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**To:** [rules\\_sos\\_SOS](#)  
**Cc:** "[Hathorne Todd](#)"; "[David Tofsted](#)"  
**Subject:** [EXT] Election Rules Public Comment Input  
**Date:** Thursday, August 27, 2020 5:26:41 PM

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Dear SoS: I am writing to you with disturbing news about the June 03, 2020 primary election in Dona Ana County. The election was not conducted according to New Mexico Election Code. Absentee Vote Ballots were again accepted WITHOUT the required 3 forms of ID. The Acting Clerk Ms. Bachman admitted to County Commissioner Solis "we only rejected them if they were missing a signature", during the June 11, 2020 Dona Ana County Canvassing meeting. Ms. Bachman's statement is not in question, I have the video which I did not attach, but here's the link: <https://commonsenseorganizer.blogspot.com/2020/07/absentee-voting-laws-not-followed-by.html>.

For background, here is how the SoS Office justifies advising County Clerks/Absentee Boards to not follow the law (this statement in response to GOP lawsuit on this same issue, November 2019): ***The Secretary of State's Office had not seen the lawsuit either, but spokesman Alex Curtas said, "We have provided statewide guidance to all county clerks which complies with the letter and intent of the law while not disenfranchising voters who have already verified that they are eligible to vote."*** The problem is that the SoS determination clearly does not comply with the letter nor intent of the law. Three forms of ID are a guarantee of voter accuracy, which the SoS Office dismisses. The SoS office is using the reasoning "while not disenfranchising voters" who have already verified, but that is a separate issue from the clear acceptance criteria of mailed-in absentee vote ballots in the NM Election Code.

Unless you have found a lawyer who can convince you that "shall" does not mean "shall", the guidance from the NM SoS office is clearly deficient to many election observers in southern NM.

REQUESTS:

1. Incoming absentee ballot (vote) packets: Based on the 2020 primary election experience, I am requesting that the Secretary of State Office definitively issue their Absentee Vote acceptance criteria BEFORE the election. I am concerned that the current requirement (last 4 digits of SSN) will be dismissed at the Absentee board level on NM SoS advice; because requirements were also dismissed in the June 03, 2020 Primary Election (and Nov 2019).
2. Monitoring of mailed-in Absentee Voter Ballots: Election monitors (poll workers) MUST have access to monitor the physical movements and more importantly the Verification of the 4-digit SSN process wherever it occurs at the County Clerk Office/Absentee Board. Missing SSN's can easily be "filled-in" by potentially unscrupulous county clerk employees because the complete Voters SSN list is necessarily accessible during the verification process.

Thank you for your consideration,  
Richard Reynaud  
Citizen, Las Cruces, NM