









## Testimony for December 12, 2022 Elections Commission Meeting

Corinne Solomon

Aloha Elections Commission members and Chief Officer of Elections Scott Nago,

**I have several recommendations I would like to present.**

1. With the increased interest in citizen research of election data, I recommend making the Cast Vote Records (CVR) available to the public after the elections by posting them on the Office of Elections website. This would eliminate the need to address multiple public records requests and help to increase transparency. San Francisco County took this initiative and has posted the CVR on their elections website:  
<https://sfelections.sfgov.org/november-8-2022-election-results-detailed-reports>
2. I recommend making the ballot images, ballot scanner batch summary reports, audit logs, systems logs, and other relevant elections data available to the public for the same reasons listed above. Here is a screenshot from the San Francisco County Elections website taken on 12/8/2022 which shows the data they have released to the public:

Cast Vote Record (Raw data) - JSON ?				
Ballot Images - Raw Images <i>Large file warning: ballot images are zipped by supervisorial district with each file between 16GB and 35GB</i>	Ballot Images hosted externally 			
Vote-by-Mail Ballot Report				
Provisional Ballot Report				
Conditional Voter Registration Ballot Report				
ImageCast Central Logs ?				
Ballot Scanning Machine Logs ?				
SHA-512 ?				

I understand the jurisdictions and roles of the State Office of Elections vs. the County Clerks. While the state OE can argue that the next points are within the counties' jurisdiction, for the greater good of the public I ask that the OE and the EC bridge the gap and work together with the counties to address and support the following:

3. Mail-in and in-person ballots are not treated equally. If there is an issue with an in-person voter's ballot it can be resolved in real time at the Voter Service Center. Mail-in voters are not awarded this immediate action opportunity to correct deficiencies, furthermore, the curing process differs from county to county. Some counties call voters to cure their ballots, while others send letters. Attempts to contact voters for ballot curing should be uniform across all counties and should be done with the most effort, not the minimum. Voters need to be contacted by phone, email, **and** regular mail, regardless of county residence.

4. There are no official observers at the county level for signature verification and ballot Chain of Custody at the drop boxes and post office pickups. Observers should be present at every handoff point of our ballots.
5. Drop boxes on Oahu are placed in unlit parks with no surveillance and are kept open for 24 hours a day despite park hours listed as closed overnight (excluding Mililani and Hawaii Kai Park and Rides). These drop boxes need to be in more secure areas and have video surveillance, with accessibility in line with the facilities' business hours.

For points 3 and 4, if staffing is a concern, I am willing to help recruit volunteers for the 2024 election season.

For point 3, if the county clerks can provide data on the ballot curing success rates using different methods to reach voters I would be happy to aggregate it and compile a report.

I am also available to meet with city council members and county clerks to discuss and write proposals to require observers for signature verification and mail ballot chain of custody collection and hand off points.

It is my personal belief that universal mail-in voting needs to be eliminated, ballot harvesting made illegal, and voting needs to be done in person with voter ID at the precinct level with no voting machines and black box voting software. Until this gains bipartisan support and can be addressed at the legislative level, I hope you are willing to respectfully listen to and address the concerns of over 60% of the American citizens who have lost faith in our current elections system.

Mahalo,

Corinne Solomon  
Honolulu, HI

Attachment from the Washington Election Integrity Research Team

# OBVIOUS REASONS ELECTIONS BY MAIL ARE IMPOSSIBLE TO SECURE



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**MAIL-IN BALLOTS  
INTRODUCE  
UNNECESSARY RISKS  
TO THE VOTING PROCESS**

**BALLOTS MASS MAILED OUT TO  
UNEXPECTING PEOPLE**

**NO CHAIN OF CUSTODY FOR THE  
BALLOTS**

**NO ASSURANCE THE BALLOTS  
MAKE IT TO THE RIGHT PERSON**

**NO WAY TO KNOW WHO FILLED  
OUT THE BALLOT.**

**NO KNOWLEDGE OF WHERE THE  
BALLOTS END UP WITH MAIL  
FORWARDING CAPABILITIES**

**MAIL THEFT IS A WIDESPREAD  
PROBLEM.**

**ENABLES MASSIVE BALLOT  
HARVESTING WITH LITTLE  
EFFORT OR COST**

**POST OFFICE HAS UNSUPERVISED  
ACCESS TO BALLOTS..**

**USPS DONATES TO THE  
DEMOCRAT PARTY. THEY ARE NOT  
NEUTRAL.**

Elections should be conducted in person, with few exceptions, require a voter provide an ID to get a ballot, and should not use the Post Office to deliver and return ballots.

Any ballots being mailed should only be sent upon request, such as an absentee ballot. No permanent absentee status should be available to anyone. A renewal process is appropriate.

Chain of custody should be required for all ballots at all times. The post office offers no chain of custody, neither does the delivery location.

Even if delivered to the right address, there is no way of ensuring the ballot made it to the correct person.

Signature verification is the only process which is supposed to prevent another person from filling out a ballot. This is an insufficient method of determining if the right person filled out the ballot.

The post office or a private mail company can forward ballots without disclosing the final delivery point for the ballot. This allows for potential massive ballot harvesting and fraud.

Thieves target mailboxes and package deliveries. Ballots are of high value when power is up for grabs. .

The Post Office can easily be used to assist with massive ballot harvesting with little effort or cost. They also aren't subject to the same public records disclosure either.

The Post Office is conducting an important part of our elections and it is all behind closed doors, where observers cannot be present.

USPS is a supporter and donates heavily to the Democratic party. This prevents them from remaining neutral and we cannot guarantee that their political biased isn't reflected in their work.

**From:** [Amanda Kwiatkowski](#)  
**To:** [OE.Elections](#)  
**Subject:** [EXTERNAL] Testimony for Dec. 12th Elections Commission meeting  
**Date:** Thursday, December 8, 2022 9:54:25 AM

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Dear Elections Commission,

This testimony is in regards to your meeting on December 12th at 10:00 am, agenda item titled "Performance Evaluation and Consideration of Salary Adjustment of the Chief Election Officer."

Our Chief Election Officer, Mr. Scott Nago, has significantly under performed according to both statute and the needs of the People. It may be said that public trust in Hawaii State elections is at an all time low. There are many examples to demonstrate lack of ability to perform his job satisfactorily, but one will be demonstrated here. According to HRS 16-42, each election in which a machine is used must undergo an audit as described in this statute. As of the date of this writing, there continues to be an acute failure to perform both the audits for the primary and general election appropriately. Instead of auditing from paper ballots, the State used digital ballot images. Instead of checking all contests on the ballot, the State looked at only one contest per precinct. And the list of complaints from the People goes on and on and on, as you surely are aware of. Suffice to say, instead of Mr. Nago demonstrating competence, transparency, and integrity, he has shown serious lack in these areas.

On top of all this, according to HRS § 92-5(a)(2), the Commission may not conduct a performance evaluation or salary adjustment until after the general election is certified. As of December 7th, 2022, the election had not yet been certified. In order to act according to statute, such a discussion must occur after certification of the recent election.

Thank you for being a servant of the People.

Amanda Kwiatkowski

**From:** [LINDSEY REX](#)  
**To:** [OE.Elections](#)  
**Subject:** [EXTERNAL] Testimony: 12/12/22 Commission Meeting  
**Date:** Friday, December 9, 2022 11:23:46 AM

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Aloha Friday Elections Commission,

My testimony is in regards to your meeting on December 12th at 10:00 am, agenda item titled "Performance Evaluation and Consideration of Salary Adjustment of the Chief Election Officer."

Our Chief Election Officer, Mr. Scott Nago, has significantly under performed according to both statute and the needs of the People. It may be said that public trust in Hawaii State elections is at an all time low. There are many examples to demonstrate lack of ability to perform his job satisfactorily, but one will be demonstrated here. According to HRS 16-42, each election in which a machine is used must undergo an audit as described in this statute. As of the date of this writing, there continues to be an acute failure to perform both the audits for the primary and general election appropriately. Instead of auditing from paper ballots, the State used digital ballot images. Instead of checking all contests on the ballot, the State looked at only one contest per precinct. And the list of complaints from the People goes on and on and on, as you surely are aware of. Suffice to say, instead of Mr. Nago demonstrating competence, transparency, and integrity, he has shown serious lack in these areas.

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Mahalo for your time & energy

***Lindsey Rex***

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-Much Aloha, Lynzy Rex-  
[Styled In Hawaii](#)



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State of Hawaii  
Elections Commission  
Monday, December 12, 2022, 10:00 a.m.  
Via Videoconference

## TESTIMONY REGARDING 2022 GENERAL ELECTION

Chair Anderson and Commission Members,

Aloha. My name is Janet Mason. I am a member of the League of Women Voters of Hawaii's Legislative Committee.

My remarks today concern the 2022 General Election conducted throughout the State of Hawaii. We have read the Chief Elections Officer's December 8, 2022, Status of Operations report, and think it is an accurate account of the scope of work during Hawaii's general elections. In this election, League members participated as Election Observers at the Oahu and Hawaii Island Counting centers, as well as visiting the Honolulu Elections Division Mail Center.

Turnout results statewide were better than the primary (48.7% vs. 39.8%), but we were still disappointed, because our aim is at least a plurality of registered voters voting. Results did show the widespread acceptance of voting by mail, with 96% of voters using this method. We do not know why our turnout isn't more robust, because in Hawaii it's now easy to register to vote and then vote. As always, the political circumstances of each election are distinct.

This year the Office of Elections was extremely successful in recruiting and overseeing volunteers and Election Observers, and has greatly improved its voter education efforts, particularly its website.

### **VOTER REGISTRATION**

Less apparent to the public is the steady statewide increase in voter registration, particularly since the Automatic Voter Registration law became effective in July 2021. For the General Election in 2018, 756,751 people were registered to vote. By the General Election in 2020, 832,466 individuals were registered, and by the General Election in 2022, 861,358 people were registered. This dramatic increase of 100,000 voters in four years is a tribute to the hard work of our County Clerks and Office of Elections, supported by this new legislation. However, we have received a complaint regarding slow processing of voter registration in Hawaii County via the Department of Motor Vehicles, with the voter reporting he had not received a ballot more than three weeks after he received his driver's license. Upon checking with the County Clerk, he reported the Clerk did not have his registration form after





more than three weeks. We do not know how extensive this problem is, but perhaps some standards need to be introduced to help prevent this situation.

Thank you also to the City and County of Honolulu for improved transparency regarding signature verification – this activity can now be seen by Election Observers firsthand (from remote televisions). However, we still seek having official Election Observers present during all mail handling operations, being able to verify the chain of custody of ballots at every stage of mailout, transportation, handling, and voting, including the Voter Service Centers and Honolulu Elections Division Mail Center.

The League has always supported allowing the County election offices to choose the number and location of voter service centers and drop boxes. We are gaining even more confidence that the Honolulu Elections office is thoughtfully monitoring and planning this, because upon arrival at the mail center they color code the outside ballot envelopes returned from voters to indicate from where they originated. This gives some indication of future demand at various Oahu locations.

There were only two recounts required in the General Election, but it is already obvious that we need legislation to lengthen the time for publication of election recounts. Currently it is 72 hours post-election, which is ideal for voters and candidates but from firsthand observation this strains the Counting Center's resources. Should a large recount **or** many recounts (or both) occur simultaneously 72 hours is insufficient time for recounting. Going along with this, it would be a good idea to change the legislative trigger for a recount from the current standard with a margin for a race or ballot question less than or equal to 100 votes or 0.25% of the total ballots cast, whichever is **greater** to a clarify that the standard should be .25% or 100 votes, whichever is **less**.

There is a continued need to remind voters about the importance of submitting a ballot that has an accurate outside envelope signature, together with urging voters to mail well before Election Day. Otherwise, if the voter submits a faulty envelope close to Election Day without a signature, it may not be possible to cure this problem within five business days after the election. The League supports legislation to reasonably lengthen the time available to voters to cure a signature deficiency.

## **FORTHCOMING LEGISLATION**

On December 1st, the State House Commission to Improve Standards of Conduct recommended two voting-related measures in its published report, one concerning voter education and one concerning a Constitutional amendment for term limits. League strongly supports the draft voter education bill but opposes term limits.

The draft voter education bill would require the Office of Elections to publish and distribute a statement from each candidate for public office for primary, general, and special elections.



The pamphlet proposed would also contain a pro/con analysis of each general election ballot question for County and State ballot questions.

When this measure is introduced, we hope the Office of Elections will provide detailed comments about the voter education proposal, including a cost estimate for this ongoing project. An appropriation is included in the bill, which also features responsibilities for the Legislative Auditor and the Attorney General.

Thank you for the opportunity to submit testimony.



## writtenTestimony for EC meeting 12/12/22

December 11th, 2022  
Election comission

I was a poll watcher for the primary and the general elections this year at the West Hawaii civic center. These are the things I noted during my volunteer service:

May people expressed disapproval of having only two voting service centers.  
Long distance to drive is a deterrent to voting in person. Is this by design?  
The greatest percent of traffic was by voters who dropped their ballots in the voting centers drop box, showing increasing Distrust of postal service.  
Some voters did not receive a mail in ballot therefore came in to vote.

The actual process of in person voting seemed smooth. The staff adept and pleasant.  
I was dismayed to see that once your voter ID was input into the Hart Intercivic computer it was basically anonymous, just identified by precinct.  
This is vulnerable to system rigging.

Signs of total distrust appear now as concerned groups of citizens resort to drop box watching, to catch ballot harvesters. We see that the ballot drop box courier acts alone without any chain of custody to monitor and verify his stops.

I participated in a zoom meeting last month wherein county Clerk, Jon Hendricks appeared before the league of Women voters. Mr Hendricks could not answer many of the day to day procedural questions that were asked by voters. Yet he expressed total faith in Hart InterCivic. I learned that signature verification is done by only hand selected county employees. There is no general public republican or democrat present as observers. Mr Hendricks said it was due to safety.  
All these processes are not transparent and are held behind closed doors.

I'm aware that the election board does not legally follow required procedures prior to certification.  
This case has been brought to the Hawaii Supreme Court.

Hart InterCivic appears to "own and "run" our elections. Many like myself do not trust an unchecked entity to "own" our ballot images.  
I Have asked for past Cast vote records and have been told by officials within government that they are owned and are the possession of Hart InterCivic therefore not available.

Every person I know has lost total confidence in the integrity of our elections and mock our government officials. For one dominant political party to take any measure necessary to remain in control is destructive to our society.

There should not be a voting "season". it attracts fraud.  
One day, in person with paper ballots.  
Stop the third party tech company control.

Thank you for hearing my concerns. I pray that God will call upon each and everyone of you to do what is right and Just so that we citizens do not lose our rights and freedoms.

Respectfully submitted,

Julie Schaus

writtenTestimony for EC meeting 12/12/22

December 12, 2022 (In-Person Testimony)

Aloha. Thank you, Mr. Chair and Commissioners for this opportunity to testify.

My name is Jamie Detwiler, Hawaii State House of Representatives candidate for District 37 representing Mililani and Waipio Gentry. I am the 2023 President-elect of the Hawaii Federation of Republican Women.

The subject of my testimony refers to Agenda item VI., Performance Evaluation and Consideration of Salary Adjustment of the Chief Election Officer, Pursuant to HRS §§ 11-7.5(5) and 11-1.6(e), and HRS 16-42.

Before considering a salary adjustment (especially an increase), please take note of the current poor performance practices of Mr. Nago, Chief Election Officer:

1. Failure to perform audits in the 2022 Primary and General Elections in accordance with HRS 16-42. I recommend that the results of the audits be published for the public.
2. Failure to respond to my written request to comply with HRS 16-42 received by the Office of Elections on 11/14/22 by certified U.S. Mail.
3. Failure to respond to my written request for a hand count of House District 37 received by the Office of Elections on 11/14/22 by certified U.S. Mail based on the following evidence of maladministration:
  - a. No documentation of Chain of Custody for Drop Box Ballots and U.S. Mail ballots.
  - b. Disparity between the favorable results for my opponent for the Mail-in votes and favorable results for myself for the In-person votes.
  - c. No post-election accounting of pre-printed ballots used at Honolulu Hale, Kapolei Hale, and Voter Service Centers.
  - d. No Chain of custody for a supplemental drop box used at Honolulu Hale on Election Day that was wheeled out to the curb because the primary box was full.
4. Dirty Voter Rolls – On November 6, 2020, Mr. Nago stated that over 100,000 ballots were mailed to the wrong address or to deceased people. That's one-eighth of the registered voters. This is not acceptable.

For these and many other concerns from "We the People", I strongly recommend an evaluation rating of "Poor". I also recommend a written admonishment to include suspension with consideration to remove from office based on poor performance.

I am a retired Federal Civilian with over 30 years in social services and healthcare administration. I served as a supervisor and program manager during my career where I underwent multiple audits as well as conducted program audits. The procedural maladministration described today are unacceptable and warrant immediate attention.

Thank you for your service to the people of Hawaii.

Respectfully submitted,  
Jamie Detwiler

Mr. Scotty Anderson Elections Commission  
c/o Office of Elections

RE: Election Commission Hearing December 12, 2022

Mr. Anderson,  
Reviewing the sequence of the notice for this hearing. The Status of Operations Report supplied by the Honorable S. Nago is dated December 8. The submission deadline for written testimony is two (2) working days prior to the meeting, in this case that would have been Wednesday December 7, 2022.

Is it a reasonable expectation for the Citizens of Hawaii to be time travelers or clairvoyant to have informed and prepared participating in public hearings?

Discussion of the Mandatory Audit is conspicuously absent from the posted materials. This is a formal request for the Elections Commission to make public the Audit Report that was presented to the Commission.

Mahalo for your service,  
Edwin Boyette

ORAL TESTIMONY FOR ELECTIONS COMMISSION MEETINGS, DECEMBER 12, 2022

Aloha Chair Anderson, Commissioners and Chief Elections Officer Nago,

In follow up to correspondence with the Office of Elections and the Election Commission regarding the 2022 Primary Election, a review of the Cast Vote Records (CVR) showed that some of the 340,159 XML ballot files were placed in duplicate batch numbers. Some of these batches also have missing sequence numbers within the batch. Along with the 9,322 XML ballot files for in-person voters which have a filed modification date of 1/1/2022, data appears to have been altered or deleted in these files prior to release to the public. The Office of Elections has not provided an answer to these discrepancies. Will the Election Commission address these discrepancies and provide the 2022 General Election CVR for review?

The Office of Election's Nov 18, 2022 Implementation of Elections By Mail report to the legislature only two weeks after the Nov 8 General Election was premature and fails to address two key issues that were used to advocate for Elections By Mail 1) voter participation, and 2) fiscal impact. The report breaks from previous reports in not assessing the true cost of Elections By Mail and fails to report on the lack of voter participation from the 2022 Kauai Special, 2022 Primary or 2022 General Elections.

In the Office of Elections December 8, 2022 Status of Operations report, the following was stated:

It was also noted by the Commission that directors and deputy directors are generally at the top of their professions, often with graduate degrees (including JDs, MDs, Masters', PhDs in various fields) and several years of specialized experience qualifying them for the positions. Because of these reasons, it can be very difficult to attract and recruit for director and deputy director positions.

Has the Election Commission sought to attract and recruit for a qualified director or deputy director?

As there is an active contest of the 2022 General Election at the Hawaii Supreme Court #SCEC-22-0000703, to which the election should and cannot be lawfully certified, I respectfully request the Commission table Agenda Item VI. Performance Evaluation and Consideration of Salary Adjustment of the Chief Election Officer, Pursuant to HRS §§ 11-7.5(5) and 11-1.6(e), and Action, If Appropriate, as the time requirement has not been satisfied.

Sincerely,

Adriel Lam  
Vice Chair, Election Integrity  
Hawaii Republican Party