

## **SUPPLEMENTAL FACTS**

\*Disclaimer this is fictional data\*

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### **District Court Findings:**

1. New Mexico rejects a higher percentage of provisional ballots than any other State.
  - a. From 2008 to 2016, New Mexico discarded a total of 38,335 out of present ballots cast by registered voters
2. One expert testified at trial to 3 key factors that lead to out of precinct ballots: 1) frequent changes in polling locations; 2) confusing placement of polling locations; and 3) high rates of residential mobility.
  - a. Between the primary and general elections in 2012, the rates at which African Americans and Hispanics experienced stability in their polling places were each about 30% lower than the rate for Whites in County 1, the most populous county in New Mexico.
  - b. In 2012, approximately 25% of out of precinct voters lived closer to the polling place where they cast their out of precinct ballots than to their assigned polling place.
  - c. Minority voters in New Mexico have “disproportionately higher rates of residential mobility.” Further, “out of precinct voting is concentrated in relatively dense precincts that are disproportionately populated with renters and those who move frequently. These groups, in turn, are disproportionately composed of minorities.”
3. In 2016, the rates of out of precinct ballots in County 1 were twice as high for Hispanics, 86% higher for African Americans, and 73% higher for Native Americans than their non-minority counterparts.

- a. Among all counties that reported out of precinct ballots, in the 2016 general election a little over 1 in every 100 Hispanic voters, 1 in 100 African American voters, and 1 in 100 Native American voters cast an out of precinct ballot. For non-minority voters, the figure was around 1 in 200 voters.
4. In various local and midterm elections from 2010-2014, organizers collected anywhere from 1,000 to 9,000 early ballots for a single county or district.
5. Holly R. Martin, who served as County Recorder for County 1 from 1988 to 2016 observed that ballot collection was disproportionately used by Hispanic voters.
6. Lack of access to outgoing home mail service, basic mail security, lack of transportation, which all disproportionately affect minority voters, are all reasons a voter might use third party ballot collection.