



STATE OF NEW MEXICO  
**MAGGIE TOULOUSE OLIVER**  
SECRETARY OF STATE

**Hon. Maggie Toulouse Oliver, New Mexico Secretary of State**  
**Statement Before the U.S. House of Representatives**  
**Committee on House Administration**  
**“American Confidence in Elections: Looking Ahead to the 2024 General Election.”**  
**September 11, 2024**

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Chairman Steil, Ranking Member Morelle, and members of the committee,

Thank you for having me here today and for organizing this hearing ahead of the 2024 General Election to discuss the crucial issue of public confidence in our elections. My name is Maggie Toulouse Oliver and I proudly serve as New Mexico’s twenty-sixth Secretary of State, where I am my state’s chief elections officer.

The alarming decline in public confidence about the administration and outcomes of elections in our country is of great concern to me both as an election administrator and as a citizen of our great nation. The administration of elections used to be a relatively quiet affair where the votes were cast and counted, both the winners and losers accepted the outcome, and the names of election workers were relatively unknown. Now, election administration has a much higher profile among the American public. This comes with positives and negatives. An optimistic way of looking at the heightened role election administration now plays in the public consciousness is that more people are now aware of elections, and more awareness can bring more participation, understanding, and innovation. However, because of



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what has now been years of false election claims and ideological attempts to discredit our voting systems and processes, much of the heightened awareness of elections is now colored by conspiracies, misinformation, and outright lies. The heightened profile of elections has also, unfortunately, led to the proliferation of false information. This false information, then, has led in turn to increased threats and harassment to election workers, political violence, frivolous and burdensome public information requests to election offices, mounting legal costs, and decreased overall confidence in our elections. This is a vicious cycle that must be mitigated for the good of our country.

In my testimony here today I want to do three things that I hope will be helpful to the Committee and to the American public in contextualizing the recent decline in trust in our elections and in charting a way forward: Explain and address some of the most frequently misunderstood parts of election administration that I see contributing to decreased confidence as New Mexico's chief elections officer; Detail some of the practices to improve trust in elections that we employ in my state; And discuss wider strategies for improving voter confidence.

The reasons for the decline in trust in American elections are multifaceted and though I have here drawn attention to the recent proliferation of misinformation, arguments can be made that mistrust in American elections goes back much further – for example, to the controversial 2000 *Bush v. Gore* decision, to the discriminatory days of Jim Crow, or even all the way back to the ballot-stuffing schemes of late Nineteenth



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Century political machines. In reality, though, all that matters now is that trust *has* declined and we all have a stake in seeing it improve.

Providing easy access to factual information about voting and elections is a cornerstone of our strategy to increase trust about elections in New Mexico. When voters are misinformed about certain aspects of how voting and elections work, they lose trust in the system itself. Through a [multi-year research partnership](#) with the University of New Mexico that tracks voter attitudes and knowledge across election cycles, we've found there are knowledge gaps about some very fundamental aspects of the democratic process. For example, in the latest study, over 70% of New Mexico voters reported that they thought it was possible to learn someone's vote choices without their consent.<sup>1</sup> Though ballot privacy is fundamental to our democracy, many voters do not understand that no one can find out how you cast your ballot. This fact sheds light on one reason voters may have to distrust elections, but it also presents an opportunity to educate those voters and increase that trust. The report also found that when voters feel their ballot privacy is protected, confidence increases:

Individual experiences matter to voter confidence. Feelings that ballot privacy was protected increases confidence. 21% of voters who thought their ballot privacy was not well protected were very or somewhat confident, compared to 72% of voters who thought their ballot privacy was protected.<sup>2</sup>

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<sup>1</sup> Lonna Rae Atkeson and Wendy L. Hansen, "2022 Election Administration, Voter Security, and Election Reform Report," Accessed on 7 September 2024, <https://polisci.unm.edu/people/faculty/profile/2022-nm-election-administration-report.pdf>, Page 8

<sup>2</sup> Lonna Rae Atkeson and Wendy L. Hansen, "2022 Election Administration, Voter Security, and Election Reform Report," Accessed on 7 September 2024, <https://polisci.unm.edu/people/faculty/profile/2022-nm-election-administration-report.pdf>, Page 7



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Other strategies for improving voter confidence identified in the latest report include ensuring privacy sleeves for ballots are available for all voters, having helpful poll workers, and having a positive interaction with staff members of the county clerk or the Secretary of State's Office.

Misinformation about who votes in our elections is another key factor that diminishes overall voter confidence. The issue of noncitizen voting is a prominent example of this. Noncitizen voting simply does not happen in any systematic way in New Mexico or in the nation more broadly.<sup>3</sup> A Heritage Foundation study, for instance, reported only 24 instances of noncitizens voting nationwide over a twenty-year period between 2003 and 2023.<sup>4</sup> However, voters believe noncitizen voting does occur and this impacts their overall confidence in elections. About 36% of New Mexico voters, for example, believe noncitizens vote at least some of the time.<sup>5</sup> This knowledge gap provides election administrators and leaders of all kinds an opportunity to better educate voters about the requirements and procedures for registering and voting, and the legal penalties for violating the law.

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<sup>3</sup> Alex Nowrasteh, "Noncitizens Don't Illegally Vote in Detectable Numbers," Cato Institute, Accessed on 7 September 2024, <https://www.cato.org/blog/noncitizens-dont-illegally-vote-detectable-numbers>; Also see Sean Morales-Doyle, "Noncitizens Are Not Voting in Federal or State Elections — Here's Why," Brennan Center for Justice, Accessed on 7 September 2024, <https://www.brennancenter.org/our-work/analysis-opinion/noncitizens-are-not-voting-federal-or-state-elections-heres-why>

<sup>4</sup> "Voter Fraud Map: Election Fraud Database," The Heritage Foundation, Accessed on 7 September 2024, [https://www.heritage.org/voterfraud/search?combine=citizenship&state=All&year=&case\\_type=All&fraud\\_type=All&page=0](https://www.heritage.org/voterfraud/search?combine=citizenship&state=All&year=&case_type=All&fraud_type=All&page=0)

<sup>5</sup> Lonna Rae Atkeson and Wendy L. Hansen, "2022 Election Administration, Voter Security, and Election Reform Report," Accessed on 7 September 2024, <https://polisci.unm.edu/people/faculty/profile/2022-nm-election-administration-report.pdf>, Page 8



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Proactively addressing some of the most common misunderstandings about our voting and elections is a key strategy we employ in New Mexico to improve overall voter confidence. Voters are smart, but elections are complex and misinformation is rife, so we created a central location on our website where New Mexicans can receive up-to-date, factual information from a trusted source. Our [Rumor vs. Reality](#) page, modeled on the Cybersecurity and Infrastructure Security Agency's [Rumor Control](#) program, addresses some of the most common misinformation narratives related to New Mexico elections.

Connecting the public with their local election administrators is another critical strategy we use in New Mexico to promote trust in our elections. Over the past two election cycles my Office partnered with a coalition of non-partisan, non-profit organizations on a statewide media campaign highlighting the work of county election officials and educating voters about the integrity of New Mexico's elections. The campaign – entitled [Your Vote Counts, New Mexico!](#) – is composed of a series of videos recorded by county clerks, county clerk staff, members of the Secretary of State's Office, and other election administrators that are distributed on TV, radio, and online as public service announcements. The videos were recorded by a bi-partisan group of county clerks and other New Mexico election officials. English, Spanish, and Navajo (Diné) language videos were all recorded to expand the reach of this effort across New Mexico's diverse communities. This effort puts local election



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administrators, whom voters are more likely to trust,<sup>6</sup> out front to talk directly to voters about why they can have confidence in our elections.

I am extremely proud to say that this year, New Mexico's election administration was ranked number one in the nation by the Massachusetts Institute of Technology's prestigious [Elections Performance Index](#). Some of the reasons for our ranking include New Mexico's transparency around voting and elections, our wide variety of voter access tools, and the extensive security measures we have in place to ensure accuracy and fairness in every election. We have multiple ways to cast a ballot in New Mexico and many layers of security that instill confidence in our voters. Post-election audits, air-gapped vote tabulators, 100% paper ballots, year-round voter list maintenance, and a variety of other security measures show our voters that we protect the integrity of their votes. Online and same day voter registration, extensive early voting, no-excuse absentee balloting, secure ballot dropboxes, voting convenience centers, consolidated local elections, and other policies make it easy and accessible for all eligible voters to make their voices heard. In New Mexico, we pride ourselves on balancing voter access with election security and I hope we provide a model that other election administrators find useful as they look for strategies and policies to increase voter confidence.

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<sup>6</sup> Grace Olson, "Rebuilding Trust in Elections Starts at the Local Level," National Conference of State Legislatures, Accessed on 7 September 2024, <https://www.ncsl.org/state-legislatures-news/details/rebuilding-trust-in-elections-starts-at-the-local-level>



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I hope my testimony is helpful for the Committee and your future work. I thank you again for giving me this opportunity to testify on this crucial matter of election confidence. I look forward to answering any questions you may have for me.