



**STATE OF HAWAII
OFFICE OF ELECTIONS**

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

SCOTT T. NAGO
CHIEF ELECTION OFFICER

March 11, 2022

To: Elections Commission

From: Scott T. Nago
Chief Election Officer

Re: Status of Operations

Our office continues to prepare to conduct the 2022 Elections, including assisting candidates for statewide offices to issue and file nomination papers, and recruiting volunteers to serve at the counting centers. There is ongoing litigation regarding the Reapportionment and Redistricting Plan, which can impact the conduct of the 2022 Elections. We are also monitoring legislation through the 2022 session.

REAPPORTIONMENT AND REDISTRICTING

On January, 28, 2022, the 2021 Reapportionment Commission filed its Final Reapportionment and Redistricting Plan with our office. We proceeded to draw precinct lines and update the statewide voter registration system, which was completed on February 27, 2022. However, a petition was filed against the Final Reapportionment and Redistricting Plan, halting distribution of the new election maps and delaying candidate filing for contests impacted by the plan.

We would note that the Reapportionment and Redistricting Plan is the basis for elections for the next 10 years. Without the confirmed plan, we cannot inform voters of their congressional, state senatorial, and state representative districts, or conduct candidate filing for these contests.

On March 1, 2022, candidate filing opened for statewide and county contests including U.S. Senator, Governor, Lieutenant Governor, Office of Hawaiian Affairs, Mayor for Maui and Kauai, and Councilmember. Following the litigation to the Final Reapportionment and Redistricting Plan, we will have more information on how to proceed with the contests of U.S. Representative, State Senator, and State Representative.

The litigation may further impact the conduct of the election, as delays would compress our timelines to provide ballot access for candidates, educate voters, and produce the ballot. If the Reapportionment and Redistricting Plan is rejected or ordered to be altered, we will again have to start from square one as we would have to wait for a new plan to be adopted before being able to proceed with the conduct of the elections.

2022 LEGISLATIVE SESSION

We are a little more than halfway through the 2022 Legislative Session and the following Office of Elections package bills are being considered:

HB 1471 and SB 2046: These companion bills amend the provisions relating to dates and deadlines in statutory provisions governing political parties.

Specifically, these measures align the deadlines for political parties to file their rules and officers to occur on the same day, and removes the requirement for signatories to provide their year of birth on the petition to form a new political party.

HB 1472 HD 1: This bill amends the information necessary for a voter to withdraw their signature from a petition under election laws. The petition process includes qualifying as a political party or appearing as a presidential candidate. We are proposing this housekeeping measure to standardize the requirements for a signatory to remove their name from a petition.

STATEWIDE VOTER REGISTRATION SYSTEM

On January 27, 2022, the Office of Elections met with representatives from the Hawaii Republican Party to discuss voter registration and the conduct of the

election. An overview of the processes to register and conduct list maintenance, the roles of the County and State Election Offices, and reporting voter fraud was provided. We further explained that absent any specifics, a review of voter fraud claims would be difficult to impossible to undertake.

Since our meeting, we have reviewed the functionality of the statewide voter registration system to ensure it is working properly. For example, we are able to confirm the individual voter records match the compiled lists and reports.

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

DATE: March 14, 2022

SUBJ: Written Testimony for Mar 18 Elections Commission Meeting

Aloha,

Thank you again for the opportunity to submit written testimony for the Mar 18 Elections Commission meeting. I very much appreciate the effort of the Election Commission and the Office of Elections to address the concerns raised at the Jan 12 Elections Commission meeting, and the follow up meeting on Jan 27 to further discuss the issues. The Jan 27 meeting was very informative and raised important questions that remain to be addressed. The key points I took away from that meeting were:

- The State and County elections offices do not have funding or authority to investigate or enforce election laws. They only plan and execute elections on certain tasks as provided in **Attachment A State vs County Responsibilities.**
- No physical count of the 12 ballots from Precinct 39-5 was conducted. The ballots from the 2020 General Election were not sorted by precinct nor placed in precinct boxes. The Manual Audit Certification was not done by precinct as required by law.
- Ballot assistance can not be provided over the phone and is voter fraud.
- Any gathering to conduct group voting or to collect ballots should be reported to the Office of Elections.
- A Virtual Private Network (VPN) is by definition connected to the internet.
- To claim one quarter of all registered voters are newly registered in the last 5 years is an unreasonable statistic.
- Signature verification is the primary method to authenticate ballots.

As a follow up to my previous testimony and meetings with the Office of Elections, and in light of the March 11, 2022 statement by the Office of Elections on the Status of Operations that they have "reviewed the functionality of the statewide voter registration system to ensure it is working properly," I wish to submit the following for the Commission's review and consideration. Claims of reviewing computer generated files with computer generated reports is a validation of internal processes, not external influences.

- I. In addition to the registered voters " " and " " who are recorded as signature verified voters in the 2020 General Election, the following were also recorded as signature verified voters in the 2020 General Election, according to their respective County voter files.
 - a. " " of Hilo, County of Hawaii
 - b. " " of Kapaa, County of Kauai

Are these full legal names with verified State/government IDs? Is this a not violation of **§19-3 (5) Election Fraud** "Every person who, at any election, votes or attempts to vote in the name of any other person, living or dead, or in some fictitious name..." **How many more examples are needed before the Attorney General will act on this as neither the Office of Elections nor the Elections Commission has authority or funds to investigate or enforce this law?**

DATE: March 14, 2022

SUBJ: Written Testimony for Mar 18 Elections Commission Meeting

- II. In addition to _____, as discussed on Jan 12 whose voter registrations was updated on 3/27/2020 according to the 4/30/2020 voter file but showed an earlier backdated Last Transaction Date of 2/6/2020 in a later voter file of 9/22/2021, more instances were found of this same inconsistency. **Attachment B lists 46 voter registrations** from the Honolulu voter file that also have back-dated Last Transaction Date in the later 9/22/2021 voter file that predates the earlier 4/30/2020 voter file.

These are only the most obvious inconsistencies for transactions updates in the voter registration system. In comparing four Honolulu County Voter Files of 4/30/2020, 2/10/2021, 9/22/2021 and 11/10/2021, there were 59,561 voter registrations transactions. Twelve registered voters had a different Last Transaction Date in every voter file update; 1,830 had at least two changes to their Last Transaction Date. Are these changes consistent with driver license updates and change of address notices? **Who else besides State and County employees have access to the voter registration system to make changes?**

- III. Between 4/30/2020 and 9/22/2021, 63,704 new voter registrations were added to the Honolulu County voter file. Of those newly added voter registrations after 4/30/2020, 6,198 voter registrations have a Date of Registration before 4/1/2020. While some of the new voter registrations records could be inter-County transfers with later Last Transaction Date, **Attachment C is a list of 1,208 voter registrations** that were added after 4/30/2020 that have both Date of Registration and Last Transaction Date before 4/1/2020.

Even if given an additional 30 days for a 60-day processing time for a voter registration transaction, the number of new voter registrations that pre-date 3/1/2020 after the 4/30/2020 voter file update is still a high number of 1,096 new voter registrations. The earliest voter record in this list has a Date of Registration and Last Transaction Date of 12/24/1993. Are all these valid voter registrations with delayed processing times? **Who else besides State and County employees have access to the voter registration system to upload and make changes?**

- IV. In a query of all four State of Hawaii counties between 10/19/21 and 11/10/21, there were 843,171 voter registrations. Voter registrations with Date of Registration within the last five years from 1/1/2017 to 12/31/2021 amounted to **212,272 voter registrations, or 25.17% of all state-wide voter registrations.** See Attachment D. This is an unreasonable statistic.

Many friends and associates have expressed concern about Elections By Mail and asked about a return to precinct voting. I understand Elections by Mail was promoted as both to increase voter participation and a cost-saving operation. The Kauai Special Election for the Kauai County Prosecutor was to be a test case for new election protocols for the 2022 Elections. With only 12,277 voters or 25.74% participating in the Special General Election, was the cost to send ballots twice to Kauai's 47,698 registered voters for the primary and general election justified? Is the expense of \$8.2 million for Elections By Mail in the 2022 Election cycle comparable to the \$6.5 million for the 2018 Election cycle with precinct voting?

DATE: March 14, 2022

SUBJ: Written Testimony for Mar 18 Elections Commission Meeting

Thank you again for the opportunity to submit written testimony for the Mar 18 Elections Commission meeting, I will provide additional notes for oral testimony during Public Testimony. As elections are designated critical infrastructure, it is vital that the electorate has full trust and confidence in the integrity of our election systems and processes. As Commissioner Dean noted at the Jan 12 meeting, each ballot is equivalent to \$25,000. It is the most basic contractual transaction where We, The People, grant authority to elected officials and their appointed representatives to make decisions on behalf of the collective citizenry. I look forward to meeting everyone again.

Aloha,

Adriel C. Lam
Kaneohe, HI

State vs. County Responsibilities

STATE RESPONSIBILITIES

Printing Ballots

- Candidate Filing¹
- Proofing of Candidate Names, Contests, Ballot Types
- Political Party Qualification
- Presidential Ballot Access
- Ballot Order

Counting Ballots

- Official Observers
- Testing of Voting and Vote Counting System
- Opening ballot return envelopes and preparing ballots for counting
- Duplicating damaged/HTML ballots
- Producing and disseminating election results
- Auditing the election results

Voter Education

- Voter registration programs
 - Department of Health, Department of Human Services
 - Department of Education
- Voter registration maximization and equalization
- Media campaigns
- Voter awareness outreach

¹ The State is responsible for Candidate Filing for federal and state contest. Each individual county is responsible for their own county contests.

COUNTY RESPONSIBILITIES

Voter Registration²

- Data entry & coordination with DMV
- Removal of Voters pursuant to Federal National Voter Registration Act
- Registration Notification

Mailing and Receipt of Ballots

- UOCAVA registration and request
- Absentee ballot requests
- Signature Verification
- Reconciliation of voted ballots

Voter Service Centers

- Establish Quantities and Locations
- Operation of Voters Service Centers

Places of Deposit

- Establish Quantities and Locations
- Operation of Places of Deposits
- Collection of Ballots from Places of Deposits

² Pursuant to the federal Help America Vote Act, the State is responsible for the maintenance of the hardware and software of the statewide voter registration system, but the counties are responsible for input of data and maintenance of the data.

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?**