



**STATE OF HAWAII
OFFICE OF ELECTIONS**

802 LEHUA AVENUE
PEARL CITY, HAWAII 96782
elections.hawaii.gov

SCOTT T. NAGO
CHIEF ELECTION OFFICER

January 4, 2022

To: Elections Commission

From: Scott T. Nago
Chief Election Officer

Re: Status of Operations

Our office has been working to implement new voting equipment and ballot tracking service, and conduct voter education and outreach. In addition to preparing for the 2022 Elections, our office has been supporting the 2021 Reapportionment Commission as they redraw the congressional and legislative district lines.

We have also implemented the election-related measures enacted following the 2021 Legislative Session and submitted our bill package for consideration by the Legislature in 2022.

2021 LEGISLATIVE SESSION

The following bills were enacted in 2021:

Act 7, SLH 2021, relating to election proclamations, repeals the requirement that election proclamations contain a statement of the time and places where an election is to be held and specifies that the county clerk, not the chief election officer, shall issue the election proclamation listing information on voter service centers and places of deposit. This was an Office of Elections bill proposed to ensure the County Elections Divisions can promptly notify their voters of any changes to the voting and ballot drop box locations.

Act 14, SLH 2021 addresses some of the concerns noted by the 2011 Reapportionment Commission, including defining permanent residents. Due to the delay in redistricting data to create the Reapportionment Plan, the bill also amends the start of candidate filing for the 2022 Election only, from February 1 to March 1. Funding for the Reapportionment Commission for the fiscal year beginning July 1, 2021 is included in this bill.

Act 126, SLH 2021, relating to voting, implements automatic voter registration. We have coordinated with the Department of Transportation, County Examiners of Drivers, and County Elections Divisions to provide automatic voter registration for voters. As an applicant for a Hawaii Driver License or State ID completes the application, they must indicate if they would like to register to vote, decline to register to vote, or decline to use the application to update their voter registration record. The clerks at the DMV ensure the application is completed prior to accepting it. The County Elections Divisions subsequently process the application. This bill also establishes the electronic transmission of voter registration data from the Department of Transportation's database for driver licenses and state IDs to the statewide voter registration system. We are still working on this electronic transfer of the data between the systems, but there is no impact on voters as the paper applications continue to be transmitted to the County Elections Divisions for processing.

Act 213, SLH 2021, relating to elections by mail, amends various election statutes, including allowing ballots to be counted beginning 18 days before the election and moving the voter registration deadline from 30 days to 10 days before Election Day. This bill establishes five special needs advisory committees to be attached to the Office of Elections and each County Elections Division. We are waiting to receive appointments from the Governor to convene the special needs advisory committee attached to our office. It also amends the voter registration affidavit to include a statement for voters with special needs to request an electronic ballot emailed each election. The Voter Registration Application, Absentee Ballot Application, online voter registration system, and the Hawaii Driver's License Application and Hawaii State ID Application have all been updated to include this statement.

2022 LEGISLATIVE SESSION

Bills that did not pass this legislative session may be considered during the 2022 Legislative Session. Two of our proposed bills from 2021 that did not pass were 1) amending the timeline for a state senate vacancy, and 2) moving the deadline to conduct a recount to the five days after the election instead of 72 hours following the close of voting. We have also submitted the following bills for consideration in this legislative session:

Petition Signature Withdrawal

One bill amends the requirements to withdraw a signature from a petition. The petition process includes qualifying as a political party or appearing as a presidential candidate. We are proposing this a housekeeping measure to standardize the requirements for a signatory to remove their name from a petition.

Political Parties

The second bill amends the deadlines for political parties to file their rules and officers to occur on the same day. Every election year, qualified political parties must resubmit their current party rules and provide the names and addresses of the party officers of central committees and respective county committees. We propose this housekeeping measure to receive the required information from the qualified political parties on the same deadline.

Tabulation of Ballots

The third bill amends the initial tabulation of ballots and the calculation of an automatic recount. We are proposing amending the initial tabulation to constitute ballots received by the County Elections Divisions by the close of voting, excluding those deemed deficient. The current law is tied to ballots validated by 6:00 AM on the day following an election. State and County election officials cannot anticipate the number of ballots received at the close of voting and the time required to open and count those ballots. In the 2020 Elections, the last Election Day report was printed at 11:38 AM for the Primary Election, and

7:27 AM for the General Election. This bill would also amend the calculation for automatic recounts to address different types of contests, following the previous calculations from the 1970 law. For statewide and countywide contests, the calculation would be for differences of one-eighth of one percent. For all other contests, a recount would be triggered if the difference between the impacted candidates is less than or equal to one-fourth of one percent.

BALLOT TRACKING

We are working with the vendor Ballot Trax, to provide ballot tracking services. The service can use the sorting information from USPS, available at the Honolulu processing facility, as well as information from the statewide voter registration system.

The ballot tracking portal is currently being used for the County of Kauai special elections for prosecuting attorney. Kauai voters can sign up for text, email, or voice alerts, or log in to the online application to check that their ballot was mailed, that the voted ballot has been received by the County Elections Division, and then that the ballot has been validated for counting. This service will be available to all Hawaii voters in the 2022 Elections.

2021 REAPPORTIONMENT AND REDISTRICTING PLAN

The office continues to provide technical and logistic support to the 2021 Reapportionment Commission. Our office needs the completed 2021 Reapportionment and Redistricting Plan to establish the district/precincts. The precincting process of identifying the ballot type and redrawing the district/precinct lines takes approximately one month. This district/precinct data are used to conduct candidate filing and create the 2022 Elections ballot types. Additionally, the County Elections Divisions use this data to reassign voters to their new district/precinct. Voters are notified of the changes when the County Elections Divisions conduct list maintenance. The district/precinct assignments are also used for the ballot mailings.

VOTER EDUCATION

This year, we have partnered with Olelo to sponsor a category in the 19th Annual Youth Xchange Video Competition. The Competition launched on Monday, September 13. It is Hawaii's largest statewide student video contest and encourages students to engage with issues of concern to the youth. Students from elementary through college are invited to create a short video on a sponsored topic, including Elections & Voting. Entries are due by February 21, 2022, and all submissions will be aired statewide on Olelo. Finalists are invited to an in-person awards banquet where the winners receive a high-definition video camera for their school. We will use the top submissions from our category for various voter education purposes, including promoting voter registration and the 2022 Elections.

We also launched the annual Young Voter Registration Program (YVRP), which runs from September 28, 2021, through January 28, 2022. YVRP aims to provide voter registration opportunities for high school students and promote awareness and understanding of the election process. Hawaii offers pre-registration for residents ages 16 and 17 years old to automatically receive a mail ballot for every election after turning 18. All 114 public, private, and charter high schools statewide have been invited to appoint a liaison responsible for distributing Voter Registration Applications to eligible students, assisting with any questions, and submitting completed applications to our office by the program deadline. This year, 22 schools have volunteered to participate. In 2020, as most schools participated in distance learning due to COVID-19, we translated our YVRP efforts into an e-newsletter and had 19 schools participate. In 2019, when we last ran YVRP with the traditional distribution of paper applications, we had the participation of 54 schools statewide.

In addition, we launched a Hawaii Votes video series and email newsletter. Hawaii Votes episodes and newsletters will be released monthly throughout the 2022 Election year to provide voter reminders and explore timely election topics, including candidate filing and election security. Our premiere release was a recap of 2021 in Hawaii elections, which explored changes in election law and provided

an update on the ongoing reapportionment. The resources were shared with partner community groups and promoted through our various social media platforms. We are encouraging the public to sign up for the email list to receive notifications on the latest releases.

2022 ELECTION PREPARATIONS

In August, we conducted a “mock election” with the voting equipment vendor, Hart InterCivic, and County Elections Divisions to establish our processes and procedures as we implement Verity, the new voting equipment. Our mock election tested the voting equipment to make sure it is counting ballots logically and accurately, and additional covered processes to count ballots before and on Election Day, and release the results reports. The mock election helped us to understand and familiarize ourselves with the new voting equipment before we conduct the 2022 Elections.

Finally, as a reminder, we have submitted our 2021 *Implementing Elections by Mail* report to the Legislature pursuant to Act 136, SLH 2019. It is available on our website at elections.hawaii.gov.

If you have any questions, please feel free to contact me at (808) 453-VOTE (8683) or 1-800-442-VOTE (8683).

From: [Wendell Elento](#)
To: [OE.Elections](#)
Subject: [EXTERNAL] Written Testimony 1 for Election Commission Meeting January 12, 2021 at 2pm
Date: Monday, January 10, 2022 9:38:25 PM
Attachments: [2020 ELECTION VIOLATIONS HRS STATUES FULL.pdf](#)
[COMPLAINT PACKAGE.pdf](#)

Here you go.

Wendell Elento
cell: 808-670-6565

2020 ELECTION LIST OF VIOLATIONS HRS STATUES

CHAPTER 11

- **§11-17 Removal of names from register, when; reregistration.** (a) The clerk, no later than 4:30 p.m. on the sixtieth day after every general election, shall remove the name of any registered voter who did not vote in that general election, and also did not vote in the primary election preceding that general election, and also did not vote in the previous general election, and also did not vote in the primary election preceding that general election, and also did not vote in the regularly scheduled special elections held in conjunction with those primary and general elections, if any, with the exception of:
 - (1) Those who submitted written requests for absentee ballots as provided in section 15-4; or
 - (2) Anyone who preregistered pursuant to section 11-12(b).
- If a person voted, at least once, in any of the above-mentioned elections, the person's name shall remain on the list of registered voters. For this purpose, "vote" means the depositing of the ballot in the ballot box regardless of whether the ballot is blank or later rejected for any reason. In the case of voting machines, "vote" means the voter has activated the proper mechanism and fed the ballot into the machine. In the case of an election by mail pursuant to part VIIA, "vote" means the voter has returned the ballot to the chief election officer or clerk by the United States Postal Service, by personal delivery of the ballot to a place of deposit or voter service center, or by electronic transmission under certain circumstances pursuant to part VIIA.
- (b) The clerk shall also identify or remove the name of any registered voter if the clerk, after mailing a notice or other correspondence, properly addressed, with postage prepaid, receives the notice or other correspondence as return mail with a postal notation that the notice or other correspondence was not deliverable. On election day, any person identified or removed shall have the person's name corrected or restored in the register and shall be allowed to vote if the person completes an affidavit or other form prescribed by the chief election officer affirming that the person:
 - (1) Claims the person's legal residence at the address listed on the register;
 - (2) Changed the person's legal residence after the closing of the register for that election; or
 - (3) Moved to a new residence within the same district as the person's residence as listed on the register.
- (c) The clerk may remove the name of any registered voter, if the voter so desires and properly notifies the clerk pursuant to the procedures established by the chief election officer.
- (d) Any person whose name has been removed from the register, at any time prior to the closing of the register, as provided in section 11-24, may have that person's name restored in the

register by presenting oneself to the clerk and reregistering pursuant to section 11-15, or by making application by mail or otherwise pursuant to procedures established by the clerk. The clerk shall require satisfactory evidence to establish the identity of the applicant. The names of all those persons shall be reentered in the register. [L 1970, c 26, pt of §2; am L 1973, c 217, §1(g); am L 1975, c 36, §1(3); am L 1976, c 106, §1(5); am L 1981, c 195, §2; am L 1982, c 226

CHAPTER 12

- HRS§12-21, OFFICIAL PARTY BALLOTS

CHAPTER 16 [NEW] VOTING SYSTEMS

This Chapter has not been repealed. Only HRS§16-43 pg67, and HRS§16-46 pg. 68 were modified, or altered.

- HRS§16-1(1) It shall secure to the voter secrecy in the act of voting;
- HRS§16-1(2) It shall provide for voting for all candidates of as many political parties as may make nominations, nonpartisans, and for or against as many questions as are submitted; (HRS§12-21)
- HRS§16-12(2) It shall prevent the voter from voting for the same persons more than once for the same office;
- HRS§16-12(4) In special primary and primary elections it shall be so equipped that it will lock out all rows except those of the party or nonpartisan candidates selected by the voter;
- HRS§16-41, **Definitions.** "Counting center" means the computer facilities and surrounding premises designated by the chief election officer or the clerk in county elections where electronic voting system ballots are counted.

"Defective ballot" means any ballot delivered to the counting center in accordance with section 11-152 that cannot be read by the ballot reading device.

"Electronic voting system" means the method of recording votes which are counted by automatic tabulating equipment.

- "Voter verifiable paper audit trail" means the paper record that constitutes a complete record of ballot selections that is verified by the voter. The record may also be used to assess the accuracy of the voting machine's electronic record and to verify the election results. [L 1970, c 26, pt of §2; am L 1975, c 36, §5(6); am L 2006, c 5, §1]
- HRS§16-43, **Ballot handling.** In every case where the ballots are handled by election officials or election employees for disposition upon completion of the tabulation, they shall be handled in the presence of not less than two officials assigned in accordance with section 16-45. [L 1970, c 26, pt of §2; am L 1975, c 36, §5(7); am L 2019, c 136, §35]

- **HRS§16-45, Official observers.** Official observers shall be designated by the chief election officer or the clerk in county elections to be present at the counting centers and selected in the following manner:
 - (1) No less than one official observer designated by each political party;
 - (2) No less than one official observer from the news media;
 - (3) Additional official observers as space and facilities permit designated by the chief election officer in state elections and the clerk in county elections.
- The chief election officer or clerk shall give all official observers reasonable notice of the time and place where the ballots shall be counted. No person shall be permitted in the counting center without the written authorization of the chief election officer or clerk. [L 1975, c 36, §5(9)]
- **HRS§16-46 Counting defective ballots.** Counting center employees shall prepare a new ballot to replace each defective ballot; provided that the replacement ballot may not be counted until reviewed by at least two official observers. The defective ballots shall be segregated and the replacement ballots counted pursuant to rules adopted by the chief election officer. [L 1975, c 36, §5(9); am L 2019, c 136, §36]

KLEAN HOUSE HAWAII PETITION AND COMPLAINT OF VIOLATIONS
1025 Uluwale Street, Wahiawa, HI 96768 (808) 478-8682

Wednesday, November 4, 2020

Klean House Hawai'i petitions that criminal action be brought against the Parties and Agencies named below for violations of the State of Hawai'i Title 2 ELECTIONS HRS Statutes, Federal Election Statutes, Standards, and Guidelines, CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY guides and the Help America Vote Act of 2002 standards and guides. Please bring these parties to justice.

Parties and Agencies in Violation:

- Chief Elections Officer Scott Nago et al.
State of Hawai'i Office of Elections
State of Hawaii Election Commission
802 Lehua Avenue
Pearl City, HI 96782
- City Clerk of Honolulu Glen Takahashi
City Hall
530 South King St. #100
Honolulu, HI 96813

Complaint/Claim of Violations:

The State of Hawai'i Office of Elections, (Scott Nago, Chief Election Officer, et al.) Scotty Anderson (Chairman of State of Hawaii Election Commission et al.) and the Honolulu County City Clerk (Glen Takahashi et al.) have separately (and/or jointly) KNOWINGLY VIOLATED multiple HRS statutes and Federal guidelines, procedures, and ethical standards as "officials responsible for the 2020 State of Hawaii Elections" including violations of, but not limited to:

- Exhibit A: Violation of Act 136 as per link of Office of Elections
- Exhibit B: Violation of HRS§12-21, 16-1(1),16-41 (Signature cards with no security verifications)
- Exhibit C: Violation of HRS§11-17 (Extra ballots sent to dead or moved voters)
- Exhibit D: Violation of HRS 16-43 (only one observer instead of 2 officials)
- Exhibit E: Violation of HRS 16-43 (only one observer instead of 2 official)
- Exhibit F: Violation of HRS§12-21, 16-41(Fake/non-working barcodes with no linkage to actual ballots)
- Exhibit G: Violation of HRS§11-17 (Excess ballots sent to dead or moved voters)

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- Exhibit H: Violation of HRS 12-21 (Primary ballot layout confusing and misleading)
- Exhibit I: Violation of HRS§16-41, 16-43, 16-45 (video of ballot collection at Kane'ohe District Park) Taken by Kilomana Danner, (candidate) witnessed by Karl Dicks (candidate) and posted live on Facebook live 8/8/2020 approx 9:00 pm – 9:30 pm.

Relief Sought

- Full and complete investigation of violations prior to certification of election.
- Full prosecution of violations as per HRS§19-3(8), HRS§19-3.5, HRS§19-4, HRS§19-6(10), HRS§705-520 CRIMINAL CONSPIRACY
- HRS §705-521 Scope of Conspiratorial relationship
- HRS §705-522 Conspiracy with multiple criminal objectives

Please take notice of our request. Enforcement is required.

Honolulu City and County Prosecutor's Office
1060 Richards St # 10,
Honolulu, HI 96813

State of Hawai'i Attorney General Claire Connors
425 Queen St.
Honolulu, HI 96813

Governor David Ige
Executive Chambers State Capitol
Honolulu, HI 96813

U.S. District Attorney General Kenji Price
300 Ala Moana Boulevard #6-100
Honolulu, HI 96850

FBI Hawai'i Office
91-300 Enterprise St.
Kapolei, HI 96707

United States Attorney General William Barr
U.S. Department of Justice

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1025 Uluwale Street, Wahiawa, HI 96768 (808) 478-8682

950 Pennsylvania Avenue, NW
Washington, DC 20500

President Donald Trump
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Introduction:

Klean House Hawai'i began as a Facebook group out of necessity due to the mainstream media blackout of Honolulu mayoral candidate Karl Dicks. The Facebook group has 227 members. We are an active group outside of Facebook involved in researching laws, gathering evidence, and exposing corruption at all levels.

Description of Exhibits:

- Exhibit A: Act 136 as per link on Office of Elections
https://www.capitol.hawaii.gov/Archives/measure_indiv_Archives.aspx?billtype=SB&billnumber=560&year=2019

This is where election fraud starts. Act 136 modifies many HRS rules and statutes. It is NOT in compliance with Federal Election Law. Act 136 is a poorly written piece of legislation with multiple lines crossed out. It is the beginning of an open door for election fraud in Hawai'i by promote mail-in voting. There is NO final, easily readable Act 136 document regarding mail-in ballots. Act 136 is in violation of "The Plain Writing Act of 2010" (signed on October 13, 2010). This law requires that federal agencies use clear government communication that the public can understand and use. <https://plainlanguage.gov/law/>

- Exhibit B: Signature card with notations

These "signature verification cards" have NO security verifications. NO identification of any kind required to check these signatures. There are NO requirements to prove that the person signing the card is the same person who's name appears on the card.

The signature on the outside of a ballot envelope should match the signature on file...but if a signature is already on file, why is there a need for this signature card? There is NO verification process ensuring that person signing the card is in FACT the person that the ballot is intended for. There is no paper trail verification of the signature or ID to tell the origin of the ballot.

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Names are NOT on ballots and barcodes on the ballots are NOT the "off the shelf" 2D standard bar codes. This is the specified type of barcode "request for ballot duplication bids." There are NO links between the original envelopes and ballots. This also enables voters who have died or moved away to still vote. Please see Exhibit C.

- Exhibit C: Photo of extra ballots

Ballots are being sent to voters who have died or moved away. These names should not be on the voter rolls as active voters. This is an open door causing huge potential for voter fraud. One family received 6 ballots: one for the wife, one for the husband, one for her deceased father and 3 for family members that have moved away. This is a violation of HRS 11-17.

- Exhibit D: Photo of ballot removal

There is a single volunteer taking ballots out of the ballot deposit box when HRS 16-43 clearly states that "more than one official MUST be present at all times when ballots are handled." The volunteer is an NOT an official and they do NOT have the official number of observers required for observation of ballot handling. There is no security or surveillance of this area.

- Exhibit E: Photo of ballot removal

Another single volunteer is seen taking ballots out of the ballot deposit box. Person does not appear to be an official and again the number of party and media officials and observers (2) required for observation of ballot handling ARE NOT PRESENT. There is no security or surveillance of this area.

- Exhibit F: Fake barcodes on ballots

The barcodes on the actual mail-in ballots themselves are NOT readable or linked to envelopes (which have signatures). These barcodes are NOT the "off the shelf" 2D standard bar codes which are the specified type of barcode "requested for ballot duplication bids."

- Exhibit G: Ballot violation

Extra ballots were received by citizens and they were confused as to what to do with them. They were advised by friends to return to sender.

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- Exhibit H: PRIMARY BALLOT IS IN VIOLATION OF HRS-12-21

When the Honolulu Primary ballots were printed, the format was extremely confusing and misleading. It was also in violation of non-partisan guides. This is gerrymandering and is a violation of Federal laws. It is a discrimination violation.

- Exhibit I: Video. https://www.youtube.com/watch?v=aoTjiH_eLwk&t=100s

Background Information and Timelines

- From June 5-9, 2020, 11 objections were filed with the Hawai'i Office of Elections and Honolulu City Clerk to "Nomination of Individuals engaged in Fraudulent Misrepresentation." Decisions were received and appealed to Election Commission on June 18, 2020 with time stamp.
- Election Commission defaulted. They did not answer or respond within proper time.
- Election Commission defaulted. They received testimony from Karl Dicks on July 23, 2020. Commission then defaulted on time again. Answer was received August 31, 2020
- Karl Dicks still has an open case: "Agency Appeal, Office of Elections," filed in Hawaii First Circuit Court on August 12, 2020, case (A) 1CCV-20-0001100, There was an appeal filed to the Election Commission. The Election Commission defaulted 3 times. Status is pending for dismissal.
- Calvin Griffin filed a case that is still active in United States District Court Hawaii CV20-00298KJM. This was filed on July 2, 2020. The core of it is a civil rights violation regarding "Mail-in ballot accessibility."
- Calvin Griffin has a discrimination case file U.S. District Court Hawai'i. He attained highest number of votes as a nonpartisan candidate in primary election for U.S. Representative District 1 in Hawai'i. His name did not appear on the General Election Ballot as it should have.
- Karl Dicks (candidate for Mayor) filed a case with the Hawai'i Supreme Court SCEC-20-0000505, August 10th challenging the Primary Election results. These results may be changed by the outcome of the 2 pending cases. This case was dismissed. This dismissal was unfounded.

- A second case was filed by Banner Fanene (candidate for State Dist. 22) in the Hawai'i Supreme Court challenging that the Primary Election results should be changed. This case was also dismissed. This dismissal was unfounded.

Resources & Statutes

CHAPTER 11:

HRS§11-17§11-17 Removal of names from register, when; re-registration. (a) The clerk, no later than 4:30 p.m. on the sixtieth day after every general election, shall remove the name of any registered voter who did not vote in that general election, and also did not vote in the primary election preceding that general election, and also did not vote in the previous general election, and also did not vote in the primary election preceding that general election, and also did not vote in the regularly scheduled special elections held in conjunction with those primary and general elections, if any, with the exception of:

- (1) Those who submitted written requests for absentee ballots as provided in section 15-4; or
- (2) Anyone who preregistered pursuant to section 11-12(b).

If a person voted, at least once, in any of the above-mentioned elections, the person's name shall remain on the list of registered voters. For this purpose, "vote" means the depositing of the ballot in the ballot box regardless of whether the ballot is blank or later rejected for any reason. In the case of voting machines, "vote" means the voter has activated the proper mechanism and fed the ballot into the machine. In the case of an election by mail pursuant to part VIIA, "vote" means the voter has returned the ballot to the chief election officer or clerk by the United States Postal Service, by personal delivery of the ballot to a place of deposit or voter service center, or by electronic transmission under certain circumstances pursuant to part VIIA.

(b) The clerk shall also identify or remove the name of any registered voter if the clerk, after mailing a notice or other correspondence, properly addressed, with postage prepaid, receives the notice or other correspondence as return mail with a postal notation that the notice or other correspondence was not deliverable. On election day, any person identified or removed shall have the person's name corrected or restored in the register and shall be allowed to vote if the person completes an affidavit or other form prescribed by the chief election officer affirming that the person:

- (1) Claims the person's legal residence at the address listed on the register;
- (2) Changed the person's legal residence after the closing of the register for that election; or
- (3) Moved to a new residence within the same district as the person's residence

as listed on the register.

- (c) The clerk may remove the name of any registered voter, if the voter so desires and properly notifies the clerk pursuant to the procedures established by the chief election officer.

(d) Any person whose name has been removed from the register, at any time prior to the closing of the register, as provided in section 11-24, may have that person's name restored in the register by presenting oneself to the clerk and reregistering pursuant to section 11-15, or by making application by mail or otherwise pursuant to procedures established by the clerk. The clerk shall require satisfactory evidence to establish the identity of the applicant. The names of all those persons shall be reentered in the register. [L 1970, c 26, pt of §2; am L 1973, c 217, §1(g); am L 1975, c 36, §1(3); am L 1976, c 106, §1(5); am L 1981, c 195, §2; am L 1982, c 226]

CHAPTER 12:

HRS§12-21 Official party ballots. The primary or special primary ballot shall be clearly designated as such. The names of the candidates of each party qualifying under section 11-61 or 11-62 and of nonpartisan candidates may be printed on separate ballots, or on a single ballot. The name of each party and the nonpartisan designation shall be distinctly printed and sufficiently separate from each other. The names of all candidates shall be printed on the ballot as provided in section 11-115. When the names of all candidates of the same party for the same office exceed the maximum number of voting positions on a single side of a ballot card, the excess names may be arranged and listed on both sides of the ballot card and additional ballot cards if necessary. When separate ballots for each party are not used, the order in which parties appear on the ballot, including nonpartisan, shall be determined by lot.

The chief election officer or the county clerk, in the case of county elections, shall approve printed samples or proofs of the respective party ballots as to uniformity of size, weight, shape, and thickness prior to final printing of the official ballots. [L 1970, c 26, pt of §2; am L 1973, c 217, §2(f); am L 1979, c 139, §7; am L 1981, c 214, §1; am L 1987, c 232, §2]

Attorney General Opinions Each party's ballot should be separate and severable from the other parties' ballot, and it is impermissible to place candidates of two minor parties on opposite faces of a ballot card. Att. Gen. Op. 80-7

HRS§12-41(b) Result of election. (a) The person or persons receiving the greatest number of votes at the primary or special primary as a candidate of a party for an office shall be the candidate of the party at the following general or special general election but not more candidates for a party than there are offices to be elected; provided that any candidate for any county office who is the sole candidate for that office at the primary or special primary election, or who would not be opposed in the general or special general election by any candidate running on any other ticket, nonpartisan or otherwise, and who is nominated at the primary or special primary election shall, after the primary or special primary election, be declared to be duly and legally elected to the office for which the person was a candidate regardless of the number of votes received by that candidate.

(b) Any nonpartisan candidate receiving at least ten per cent of the total votes cast for the office for which the person is a candidate at the primary or special primary, or a vote equal to the lowest vote received by the partisan candidate who was nominated in the primary or special primary, shall also be a candidate at the following election; provided that when more nonpartisan candidates qualify for nomination than there are offices to be voted for at the general or special general election, there shall be certified as candidates for the following election those receiving the highest number of votes, but not more candidates than are to be elected. [L 1970, c 26, pt of §2; am L 1973, c 217, §2(j); am L 1979, c 139, §10; am L 1983, c 34, §21] Cross References Election contests, see chapter 11, pt XI.

Attorney General Opinions For nonpartisan candidate to qualify for placement on the general election ballot, candidate must receive the quantum of vote prescribed, and the provision relating to certification of the candidate with the highest number of votes does not eliminate this requirement. Att. Gen. Op. 78-3. Case Notes Nonpartisan candidate's constitutional rights were not violated. 881 F.2d 689. Distinction between partisan and nonpartisan candidates held not in violation of equal protection. 60 H. 282, 588 P.2d 915. Requirement that nonpartisan candidate obtain ten per cent upheld. 60 H. 282, 588 P.2d 915.

CHAPTER 16[NEW] VOTING SYSTEMS

HRS§16-1(1).

§16-1 Voting systems authorized. The chief election officer may adopt, experiment with, or abandon any voting system authorized under this chapter or to be authorized by the legislature. These systems shall include, but not be limited to voting machines, paper ballots, and electronic voting systems. All voting systems approved by the chief election officer under this chapter are authorized for use in all elections for voting, registering, and counting votes cast at the election. Voting systems of different kinds may, at the discretion of the chief election officer, be adopted for different precincts within the same district. The chief election officer may provide for the experimental use at any election, in one or more precincts, of a voting system without a formal

KLEAN HOUSE HAWAI'I PETITION AND COMPLAINT OF VIOLATIONS
1025 Uluwale Street, Wahiawa, HI 96768 (808) 478-8682

adoption thereof and its use at the election shall be as valid for all purposes as if it had been permanently adopted; provided that if a voting machine is used experimentally under this paragraph it need not meet the requirements of section 16-12. [L 1970, c 26, pt of §2]

HRS§16-2 Voting system requirements. All voting systems adopted under this chapter by the chief election officer or the legislature shall satisfy the following requirements:

- (1) It shall secure to the voter secrecy in the act of voting;
- (2) It shall provide for voting for all candidates of as many political parties as may make nominations, nonpartisans, and for or against as many questions as are submitted;
- (3) It shall correctly register or record and accurately count all votes cast for any and all persons, and for or against any and all questions. [L 1970, c 26, pt of §2]

AND HRS§12-21 APPLIES

HRS§16-12(2)(4) §16-12 Voting machines; requirements. No voting machine shall be installed for use in any election in the State unless it shall satisfy the following requirements:

- (1) It shall permit the voter to vote for as many persons for an office as the voter is lawfully entitled to vote for, but no more;
- (2) It shall prevent the voter from voting for the same persons more than once for the same office;
- (3) It shall permit the voter to vote for or against any question the voter may have the right to vote on, but no other;
- (4) In special primary and primary elections it shall be so equipped that it will lock out all rows except those of the party or nonpartisan candidates selected by the voter;
- (5) It shall be provided with a protective counter or protective device whereby any operation of the machine before or after the election will be detected;
- (6) It shall be provided with a counter which shall show at all times during an election how many persons have voted;
- (7) It shall be provided with a mechanical model, illustrating the manner of voting on the machine, suitable for the instruction of voters. [L 1970, c 26, pt of S2; am L 1973, c 217, S6(a); am L 1980, c 264, S5(a); gen ch 1985]

PART III. PAPER BALLOT VOTING SYSTEM

HRS§-16-41, Definitions. "Counting center" means the computer facilities and surrounding premises designated by the chief election officer or the clerk in county elections where electronic voting system ballots are counted.

"Defective ballot" means any ballot delivered to the counting center in accordance with section 11-152 that cannot be read by the ballot reading device.

"Electronic voting system" means the method of recording votes which are counted by automatic tabulating equipment.

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1025 Uluwale Street, Wahiawa, HI 96768 (808) 478-8682

"Voter verifiable paper audit trail" means the paper record that constitutes a complete record of ballot selections that is verified by the voter. The record may also be used to assess the accuracy of the voting machine's electronic record and to verify the election results. [L 1970, c 26, pt of §2; am L 1975, c 36, §5(6); am L 2006, c 5, §1]

16-43 Ballot handling. In every case where the ballots are handled by election officials or election employees for disposition upon completion of the tabulation, they shall be handled in the presence of not less than two officials assigned in accordance with section 16-45. [L 1970, c 26, pt of §2; am L 1975, c 36, §5(7); am L 2019, c 136, §35]

FEDERAL ELECTION LAWS:

Amdt14.S1.4.3.3.3.1.2 Partisan Gerrymandering

Amdt14.S1.4.3.3.3.1.1 Dillution of the Right to Vote

Public Law 111 - 274 - Plain Writing Act of 2010

Enforcement Statutes and Laws

STATE:

HRS§11-7.5 DUTIES OF ELECTION COMMISSSION

HRS§19-1 Election Frauds:

HRS§19-3(8)

HRS§19-3.5

HRS§19-4

HRS§19-6

HRS§705-520 CRIMINAL CONSPIRACY

HRS§705-521

HRS§705-522

FEDERAL:

18 U.S. Code § 242. Deprivation of rights under color of law

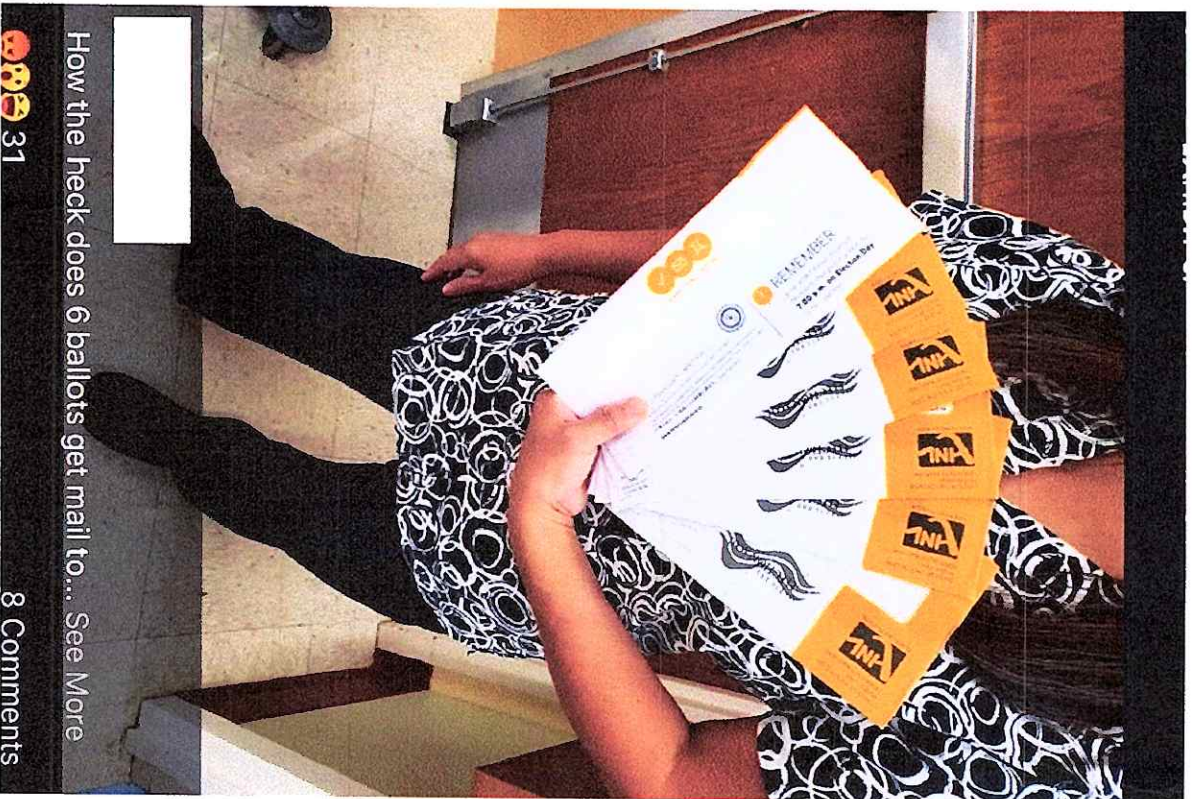
KLEAN HOUSE HAWAI'I PETITION AND COMPLAINT OF VIOLATIONS
1025 Uluwale Street, Wahiawa, HI 96768 (808) 478-8682

Certification and Signatures

I am a properly registered voter in the State of Hawai'i. I attest that there have been violations of election laws, rules, and guidelines be they local, state, and federal. I also attest that election fraud has been planned or carried out by 1 or more officials or individuals. I have not been paid to endorse this petition and I fully support the intention of rectifying the election process. I believe in fair, equal and lawful elections.

Signed, printed and dated

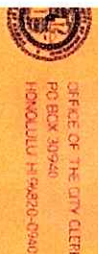
1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____



How the heck does 6 ballots get mail to... See More

31

8 Comments



OFFICE OF THE CITY CLERK
PO BOX 30940
HONOLULU HI 96820-0940

Notice of Voter Registration

選民登録通知
Polakarama Kapaemāhewa ʻŌlehoʻowahine ʻŌlele
투표권 등록 알림

NON PROFIT ORG
U.S. POSTAGE
PAID
ELECTION DIVISION
OFFICE OF
THE CITY CLERK

Representative District
代表選區
District Representative
代表區選民

46

SIGNATURE VERIFICATION CARD

RETURN SERVICE REQUESTED

Prefecture
選區
Prefecture
選區

04

ELECTION DATES:
選舉日期
Date: 2020-11-03
선거일: 2020년 11월 3일

PRIMARY ELECTION
August 6, 2020
GENERAL ELECTION
November 3, 2020

Senatorial District
參議員選區
Senator's Representative
參議員區選民

22

Congressional District
眾議員選區
Congressional Representative
眾議員區選民

11

Council District
議會區
Council Representative
議會區選民

11

JOHN Q. PUBLIC (MOVED 2015 TO IOWA)
1234 SUMMER ST.
HONOLULU, HI. 96801

HERE IS HOW 1 ASPECT OF THIS CAREFULLY DESIGNED ELECTION FRAUD WORKS. I CAN AND WILL PROVE IT IN COURT, FEDERAL COURT, NOT STATE COURTS.

1. ACT 136 IS QUIETLY PASSED AND SIGNATURE CARDS ARE PART OF IT.
2. JOHN MOVED IN 2015 AND O. ELECTIONS DID NOT REMOVE NAME AS REQUIRED HRS 11-12. (O.E. SELECTIVELY DOES REMOVE SOME NAMES. I HAVE EVIDENCE OF THIS
3. NEW RESIDENT DECIDES TO BOOST THE VOTE FOR SOMEONE HE WANTS TO WIN.
4. HE SIGNS THE CARD AND SENDS IT BACK. (ABSOLUTELY NO SECURITY VERIFICATION OF HIS SIGNATURE.)

5. YOU SAY IT IS COMPARED TO SIGNATURE ON FILE. IF THEY HAVE A SIGNATURE ON FILE WHY SEND THESE CARDS?

6. BALLOTS ARE MAILED OUT FOR PRIMARY.

7. BALLOT IS FILED OUT AND SIGNED. (OF COURSE SIGNATURES MATCH)

8. WHEN BALLOTS ARE REMOVED FROM ENVELOPE THERE IS ABSOLUTELY NO WAY TO TELL WHO THE BALLOT CAME FROM. THEY HAVE NO NAMES, OR LINKS TO ENVELOPES.

NOTES: THE SAME IS TRUE FOR PEOPLE WHO HAVE DIED. THERE IS A LIST, AND INSIDE OF AGENCY. IF YOU WERE SO INCLINED, THE POTENTIAL FOR FRAUD IS HUGE. WHEN WE VOTED IN PERSON THIS WAS FAR LESS LIKELY AND COULD ONLY BE DONE THRU ABSENTEE BALLOTS.

THERE WERE FAR LESS ABSENTEE BALLOTS.
ABSENTEE BALLOTS ARE SUBJECT TO MORE SCRUTINY AND DIFFERENT GUIDE LINES.

MY INTENT IS NOT TO DISCOURAGE VOTING. EXACTLY THE OPPOSITE. WE MUST HAVE HONEST ELECTIONS AND WILL NEVER BE 100% FRAUD FREE. MAIL IN BALLOT IS THE END OF CORRUPTION FREE ELECTIONS. IT IS THE ULTIMATE STACKING THE DECK MOVE. EVEN WORSE SOME ARE MAKING MONEY FROM IT. THIS IS BASED ON HOURS AND HOURS OF STUDY, RESEARCH, EVIDENCE, VIDEOS etc.

EXHIBIT B.

List View

Grid View

Karl Dicks

3m · 🌐

EXHIBIT D.

..
If this makes me feel better. He looks official. Oh ya he is alone. Or
that the media taking photo while other official is the director of th
AUD.



Audrey Marie Barcoun

VIOLATION OF HRS16-43

comment

Share

1 Share



HIBIT E.

AN
ICIAL

ATION HRS 16-43

ONLY 1

Data:

No data available

Elapsed Time: 00:00 (s)

No barcode found!

OK

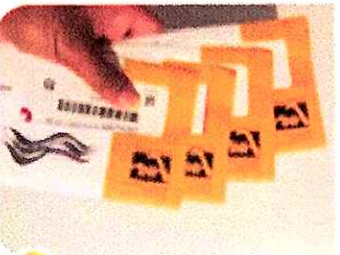
200009

<input type="checkbox"/>	ALMEIDA, Karine
<input type="checkbox"/>	CASHMANAU, Noeline
<input type="checkbox"/>	DESOTO-MCCOLLUGH, L
<input type="checkbox"/>	HAO, Louis (Lui)
<input type="checkbox"/>	HOFFELD, Cgd L (Mauria)
<input type="checkbox"/>	ISHIBASHI, Pua
<input type="checkbox"/>	KOHOL, Lei

Georgie

What do we do with da extras???

19h Like Reply



4

19h Like Reply

EXHIBIT G.

Sakai mail the extras back
and mark return to sender

4h Like Reply

Or you could destroy the



Write a comment...




THIS PRIMARY BALLOT IS IN VIOLATION OF HRS 12-21

Vote Both Sides

August 08, 2020

Precinct 26-07

<div>  Start voting here </div>		
<p>You MUST select ONE political preference below.</p> <p><input type="checkbox"/> LIBERTARIAN PARTY (L)</p> <p><input type="checkbox"/> GREEN PARTY (G)</p> <p><input type="checkbox"/> DEMOCRATIC PARTY (D)</p> <p><input type="checkbox"/> NONPARTISAN BALLOT (N)</p> <p><input type="checkbox"/> AMERICAN SHOPPING PARTY (AS)</p> <p><input type="checkbox"/> CONSTITUTION PARTY (C)</p> <p><input type="checkbox"/> REPUBLICAN PARTY (R)</p> <p><input type="checkbox"/> ALPHA ALPHA PARTY (A)</p>		
Libertarian Party (L)	No Candidates Filed	American Shopping Party (AS)
Green Party (G)	No Candidates Filed	Constitution Party (C)
Democratic Party (D)	No Candidates Filed	Republican Party (R)
U.S. Representative, District 1	U.S. Representative, District 1	

Instructions

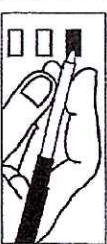
Please Read!

1 You MUST select ONE political preference from the box above for your votes to count.

2 **VOTE ONLY** for candidates within your selected preference. Votes for another political preference will not be counted.

3 Voice for the Office of Hawaiian Affairs and County Contests on the back

Making Selections



Completely fill in the box to the left

Official party ballots

FARKI II. BALDIĆ

§12.21 Official party ballots. The primary or special primary ballot

only qualitative index system 11-61 or 11-62 and of observation should be closely described as such. The fishes of the catfishes in each

candidate may be printed on separate bulletins, or on a single bulletin. The

remotely and sufficiently separate from each other. The names of all

candidate shall be printed on the ballot as provided in section 1-115

exceeded the maximum number of volume discounts on a number of a

table and the excess tissue may be arranged and fixed on both sides

balls for each court are not used, the order in which courts are used can be changed and nonconformal court orders is necessary. While the position

the policy, including important staff be determined by the

100

© 2004 Blackwell Publishing Ltd, *Journal of Internal Medicine* 255: 111–118

HAVE BEEN VOIDED!!!

1000

SHOULD HAVE BEEN VOIDED!!!!

From: [Wendell Elento](#)
To: [OE.Elections](#)
Subject: [EXTERNAL] Written Testimony 2 for Election Commission Meeting January 12, 2021 at 2pm
Date: Monday, January 10, 2022 9:42:30 PM
Attachments: [OE Email Wendell Elento Fri, Aug 20, 2021, 2010 PM.pdf](#)

Please see attached email discussion about election integrity at the ballot receipt level.

Wendell Elento
cell: 808-670-6565



Wendell Elento <wendell@islandsignal.com>

Re: [EXTERNAL] My votes back in 2020

1 message

Wendell Elento <wendell@islandsignal.com>

Fri, Aug 20, 2021 at 8:10 PM

To: "OE.Elections" <elections@hawaii.gov>

Hi OE Team:

When I went to the link you sent me in your email, I found this item -

Q: What happens if someone signs a ballot return envelope that isn't theirs?

A: Signing someone else's return envelope is voter fraud, which can result in a Class C Felony. Any signature that does not match and is not confirmed by the voter may indicate voter fraud and would be escalated to the proper authorities. Additionally, voters can report incidents of possible voter fraud for investigation by a law enforcement agency.

How can I as the voter check to see if there was any fraud if I can not even verify if my signature matched and if my vote counted for the persons I voted for? At minimum, the ballot and my signature needs to be scanned together and both retained as paper back up for any audit request.

Thank you,

Wendell Elento

Director of Sales

Island Signal & Sound, Inc. | 335 Ho'okela Place | Honolulu, HI 96819 |

O: (808) 845-1351 | F: (808) 847-4399 | C: (808) 670-6565 | E: wendell@islandsignal.com

On Fri, Aug 20, 2021 at 7:37 PM Wendell Elento <wendell@islandsignal.com> wrote:

Hello OE team:

When voting in person, there is a log that captures my signature. Then my vote is scanned. I have a receipt, where I can track that particular scanned vote.

In the mail in vote process, I sign the outside of the envelope. Now are you tell me someone just opens the envelope, does not scan both the ballot and my signature, then check my signature to ensure authenticity, and without doing any of that, just discards the envelope with my signature?

In the meantime, I will look over the link you provided.

Thank you so much!

Wendell Elento
Director of Sales

Island Signal & Sound, Inc.
335 Ho'okela Place
Honolulu, HI 96819
e. wendell@islandsignal.com c. (808) 670-6565

On Aug 19, 2021, at 9:48 AM, OE.Elections <elections@hawaii.gov> wrote:

Aloha,

Thank you for your email. Ballots do not contain any personal identifying information, therefore as they are separated from the return envelopes, there is no way for a voter's identity to be connected to a specific ballot which protects the secrecy of the votes. Please keep in mind, a properly marked ballot is counted 100% of the time, therefore if you marked your ballot in accordance with the ballot marking instructions, your votes would have been counted.

As the [County Elections Divisions](#) are responsible for mailing and receiving the ballots, you may contact them to confirm that your 2020 ballot was received and validated.

Additionally, I invite you to visit our [Election Security](#) page for answers to common questions about the security of elections.

Please let me know if you have any additional questions.

Thank you,

Jaime Kataoka
Voter Services
State of Hawaii, Office of Elections
(808) 453-VOTE (8683)

-----Original Message-----

From: Wendell Elento <wendell@islandsignal.com>
Sent: Wednesday, August 18, 2021 7:37 PM
To: OE.Elections <elections@hawaii.gov>
Subject: [EXTERNAL] My votes back in 2020

Hi Elections Team:

Can see if my votes were tallied correctly, for the correct candidate I voted for?

Thank you so much!

Wendell Elento
Director of Sales

Island Signal & Sound, Inc.

335 Ho'okela Place

Honolulu, HI 96819

e. wendell@islandsignal.com c. (808) 670-6565

From: [Wendell Elento](#)
To: [OE.Elections](#)
Cc: [Karl Dicks](#); [HRP Regional Vice Chair](#); [Michael Lee](#); [Sue Hughes](#); [Patricia Beekman](#); [Robert Santillan](#); [Elmer Domingo](#)
Subject: [EXTERNAL] Testimony for the Election Commission Meeting Wed January 12, 2022, at 2pm
Date: Tuesday, January 11, 2022 3:56:03 PM
Attachments: [Y2022-01-11 WE Testimony EC Meeting.pdf](#)
[COMPLAINT PACKAGE.pdf](#)

Hello Office of Election,
Here you go. See attached. It ties with the two documents I emailed last night. But in case it got lost, I am attaching the complaint package too. Mahalo, Wendell

Wendell Elento
cell: 808-670-6565

Every day, election fraud is rising its ugly head in our America and it is found predominantly in Democratic states like Hawaii. The common thread of election fraud is the hasty and wrongful implementation of Vote by Mail. Vote by Mail is assuming that the voter registration database is perfect and does not contain erroneous voter registrations and this is totally unacceptable.

The difference between Absentee Ballots and Vote by Mail, a voter needs to request the Absentee Ballot which now allows a process to verify the voter's registration information. The Absentee Ballot process allows the right measure of election integrity. With Mail by Ballot, anyone can collect the mailed ballots and vote at will. In my own household, four ballots were received and I or anyone can easily vote for their candidate. There is zero verification.

The Absentee Ballot process is already available for any voter to request. So why jeopardize election integrity by mailing in the blind over a million ballots all over the State of Hawaii and abroad for the sake of convenience but ultimately it will literally undermine that which it was to help.

Specifically, my personal aggravation with our current Vote by Mail system is the way ballots are now received which does not have a proper, verifiable paper audit trail. I want to know if my vote was counted for the candidates that I chose and I was told by our Elections Office, *"Ballots do not contain any personal identifying information, therefore as they are separated from the return envelopes, there is no way for a voter's identity to be connected to a specific ballot which protects the secrecy of the votes. Please keep in mind, a properly marked ballot is counted 100% of the time, therefore if you marked your ballot in accordance with the ballot*

§3-177-61 Security of ballots and election supplies. (a) The procedure for ensuring the security of a container used to store or transport ballots, voter verifiable paper audit trails, vote data storage media, and other sensitive election materials shall be as follows:

- (1) Made of suitable materials to prevent breakage or tampering;
- (2) Securable using a nonreusable seal;
- (b) A record shall be maintained to list the seals used to secure such containers and to provide an accurate chronological posting of seals used during the opening and closing of each container. A section for witnesses' signatures shall also be provided.
- (c) Election officials shall make periodic checks of the seals on such containers to ensure that no tampering has occurred. [Eff: JUL 26 2020] (Auth: HRS §11-4) (Imp: HRS §§11-109, 11-152)

marking instructions, your votes would have been counted." Per our Hawaii Administrative Rules S3-177-61, *"voter verifiable paper audit trails," and that is why our system of just separating the identifying information from the ballot erases voter verifiable paper audit trails.*

TESTIMONY OF WENDELL ELENTO AT THE ELECTIONS COMMISSION MEETING JANUARY 12, 2022

In the past with our paper ballots, secrecy was maintained and with electronic processes we are more vulnerable to fraud and cyber-attack. Common sense says, we keep all the paper.

Also, of concern, we need to go over Act 136 and it needs to be verified against the commonsense test too. There are several HRS items that lend itself to fraud and consolidation of powers which I will list here:

§11-1.55 Exemptions. *The office of elections should not be allowed direct communication to the governor. This will create a situation like right now where the office of elections can be politicized and influenced. And the office of election should not be allowed to make unilateral decisions without proper oversight, by the comptroller or office with fiscal and judicial expertise.*

§11-2 Chief election officer; duties. (a) The chief election officer shall supervise all state elections. *The chief election officer should be allowed to canvas door to door or be allowed to delegate that function. It gives the office of election too many opportunities for conflict of interests.*

§11-4 Rules. The chief election officer may make, amend, and repeal rules governing elections held under this title, election procedures, and the selection, establishment, use, and operation of all voting systems now in use or to be adopted in the State, and all other similar matters relating thereto as in the chief election officer's judgment shall be necessary to carry out this title. *The chief election officer should not be given this power, especially, with so much fraud tied to voting systems.*

In making, amending, and repealing rules for voters who cannot vote in person or receive or return ballots by mail, and all other voters, the chief election officer shall provide for voting by these persons in a manner that *ensures voter verifiable paper audit trails*, secrecy of the ballot and precludes tampering with the ballots of these voters and other election frauds. The rules, when adopted in conformity with chapter 91 and upon approval by the governor, shall have the force and effect of law. *That phrase was left out per HAR §3-177-61.*

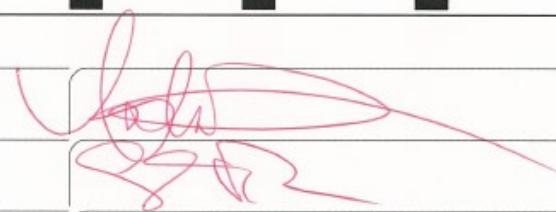

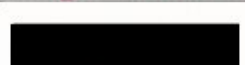



§11-5 Employees. Subsection (4) (b) *Should include a comment about an annual audit should be conducted to ensure that this area is not affecting local elections by the contracting favored entities over non-favored entities.*

§11-7.5 Duties of the elections commission. Under section (2) Investigate and hold hearings for receiving evidence of any violations and complaints. *That is why I submitted my two documents last night. The first is COMPLAINT. It lists several violations and provides evidence. The 2nd submission, I covered at the beginning of this testimony. The evidence is available, and the complaints made, so can we get an investigation started on all that is surfacing today followed by hearings?*

§11-8.5] Election's review program. According to Section (2), *we are making suggestions on methods to improve elections. And in Section "(3) Establish policies for the administration of an*

TESTIMONY OF WENDELL ELENTO AT THE ELECTIONS COMMISSION MEETING JANUARY 12, 2022

elections observer program, to include ensuring the validity and reliability of election results”
The Office of Election needs to cut back on Employee observers and employee program reviewers. For the elections observer program, bipartisan involvement should be encouraged verses a heavy dependence on OE employees, especially, during the counting processes.

County: County of Kauai Work Area: Manual Audit Election: 2020 General Election		Manual Audit Certification			
Pursuant to the rules and regulations governing elections, we, the undersigned, certify to have conducted a manual audit at the date and time stated and approve the same as being correct.		Date & Time 9:00a 11/19/20			
1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
Audit Members (Print and Sign)					
AULI TENN					
Scott Naga					
Raymond de Veger					
Keenan Kiriimaka					
Annie Boyd					
Ruthie Al Hee					

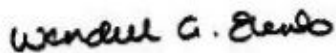
TESTIMONY OF WENDELL ELENTO AT THE ELECTIONS COMMISSION MEETING JANUARY 12, 2022

§11-9 Exemptions. *Like 11-1.55 above, the office of elections should not be allowed direct communication to the governor. This will create a situation like right now where the office of elections can be politicized and influenced. And the office of election should not be allowed to make unilateral decisions without proper oversight, by the comptroller or office with fiscal and judicial expertise.*

11-77 Appointment of watchers; service. *The comment under Case Notes should be striked out since this breaches secrecy even though it is not readily apparent the voter's candidates, but this could lead to fraud.*

I apologize, I ran out of time to record my other concerns.

Submitted respectfully,

A handwritten signature in black ink that reads "Wendell A. Elento". The signature is written in a cursive, slightly slanted style.

Wendell A. Elento
Resident and Registered Voter
Kaneohe, Hawaii 96744

TO: Hawaii State Elections Commission
FROM: Sandy Ma, Executive Director
Common Cause Hawaii
DATE: January 11, 2022
RE: Testimony To The Hawaii State Elections Commission For The January 12, 2022 Meeting

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to strengthening our representative democracy through voting and elections modernization efforts. Common Cause Hawaii works to ensure that all citizens who are able to vote may be able to vote safely and securely for the betterment of our democracy.

Common Cause Hawaii sincerely thanks the State Office of Elections (OE) for providing progress updates regarding the implementation of Act 126, SLH 2021 (Automatic Voter Registration). Common Cause Hawaii works with a network of current and former elections and department of transportation officials, who have implemented AVR across the nation. We are all willing to assist OE and your cooperating agencies, as necessary, with AVR implementation in any capacity that you may need. We are willing to be test subjects to ensure AVR functionality and ease by end-user. We hope to assist, without any intent to second guess or act as Monday morning quarterbacks, your efforts to implement AVR; we only wish to help for the smooth implementation of AVR.

We understand that the July 2021 updated driver's license forms incorporate (1) AVR language and (2) per Act 213, SLH 2021, a statement for voters with special needs to request an electronic ballot emailed each election. We hope, at the appropriate time, to perhaps provide some design suggestions for OE and cooperating agency's consideration to possibly modify the driver's license forms. We would be able to offer the services of the Center for Civic Design (CCD) to provide suggestions on user-friendly, voter intuitive language and workflows to ensure that people know their rights. We kindly request that OE and cooperating agencies, such as the Hawaii Department of Transportation, provide notice and advance opportunity for the public, who have specifically requested, to weigh in on form design and workflow changes. While we understand that the July 2021 updated driver's license forms do not anticipate to be revised soon, agencies must have an internal sense and timing, especially for budgetary and procurement purposes, of when forms need to be re-ordered and therefore will be updated.

Also, Common Cause Hawaii has been trying with minimal success to ascertain the workflow at county DMVs. Specifically, we have been trying to learn the "script" that county DMV clerks use when interacting with a person who is obtaining a new driver's license or a renewal. This interaction is crucial to the success of AVR and may cue a person to register to vote when obtaining a new license or a renewal. We would like to arrange site visits for us and a few of our partners so we can see how the AVR system is working at a few DMV branch offices.

We also request that data be shared to help understand how the new AVR system is working in Hawaii. We believe a report including a monthly report with data from the DMV, OE, and/or County Elections Divisions on total transactions at DMVs, total new registrations from DMVs, total updated registrations from DMVs, and the total number of applicants who declined an opportunity to register. Regular monthly tracking of AVR data can help the state detect if there are any anomalies which may indicate an issue with the system, and it will help all of us better understand the performance of AVR.

In our efforts to determine if there is set interface between county DMV clerks and the end-user, we have, instead, learned that Kauai has a form with its Division of Motor Vehicle & Licensing that permits a person to change his/her/their driver's license address (attachment 1). Maui has also a form with its Division of Motor Vehicle & Licensing that permits a person to change his/her/their driver's license address (attachment 2), and Hawaii County allows you to change your driver's license address by mailing a letter with documents to the Vehicle Registration & Licensing Division (<https://www.hawaiicounty.gov/departments/finance/vehicle-registration-licensing/driver-licensing-general-information/changing-your-driver-license-address>). The process by which Maui, Kauai, and Hawaii counties permits drivers' license holders to change their addresses circumvents the need to obtain new licenses and AVR and may run afoul of NVRA. We have not seen such a form for Oahu. We hope that this dichotomy may be reconciled and ask the Elections Commission and OE to provide any information and/or assistance in this regard.

Common Cause Hawaii wishes to continue to work cooperatively with OE and cooperating agencies on AVR implementation. Again, we have recognized experts in the field of AVR implementation who are ready to assist as needed.

As for the "mock election" that were conducted in August 2021 with the voting equipment vendor, Hart InterCivic, and County Elections Divisions to establish your processes and procedures as you implement Verity, the new voting equipment, can you please provide information as to whether any other organizations and/or individuals were present at the "mock election" and will there be opportunities for the public to familiarize themselves with the new voting equipment prior to the 2022 elections.

Thank you for this opportunity to provide comments, questions, and concerns.

Attachments: (1) Kauai Division of Motor Vehicle & Licensing Notice of Change of Address form
(2) Maui Division of Motor Vehicle & Licensing Notice of Change of Address form



Attachment 1

COUNTY OF KAUAI
DIVISION OF MOTOR VEHICLE & LICENSING
4444 RICE STREET, SUITE #480, LIHUE, HAWAII 96766
Email: kauaidl@kauai.gov
Phone: (808)241-4242
Fax: (808)241-6533

NOTICE OF CHANGE OF ADDRESS

(File within 30 days of change via in person, mail or by fax)

In order to record this with our office, you must include two proof of principal residence. Principal residence is defined as the location where a person currently resides even if the residence location is temporary. Please refer to acceptable proof of principal residence document checklist.

NAME OF APPLICANT

DRIVER LICENSE NUMBER OR STATE OF HAWAII DRIVER LICENSE

MAILING ADDRESS CURRENTLY ON RECORD

Mailing
Address:

STREET OR P.O. BOX ADDRESS

CITY

STATE

ZIP CODE

NEW ADDRESS

Mailing
Address:

STREET OR P.O. BOX ADDRESS

CITY

STATE

ZIP CODE

Home
Address:

STREET ADDRESS

CITY

STATE

ZIP CODE

X

SIGNATURE OF LICENSED DRIVER

PRINTED NAME OF LICENSED DRIVER

COUNTY OF MAUI SERVICE CENTER
DIVISION OF MOTOR VEHICLE & LICENSING
70 E. Kaahumanu Avenue, Suite A-17, Kahului, HI 96732
Phone: (808)-270-7363
Fax: (808)-270-7858

NOTICE OF CHANGE OF ADDRESS

(File within 30 days of change via in person, mail or by fax)

In order to record this with our office, you must include two proof of principal residence. Principal residence is defined as the location where a person currently resides even if the residence location is temporary. Please refer to acceptable proof of principal residence document checklist.

NAME OF APPLICANT

DRIVER LICENSE NUMBER OR STATE OF HAWAII DRIVER LICENSE

MAILING ADDRESS CURRENTLY ON RECORD

Mailing
Address:

STREET OR P.O. BOX ADDRESS

CITY

STATE

ZIP CODE

NEW ADDRESS

Mailing
Address:

STREET OR P.O. BOX ADDRESS

CITY

STATE

ZIP CODE

Home
Address:

STREET ADDRESS

CITY

STATE

ZIP CODE

X

SIGNATURE OF LICENSED DRIVER

PRINTED NAME OF LICENSED DRIVER

From: [Adriel Lam](#)
To: [Kataoka, Jaime N](#); [OE.Elections](#)
Cc: elections@honolulu.gov
Subject: [EXTERNAL] RE: Elections Commission Meeting- January 12
Date: Wednesday, January 12, 2022 10:30:20 AM
Attachments: [Agenda Item V - Public Testimony.pdf](#)
[Slides for Agenda Item VII - Jan 12 Election Commission Meeting.pdf](#)

Aloha Ms Kataoka,

Thank you for the notice for the today's meeting. Please see attached items for inclusion in the meeting.

1. Slides for presentation on Agenda Item VII.
2. Additional information for Agenda Item V. Public Testimony.

I would much appreciate if copies of these could be made available to the Commissioners.

Aloha,
Adriel

From: Kataoka, Jaime N <jaime.n.kataoka@hawaii.gov>
Sent: Monday, January 10, 2022 1:46 PM
To: adriel.lam@outlook.com
Subject: Elections Commission Meeting- January 12

Dear Mr. Lam,

For your information, attached please find the agenda for the next Elections Commission meeting on **January 12**. It has also been:

- Posted to the [State Calendar](#)
- Posted to the [OE website](#)

Thank you,

Jaime Kataoka
Elections Commission Secretary
State of Hawaii, Office of Elections
(808) 453-VOTE (8683)

Aloha,

In addition to Agenda Item VII. Written Complaints Submitted by Adriel Lam, I wish to submit the following information for Agenda Item V. Public Testimony.

Who is first-time voter UNITED STATES HAWAII? Voted on 10/14/20. Registered to vote 10/3/1984.

Who is MICHAEL *? Vote on 10/21/20, same-day registration.

Who is TARA EYVONNE #NAME??, Registered 9/21/21

Some of these may be data entry errors, but is it legal to cast a vote under a different name?

USA Y L●●●●● did not register to vote but is listed as a registered voter since 7/28/2004.

LAUREN D●●●●● died in 2005, but registered to vote at her father's residence on 7/15/20.

MARIEL B A●●●●● registered to vote on 4/21/1917, last transaction was 4/21/1917.

LUTE L●●●●●, as of 4/30/20, recorded a transaction update on 3/27/20. In the 9/21/21 voter, the last transaction was recorded as 2/6/20.

Are any of these registrations valid or reliable?

In April 2020, 16,008 registrations that were updated on 3/27/20 and 3/31/20 in Honolulu County were flagged as questionable. More than 4,000 of the questionable registrations voted in the 2020 General Election. What other questionable registrations are out there that have not been flagged by the County clerks?

Many voters reported receiving ballots for past residents, non-residents, or deceased relatives. In a survey of 127 residents, there were at least 21 incidences of these excess ballots. With such a small sampling and high incidence rate, how many others also received excess ballots?

From: [OE.Elections](#)
To: [Adriel Lam](#); [OE.Elections](#)
Cc: elections@honolulu.gov
Subject: RE: Elections Inquiry #1 - Universal Unique Identifier (UUID) codes assigned by State olvr.hawaii.gov
Date: Tuesday, December 28, 2021 10:14:00 AM

Dear Mr. Lam,

Your email and our response were forwarded to the Elections Commission.

Sincerely,
Kimberly Yamada
Computer Services
Office of Elections
(808) 453-8683

From: Adriel Lam <adriel.lam@outlook.com>
Sent: Tuesday, December 28, 2021 9:50 AM
To: OE.Elections <elections@hawaii.gov>
Cc: elections@honolulu.gov
Subject: [EXTERNAL] Re: Elections Inquiry #1 - Universal Unique Identifier (UUID) codes assigned by State olvr.hawaii.gov

Aloha, Ms Yamaha,

Thank you for your response.

Failure to protect critical infrastructure is a serious concern. Is the Election Commission aware of this potential security vulnerability? What elected official provides oversight of your security protocols? I have requested to be placed on the agenda at the next Election Commission meeting for the specific reason to address documented concerns of vulnerabilities to our elections.

I fully understand that security protocols are not disclosed to the public. That is why I have requested to address this with the Election Commission.

I fully appreciate your response and will take into account the information you provided.

Aloha,
Adriel Lam

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From: OE.Elections <elections@hawaii.gov>
Sent: Tuesday, December 28, 2021 9:05 AM
To: Adriel Lam; OE.Elections

Cc: elections@honolulu.gov

Subject: RE: Elections Inquiry #1 - Universal Unique Identifier (UUID) codes assigned by State olvr.hawaii.gov

Dear Mr. Lam,

This is written in response to your email, dated December 21, 2021, raising your concerns about potential security vulnerabilities related to the state's voter registration records.

The ListID is a unique identifier for the sole purpose of voter lists. The ListID addresses a request by users of the voter lists to include a distinguishing field in the instance of two or more people who have non-unique fields (i.e. people with the same or similar names and/or addresses).

As it relates to your other questions on this topic, elections are considered critical infrastructure which includes the statewide voter registration system. Processes regarding IT security methodology, activities, and data are not disclosed to safeguard critical infrastructure.

Sincerely,
Kimberly Yamada
Computer Services
Office of Elections
(808) 453-8683

From: Adriel Lam <adriel.lam@outlook.com>

Sent: Tuesday, December 21, 2021 3:49 PM

To: OE.Elections <elections@hawaii.gov>

Cc: elections@honolulu.gov

Subject: [EXTERNAL] Elections Inquiry #1 - Universal Unique Identifier (UUID) codes assigned by State olvr.hawaii.gov

Aloha,

I am writing to express my concerns of a potential security vulnerability in the voter registration records that was implemented by the State of Hawaii Elections Office, and/or its contractor.

The Honolulu County Voter File uses a 32-character Universal Unique Identifier (UUID) code, as is done State-wide in the other counties, to assign a ListID unique to each registered voter. While the UUID is seemingly unique, the Honolulu County voter file on Sep 22, 2021 had 129,723 registered voters whose UUID do not appear to be very unique. In fact, all 129,723 registered voters have identical encoding in last 12 characters of their ListID. Apart from the first 12 characters of the ListID, all 129,723 registered voters (nearly 1/4 of the Honolulu County Voter File) can be segregated into 5 matching sets and 56 subsets. This appears to be a low-level of encoding if more than half of its characters are in known sets. A common thread for known registered voters with this encoding appear to be those who registered online with the State's voter registration system at olvr.hawaii.gov.

What is the purpose of these known sets of encoding? Is it an authorized feature of the voter database? Under what authorization is the database allowed to encode voter information that is not recorded in the database fields?

I have inquired with the Honolulu County Elections Office regarding this feature in the Voter File. They were unaware of this feature and suggested the State of Hawaii Office of Elections or contractor would know the answer.

I request to be placed on the agenda at the next Elections Commission meeting to address this and others concerns that have arisen from the 2020 General Election and the implementation of All Mail-In voting.

Aloha,
Adriel C. Lam
45-379 Namoku St
Kaneohe, HI 96744
(808) 721-9362

From: [Adriel Lam](#)
To: [OE.Elections](#); elections@honolulu.gov
Subject: [EXTERNAL] RE: Elections Inquiry #2 - Discrepancy between State and County reported ballot counts
Date: Monday, January 3, 2022 2:13:30 AM

Aloha Ms Tenn,

Thank you for your attention to my inquiry and response. I hope these kinds of issues can be addressed with proactive and preventive measures rather than during the time of execution. To date, the officially reported numbers between the County of Honolulu Elections Office for ballot envelopes and the State of Hawaii Office of Elections for ballots counted in the 2020 General Election have yet to be reconciled.

It is still intriguing that the initial assumption of Honolulu Elections Office in their response was that there were more ballots than envelopes. Did they observe something different than what was generated by computer in the official reports? While automation has provided the numbers of reported envelopes and reported ballots, was there a physical count of all the envelopes and a physical count of all the ballots? To date, I have not seen documentation for a physical count of these election materials, especially for the ballot envelopes.

Elections are critical infrastructure. Conflicting reports on a basic component to our critical infrastructure is of utmost concern. Transparency and verification of a physical count of all the ballots envelopes and a physical count of all the ballots will go a long way to assuage such concerns.

Please forward my request to the Elections Commissions to be placed on the agenda for their next meeting to address this matter.

Aloha,

Adriel Lam
Kaneohe, HI
(808) 721-9362
adriel.lam@outlook.com

From: OE.Elections <elections@hawaii.gov>
Sent: Thursday, December 30, 2021 4:02 PM
To: Adriel Lam <adriel.lam@outlook.com>; OE.Elections <elections@hawaii.gov>;
elections@honolulu.gov
Subject: RE: Elections Inquiry #2 - Discrepancy between State and County reported ballot counts

Dear Mr. Lam,

This is written in response to your email, dated December 23, 2021, regarding the 2020 General Election results.

We work with the City Clerk's Office to detail the *Summary of Reconciliation of Voted Ballots (Honolulu) 20201125* to compare the records of the statewide voter registration system with the counted results reports. This document shows when accidental errors, such as mistakenly being discarded, may have occurred in the processing of ballots at the counting center.

While removing the ballots from the optional ballot secrecy sleeve, we found that some voters had folded their ballot into the secrecy sleeve so that it was not visible. Official Observers alerted us to the issue. We immediately added procedures to correct it by having the Official Observer confirm that both the return envelope and ballot secrecy sleeve were empty.

We cannot speak to *Honolulu by the Numbers*, but we have alerted the City Clerk's Office, Elections

Division.

Thanks,

Aulii Tenn

Counting Center Operations

State of Hawaii
Office of Elections
(808) 453-VOTE (8683)
elections.hawaii.gov

From: Adriel Lam <adriel.lam@outlook.com>

Sent: Thursday, December 23, 2021 1:13 PM

To: OE.Elections <elections@hawaii.gov>; elections@honolulu.gov

Subject: [EXTERNAL] Elections Inquiry #2 - Discrepancy between State and County reported ballot counts

Aloha,

I am writing to follow up on an inquiry I made earlier this year concerning the lack of fidelity between State and County official reports of total ballots for the 2020 General Election.

The City and County of Honolulu reported to have received and accepted 385,756 ballot envelopes in their *Honolulu Elections By the Numbers*, http://www.honolulu.gov/rep/site/clk/clk_docs/2020HonoluluElectionsByTheNumbers21_0409.pdf (attached) which they transferred to the State of Hawaii Office of Elections for the ballots to be counted.

The State of Hawaii Office of Elections, however, reports only counting 385,442 ballots for the City and County of Honolulu in the 2020 General Election. <https://elections.hawaii.gov/wp-content/results/cch.pdf> (attached)

When I inquired with the Honolulu County Elections office about this discrepancy, I was told that the County only counted envelopes and did not open the envelopes to count the ballots, and that some envelopes could have contained extra ballots. This explanation was rather odd since the County counted more envelopes than the State counted ballots, which is the opposite of having extra ballots in envelopes.

When I inquired with the State Office of Elections, I was provided with a Voted Ballots Summary (attached) which was suggested to be a reconciliation of the reported numbers. This was also odd since the State's Voted Ballot Summary numbers for Honolulu County seems to only make an internal reconciliation of 385,689 to the reported 385,442, but still doesn't still correlate to the Honolulu County's report of 385,756 ballots.

I was also informed by an Election volunteer that some discarded envelopes were found to have ballots still in them. This would seem to account for why the State's ballot numbers are less than the County's envelope numbers, which is troubling to think that valid ballots were discarded without being counted.

What is the real count of ballots during the 2020 General Election? Are either of the State or County numbers valid when explanations to such discrepancies are only theoretical with no accountable detail? Each ballot and envelope is an accountable item. According to 52 USC 20701, all election materials for federal elections are to be preserved by every elections official for 22 months after the election. A full count of the envelopes and the ballots would provide an answer as to which of the

State or County numbers are correct.

I request to be placed on the agenda at the next Elections Commission meeting to address this and others concerns that have arisen from the 2020 General Election and the implementation of All Mail-In voting.

Aloha,

Adriel C. Lam
Kaneohe, HI

From: [Adriel Lam](#)
To: [OE.Elections](#); elections@honolulu.gov
Subject: [EXTERNAL] Elections Inquiry #3 - Precinct 39-5
Date: Monday, December 27, 2021 4:53:39 PM

Aloha,

I am writing to request clarifying information on the integrity of our mail-in balloting and electronic voting system, specifically with Precinct 39-5.

Precinct 39-5 is a small precinct that recorded 9 registered voters and 12 ballots in the State of Hawaii Office of Elections Final Report for the 2020 General Election. This rather odd record was explained by both the State Office of Elections and County Elections Office as possible same-day registration voters who were not officially registered to vote prior to the October 12, 2020 deadline to register to vote.

It is plausible that the 8 registered voters in Precinct 39-5 on Apr 30, 2020, were joined by four same-day registration/walk-in voters (on 10/20, 10/21, 10/28, and 11/3). Yet, I received mail-in responses from two additional voters who also walked in their votes and were not any of the aforementioned walk-in voters. There appears to be as many as 7 walk-in voters, but the State Office of Elections only reported 5 walk-in voters for the 2020 General Election in Precinct 39-5.

A full accounting of all the ballots cast in Precinct 39-5 would easily ascertain the actual count of ballots and walk-in voters for the 2020 General Election? I request an audit to fully account for all the ballots received by the County of Honolulu and Hawaii Office of Elections for Precinct 39-5 in the 2020 General Election.

In additions, none of the residential addresses of the registered voters in this precinct are a valid USPS postal address. They either have a P.O. Box, rent a mail box (outside of their precinct), or their mail is undeliverable. This is also problem made known to me by friends who live in Paradise Park in Hawaii County. They have no regular USPS mail service to their residence, which places an undue burden on their ability to vote at a place and time of convenience at or near their residence.

I request to be placed on the agenda at the next Elections Commission meeting to address this, and others concerns that have arisen from the 2020 General Election and the implementation of All Mail-In voting.

Aloha,

Adriel C. Lam
Kaneohe, HI

From: [Adriel Lam](#)
To: [OE.Elections](#)
Cc: elections@honolulu.gov
Subject: [EXTERNAL] Re: Elections inquiry #4 - Manual Audit Certification
Date: Tuesday, January 4, 2022 11:06:15 AM

Aloha Ms Tenn,

Thank you for the written response and explanation of procedures on audits conducted for Districts. My inquiry was regarding an audit of the Precincts as required by law. I am requesting supporting documentation that these procedures were conducted as described. As elections are critical infrastructure, I would expect the Office of Elections to have such supporting documentation besides the 11-page PDF of Manual Audit Certification forms.

If these documents are not available for release at this time, I request to be placed on the agenda of the next Election Commission meeting to address the preservation of election material and availability to public request as required by law.

Aloha,
Adriel Lam
Kaneohe, HI

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From: OE.Elections <elections@hawaii.gov>
Sent: Monday, January 3, 2022 3:20:25 PM
To: Adriel Lam <adriel.lam@outlook.com>; OE.Elections <elections@hawaii.gov>
Cc: elections@honolulu.gov <elections@honolulu.gov>
Subject: RE: Elections inquiry #4 - Manual Audit Certification

Dear Mr. Lam,

The purpose of election audits is to confirm the voting equipment accurately counted and reported votes. Official Observers, volunteers, and election officials conducted the audit for the 2020 General Election, which confirmed the accuracy of the voting equipment and results.

Official observers randomly selected districts, using cards identifying the district, until all audit requirements were met. For each district, election officials chose a contest that appeared on all ballots to confirm results.

Prior to being opened and counted, the district sorted ballots in preparation for the audit. Before and after audits are conducted, VBCs are stored and sealed in the presence of official observers. When a seal is cut or fastened, official observers verify the serial number and sign a certification form.

Thank you,

Aulii Tenn
Counting Center Operations

State of Hawaii
Office of Elections
(808) 453-VOTE (8683)
elections.hawaii.gov

From: Adriel Lam <adriel.lam@outlook.com>
Sent: Thursday, December 30, 2021 10:31 AM
To: OE.Elections <elections@hawaii.gov>
Cc: elections@honolulu.gov
Subject: [EXTERNAL] Elections inquiry #4 - Manual Audit Certification

Aloha,

I am writing to request accountability regarding the Manual Audit Certification for the 2020 General Election.

The State of Hawaii Office of Election published the Hawaii Votes: 2020 Counting Center Manual for the 2020 General Election and has a section on AUDITING THE RESULTS on pages 66-69 (see attached Hawaii Votes – Audit extract.pdf). The Hawaii Votes manual makes several requirements on the manual audit. First, and foremost as required by Hawaii State law, an audit is to be conducted on at least 10% of the precincts. The manual then makes requirements on the minimum number of precincts to be audited from each County, and by each size of precinct. There is also a procedure on how the precincts are to be selected at random.

When I inquired with the Office of Elections on the certification of the 2020 General Election, I was only provided the attached 11-page PDF of Manual Audit Certification forms. From these 11 pages I could ascertain that a manual audit was conducted on

1. Precinct 3-04 and 07-04 on 11/3/2020 at 9:15pm (1 page)
2. Precinct 01-09, 03-03, 05-04 and 07-01 on 11/17/2020 at 9:28am (1 page)
3. District 12 on 11/13/2020 at 10:56am (1 page)
4. District 14 and District 16 on 11/3/2020 (1 page), no time given
5. District 14 on 11/19/2020 at 9:56am (1 page)
6. presumably Districts 18, 26, 49, 50 and 51 (3 pages) no date or time given
7. District 25, 33, and 49 on 11/12/2020 at 12:35 (3 pages, one page with no signatures)

Notwithstanding the missing dates, times and signature on some of the forms, I found it very odd that only two of the forms recorded a precinct for audit. Further inquiry on which precincts were randomly selected in accordance with procedures as prescribed in the Hawaii Votes manual yielded a list from the Office of Elections of 40 sequenced precincts: 01-09, 03-03, 03-04, 05-04, 07-01, 07-04, 12-01, 12-02, 12-03, 12-04, 12-05, 12-06, 14-01, 14-02, 14-03, 14-04, 14-05, 16-01, 16-02, 16-03, 16-04, 16-05, 16-06, 25-01, 25-02, 25-03, 25-04, 25-05, 33-01, 33-02, 33-03, 33-04, 33-05, 33-06, 49-01, 49-02, 49-03, 49-04, 49-05, 49-06.

This sequenced list of precincts raises questions whether the Manual Audit Certification was conducted in accordance with “an audit of a random sample of not less than ten per cent of the precincts” as required by HRS 16-42.b.3. How were these precincts selected, or were Districts

selected? Were the D/P cards used as prescribed in the Hawaii Votes manual, or what other method was used to randomly select precincts?

Even more perplexing in the “audit of the precincts”, I was informed that volunteers for the Manual Audit were not required to conduct a full count of a precinct. The counted ballots from a “box” need only appear to match up to a reported percentage. If this was conducted as a Risk-Limiting Audit (RLA), is there a report or documentation on the methodology employed for this Manual Audit Certification, as well validation of ballots by a paper trail, chain-of-custody, and ballot traceability as required by the US Election Assistance Commission information paper on RLAs? What were the ballot counts from the Manual Audit of the precincts? Was it recorded on the Results of Votes Cast forms as prescribed by the Hawaii Votes manual? Were the ballots examined for a paper trail, chain-of-custody and ballot traceability?

The eleven pages of Manual Audit Certification forms provided to me gives little assurance that the 2020 General Election was properly audited and certified. I request to be placed on the agenda at the next Elections Commission meeting to address this and others concerns that have arisen from the 2020 General Election and the implementation of All Mail-In voting.

Aloha,
Adriel C. Lam
Kaneohe, HI

From: [Adriel Lam](#)
To: elections@honolulu.gov
Cc: [OE.Elections](#)
Subject: [EXTERNAL] Elections Inquiry #5 - Early Voter File vs Honolulu Report
Date: Wednesday, January 5, 2022 10:27:52 AM
Attachments: [image002.png](#)

Aloha,

I'm writing to follow up on a telephone inquiry I had with Honolulu Elections Officer Mike Sunouchi regarding differences in the 10/27/2020 Early Voter File and the Honolulu By The Numbers report.

An Early Voter File was distributed by the Honolulu County City Clerks office and provided a record of ballot statuses as of 10/27/2020. A tally of ballots received for each day prior to 10/27/2020 could be extracted from the data and is shown in the left most columns in the data table below.

In the *Honolulu Elections By the Numbers* report, data was also provided on the daily tally of when ballots were received. The middle section of columns in the data table below shows the daily numbers extracted from the report for each day before 10/27/2020. The right bold-faced column of that section shows the combined total of ballots received for each day. At first glance, there is a significant difference between the Early Voter File data and the Honolulu By the Numbers data (differences shown in column with red bold-face).

If, for some reason, the Deposit Box ballots data were shifted by one day (third section of columns on the right), the tallies slightly match-up in the first week, but then deviate in later weeks. The first week of tallies have almost a single digit difference in the first week but is then in double digits for the second week. By the third week, the differences are in the triple digits, and almost 9% of the daily ballot tally (no Early Voter File data available for the 4th and final week).

	Early Voter File 10/27/2020	Honolulu By the Numbers					Honolulu By the Numbers (Deposit Box adjusted)				
		USPS	Deposit Box	Walk-In	Total	Δ	USPS	Deposit Box	Walk-In	Total	Δ
7-Oct	373	373	424		797	424	373			373	0
8-Oct	8346	7924	1261		9185	839	7924	424		8348	-2
9-Oct	1947	686	2483		3169	1222	686	1261		1947	0
10-Oct	22994	20523	2131		22654	-340	20523	2483		23006	-12
11-Oct					0	0				0	0
12-Oct	2131		3534		3534	1403		2131		2131	0
13-Oct	40682	37178	3165		40343	-339	37178	3534		40712	-30
14-Oct	42831	39710	2897		42607	-224	39710	3165		42875	-44
15-Oct	23733	20862	2871		23733	0	20862	2897		23759	-26
16-Oct	17567	14725	2641		17366	-201	14725	2871		17596	-29
17-Oct	15370	12754	2432		15186	-184	12754	2641		15395	-25
18-Oct					0	0				0	0
19-Oct	12037	9619	4417		14036	1999	9619	2432		12051	-14
20-Oct	21774	16456	3110	925	20491	-1283	16456	4417	925	21798	-24
21-Oct	17212	12939	3090	806	16835	-377	12939	3110	806	16855	357
22-Oct	13747	9788	3129	705	13622	-125	9788	3090	705	13583	164
23-Oct	12154	8237	2453	802	11492	-662	8237	3129	802	12168	-14
24-Oct	11974	7470	2774	1092	11336	-638	7470	2453	1092	11015	959
25-Oct					0	0				0	0
26-Oct	9990	6245	5663	958	12866	2876	6245	2774	958	9977	13

What accounts for the changes to the daily ballot tallies? The 10/27/2020 Early Voter File provided a historical record of how many ballots were received before 10/27/2020. Can a ballot receipt date be retroactively changed after 10/27/2020? Is there a different data file of ballot records that was used to generate the Honolulu By the Numbers report? Are there other undisclosed data files on ballot records that can account for these discrepancies? What is the complete record of ballot receipts between 10/28/2020 and 11/3/2020?

I have requested the Hawaii Office of Elections that this and other issues be place on the agenda for the next Elections Commission meeting to address concerns that have arisen from the 2020 General

Election and Mail-In voting. Election systems are critical infrastructure, yet unexplained changes to historical data raises serious concern about the security of our critical infrastructure.

Your attention to this matter and response is greatly appreciated. It will provide substantive information for discussions with the Elections Commission.

Aloha,

Adriel Lam
Kaneohe, HI

Election Inquiry #1

12/21/21 UUI codes for ListID

12/28/21 Not disclosed to safeguard critical infrastructure

12/28/21 Follow-up Inquiry, request Election Commission review

**Who provides oversight of security protocols?
Is Commission aware of security vulnerabilities?**

Election Inquiry #2

12/23/21 County envelope vs State ballot counts

12/30/21 *Summary of Reconciliation* worked with County

1/3/22 Follow-up, numbers still don't match

**Request physical count of all envelopes.
Request physical count of all ballots.**

52 USC 20701. Retention and preservation of records and papers by officers of elections; deposit with custodian; penalty for violation Every officer of election shall retain and preserve, for a period of twenty-two months from the date of any general, special, or primary election of which candidates for the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Resident Commissioner from the Commonwealth of Puerto Rico are voted for, all records and papers which come into his possession relating to any application, registration, payment of poll tax, or other act requisite to voting in such election, except that, when required by law, such records and papers may be delivered to another officer of election and except that, if a State or the Commonwealth of Puerto Rico designates a custodian to retain and preserve these records and papers at a specified place, then such records and papers may be deposited with such custodian, and the duty to retain and preserve any record or paper so deposited shall devolve upon such custodian. Any officer of election or custodian who willfully fails to comply with this section shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

Election Inquiry #3

12/27/21 Precinct 39-5, 9 registered voters, 12 ballots counted

No response as of 1/11/22

Request complete audit of Precinct 39-5.

Election Inquiry #4

12/30/21 Manual Audit Certification

1/3/21 Procedures done by Districts

1/4/21 Follow up inquiry, documentation of manual audit by Precincts

**Request manual audit conducted by Precincts as required by law.
Request supporting documentation.**

HRS 16-42.b.3 The chief election officer conducts a post-election, pre-certification audit of a random sample of not less than ten per cent of the precincts employing the electronic voting system, to verify that the electronic tallies generated by the system in those precincts equal hand tallies of the paper ballots generated by the system in those precincts;

Election Inquiry #5

1/5/21 Early Voter File vs Honolulu Report

No response as of 1/11/22

**Why are tallies of ballot received prior to 10/27/20 changing after a 10/27/20 report?
Why are the ballot receipt dates between 10/27/20 and 11/3/20 not available?**