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**AFFIDAVIT OF CHARLES E. CORRY**

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I, Charles Elmo Corry, hereby swear and affirm under penalty of perjury under the laws of the State of Colorado, that if called to testify in this matter, I would state the following:

1. I am a resident of El Paso County, Colorado, currently living at 455 Bear Creek Road, Colorado Springs, Colorado 80906-5820, and a registered elector in the State of Colorado, and I have personal knowledge of the matters set forth below.
2. On Friday, October 25, 2002, in company with Carol Pfeffer, I queried the acting El Paso County Clerk, Theresa Sholdt, her election manager, Marguerite Duncan, and a third woman, known to me as "Susan" for a period of approximately one-and-one-half hours between 11 AM to 12:30 PM.
3. My observations and questions were based on forty years of computer experience as an oceanographer and geophysicist, a doctorate in geophysics and an international reputation as a research scientist, experience with the International Electrical and Electronic Engineers Voting Standards committee <<http://grouper.ieee.org/groups/scc38/1583/>> on which I serve, and prior interviews with Theresa Sholdt and the El Paso County attorney.
4. During the interview Carol Pfeffer and I were shown the procedures and equipment in use by the El Paso County Clerk in an attempt to comply with the signature verification requirements for absentee ballots included in recent legislation. The Clerk and her staff were extremely cooperative and open at all times and willing to demonstrate their procedures and safeguards without restraint.
5. While the process used by the El Paso County Clerk would in no sense be adequate for a mail in election, in general Terry Sholdt and her staff have done an excellent job of adapting and improvising, using the equipment and software presently available to them, in order to handle signature verification of absentee ballots in the present election.

### **Signature Verification Process I Observed**

The El Paso County Clerk has been using the Votec <<http://www.votevotec.com/prod01.htm>> Election Management And Compliance System (VEMACS) for voter registration in conjunction with Votec <<http://www.votevotec.com/prod03.htm>> QuickSig and Desktop Imaging to capture voter signatures.

Votec is located at:

16980 Via Tazon, Suite 120

San Diego, CA 92127

Phone: 800-34-VOTEC

Fax: 858-674-6050

Email: [bbilyeu@votevotec.com](mailto:bbilyeu@votevotec.com)

Signatures are scanned at low resolution (probably 300 dpi) into the VOTEC database (based on Oracle) from voter registration forms submitted by the voter. When the voter later submits an absentee ballot, a clerk visually compares the signature on the returned envelope with the scanned image in the VOTEC database. The relation between the returned ballot and the voter in the database is established by a bar code on the envelope.

As an improvisation and adaptation of existing equipment for absentee ballots in the present election I found their methods both adequate and ingenious.

## Problems With The Processes I Observed

While the El Paso County Clerk's election department has done an outstanding job there are serious problems apparent when looking *beyond* the present election and outside El Paso County:

- The process used for absentee ballots here is labor intensive, requires close supervision, and training of a substantial number of people.
- The skill, concentration, and intelligence level required for this process is high. Therefore the potential for mistakes and errors in more general use is high as well.
- The improvisation in use in El Paso County is near its limits, is probably not scalable either upwards or downwards (to a small county), and would likely be overwhelmed in a general election conducted entirely by mail.
- There is no evidence the Votec systems have been certified through the National Association of State Election Directors <<http://www.nased.org/>> by the election department (Bill Compton) of the Colorado Secretary of State as required.
- Smaller counties probably do not have the secure space, personnel, budget, and physical facilities required to carry out signature verification in a similar manner.
- The process used here is an improvisation and the Votec system was not designed and has not been certified for this use.
- The Votec voter registration system is in no sense an automated signature verification system such as a large bank might use, nor does it use any biometric data in attempting to verify a signature. Therefore forgery done with any skill whatsoever is virtually undetectable.
- The system is subject to fraudulent voter registration of the type recently reported in South Dakota <<http://www.ejfi.org/Voting/Voting-12.htm>> by the Wall Street Journal.
- The security requirements and monitoring in place in El Paso County are not in general use, nor would smaller counties likely have the resources or backgrounds necessary to implement such security.
- Automated statistical analysis and auditing is not available. Thus there is no way to determine such parameters as false positive or false negative signature correlations.
- There is presently no way for a voter to know whether their absentee vote was counted or even received by the county clerk. That increases the potential for rigging an election.
- Handling of unsigned ballot envelopes is dependent on labor intensive efforts by the county clerk and election department to personally contact the voters. Unsigned ballots are the largest reason for rejecting absentee ballots at present and apparently amount to 1-2% of those received.
- Only improvised methods are available to maintain a secret ballot and simultaneously handle spoiled absentee ballots.
- A spoiled ballot that has been mailed in cannot be corrected by the voter as is presently readily done in precinct voting. The current Accu-Vote tabulator reportedly handles an overvote in a given race by simply not counting the vote for that race. That requires a manual override of the tabulator and in a precinct the voter would be given an opportunity to correct their vote that isn't available when a ballot is mailed in.
- The process here is entirely dependent on the integrity, honesty, and intelligence of the county clerk and the election department. For comparison, under the current Arapahoe County clerk, whose ethics have been formally and unanimously questioned by the Arapahoe County Board of Supervisors, and is a county of comparable size, it is extremely unlikely that election integrity remotely approaches the standards of El Paso County.

## Summary Of Observations

The El Paso County Clerk and election department are to be congratulated on their ingenuity and improvisation in meeting recently enacted legislation regarding signature verification on absentee ballots.

Cost and budget constraints currently prevents acquisition and implementation of signature verification hardware and software. Even if federal or state funds are made available to purchase these sophisticated systems it is unlikely that smaller counties can maintain and support such equipment in a secure environment, nor is the need evident except for voter "convenience."

Given the labor intensive processes in use by the El Paso County Clerk it is not apparent that any cost savings could be realized by more general use of mail in balloting. It is quite apparent that security and secrecy are sacrificed when a ballot is mailed in and the potential for fraud increased.

It appears unlikely that any technology currently available, or available in the foreseeable future, will substantially improve the problems noted above with mailed in ballots. Other Colorado counties could, however, bring their practices and standards up to those in place in El Paso County. But, as a practical matter, it seems quite unlikely that smaller counties have the resources to do so. And many larger counties appear to lack the will to do so.

FURTHER AFFIANT SAYETH NAUGHT

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Charles E. Corry

State of Colorado

County of El Paso

Subscribed and Affirmed To before me this \_\_\_\_ day of October, 2002 at Colorado Springs, Colorado.

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Notary Public

My commission expires: \_\_\_\_\_



