software development background.

1. By state law (Statute 1.9.5 NMSA 1978), and New Mexico Administrative Code (NMAC 1.10.20 – 21), tabulators are used in New Mexico for counting our votes which are cast as paper ballots.
2. We would like to see the source code for the tabulators but this is not possible because it is proprietary.
3. We can, however, run tests to verify the functionality and hand count the paper ballots to verify the machine counts.
4. In New Mexico, we do both.
5. Sample decks of ballots are run through the tabulators prior to the elections to verify proper counts.
6. Post election hand counts (not to be confused with recounts) are conducted after elections to identify faulty tabulators. This provides a 90% probability (by statute) that any faulty tabulators would be detected.
7. By State Statute: 1-14-13.2. Post-election duties; voting system check, a random sample of precincts for a hand count of paper ballots “will ensure with at least **ninety percent probability** for the selected offices, that faulty tabulators would be detected if they would change the outcome of the election for a selected office.”
8. According to State Statute (1-14-13.2) and New Mexico Administrative Code (NMAC 1.10.23.9 Voting System Check Procedures) the precinct selection process shall be visibly observable and open to public observation.

9. The precinct selection and subsequent audit of the votes are done by an independent auditor hired by the State of New Mexico.
10. The hand counts themselves are conducted by the County Clerk staff. In Bernalillo, there are three members of staff always present at each table where the counts are conducted.

**From my perspective, when this process is done as required by law, I have a high level of confidence that we can trust the tabulators to adequately count our votes. We did discover a discrepancy in the 2022 audit but it is clearly due to human error and not meant to cover up any improprieties.**

## What can you do to help?<sup>i</sup>

As mentioned earlier, tabulators themselves are not the only component to election integrity. That is why the Republican Party has set up election monitoring at both the county and the state levels. We even have help from the RNC to ensure our votes are protected.

### All of us can help by volunteering as poll workers and poll challengers!

You must be properly registered and understand the rules before you can help. Please contact your state or county level Republican Party to find out how you can volunteer.

### We can't win if we don't vote!

**Be sure to vote and encourage others to vote! Consider taking others with you to the polls. Use absentee ballots if you must BUT follow the rules if you are helping someone else with their ballot. Whether we like it or not, early voting and absentee ballots are now part of the voting process and we must LEGALLY take advantage of these tools for our benefit.**

---

<sup>i</sup> Clay Pryor is a software developer who has worked for the Air Force Weapons Labs, IBM, State of New Mexico, and Sandia National Labs. He recently retired from Sandia National Labs after 34 years where he advanced from Member of Laboratory Staff (MLS) to Principal Member of Technical Staff (PMTS).