

**From:** [James Pirtle](#)  
**To:** [OE.Elections](#)  
**Subject:** [EXTERNAL] Scott Nago  
**Date:** Monday, April 17, 2023 8:50:17 AM

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Aloha Elections Office Of Hawaii,

It has been brought to my attention of todays Election Meeting Agenda 4/17/2023. I oppose all changes to any election Laws and the inquiry to give an increase in pay to Election Commission CEO Scott Nago.

**From:** [adriel@hawaiiantel.net](mailto:adriel@hawaiiantel.net)  
**To:** [OE.Elections](#)  
**Subject:** [EXTERNAL] Public Testimony for 4/17 Elections Commission Meeting  
**Date:** Monday, April 17, 2023 9:38:11 AM  
**Attachments:** [4-17-23 Elections Commission Public Testimony - Adriel Lam.pdf](#)

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Aloha, please see attached public testimony and comment for today's Election Commission Meeting.

Aloha Chair Anderson, Chief Nago and Commissioners,

I am providing public testimony and comment on agenda item VII. Performance Evaluation and Consideration of Salary Adjustment of the Chief Election Officer.

I ask the Commission to take into consideration a performance evaluation that includes performance measures in terms of voter participation, voter confidence and cost effectiveness of elections.

In the prior Commission meeting I raised the issues of voter participation and cost of elections where despite the assurances of Elections By Mail to be cost-saving and increase voter participation we saw three low voter turnout elections in the 2022 Kauai Special Election, 2022 Primary Election, and 2022 General Election all while the necessity of using electronic voting systems for Elections By Mail continues to increase operating costs and maintenance of these systems from \$6 million to \$8 million and more.

In terms of voter confidence, while the low voter participation may be attributable to low voter confidence, it is without a doubt that the lack of compliance to HRS 16-42.b.3 is a major factor in low voter confidence. This lack of voter confidence is compounded by efforts to circumvent Act 200 of 2005 with HB132 in this year's legislative session.

Allow me to provide another reason for low voter confidence in the audit and record keeping of the Office of Elections. The Cast Vote Records (CVR) is an electronic inventory of all ballots cast in an election and can be used to replicate the counting of ballots as it occurred. On Feb 22, 2023, the Office of Elections provided access to the CVR which consisted of 471,643 individual data files. Conceptually, each data file should represent a ballot for the 419,363 voters recorded for the 2022 General Election. The 50,213 extra data files in the CVR appeared to be the second half of Maui ballots for the 52,543 Maui voters recorded. The mismatch of the number of ballots files in Maui is further complicated by numerous ballot records that have a first half and without a second half while other ballot records have a second half without a matching first half.

The 2022 General Election CVRs also exhibit the same questionable record keeping as the 2022 Primary Election CVRs where the same ballot batch numbers were used multiple times, ballot sequence numbers were missing within batches, and ballot batch numbers were recorded out of sequence.

In Hawaii County, Batch #124 had only one ballot recorded in the batch with a sequence number of #153. Where did the other 152 ballots in Batch#124 go?

In Honolulu County, there are at least 370 ballot records missing from the batch sequences. I say at least because batch sizes are not defined and can range between 1 ballot to 327 ballots or more.

At the March 14, 2023 Senate Judiciary Committee hearing on HB132, Senator San Buenaventura repeatedly asked Chief Nago if the paper ballots could be reviewed. Chief Nago would only offer the electronic record as a method of inspection. Given the questionable record keeping of the electronic record, I request the Elections Commission conduct a manual count of paper ballots of at least 25 randomly selected precincts in accordance with HRS16-42.b.3 to reassure public confidence in our elections before moving forward with agenda item VII.

**Summary of Honolulu County Cast Vote Record**

Batch Numbers used four times: Batch #1

Batch Numbers used three times: Batch #2, #3, #4, #5, #6

Batch Numbers used two times: Batch #7, #8, #9, #10, #11, #12, #13, #1130, #1225

Missing sequence numbers: 370

Batch#	Missing Seq	Batch#	Missing Seq	Batch#	Missing Seq	Batch#	Missing Seq
1	#82	490	#47	923	#112	1269	#183
4	#106	493	#1	926	#43, #237	1287	#72
16	#177	514	#89	932	#30	1289	#1
22	#121	533	#47	933	#180	1307	#59
58	#121	537	#134	935	#4, #97, #98, #225	1309	#62
93	#91	554	#173	946	#75, #85, #158, #208	1313	#193
136	#3	561	#86	956	#39	1325	#31
157	#170	574	#10, #50	969	#111, #131, #198, #221	1329	#6
166	#36	598	#100	970	#161, #196	1332	#1
181	#1	615	#117	974	#3, #71, #98, #109, #171	1334	#19
182	#21, #47	626	#30	978	#139	1340	#50
197	#104	635	#120	984	#1-#195	1348	#111
245	#1	694	#1	986	#85	1365	#34
256	#110	700	#33	990	#1, #83	1378	#82
273	#126	711	#109	996	#40	1385	#206
283	#108	722	#39, #162	1006	#32, #146	1386	#153
284	#1	725	#174	1011	#202	1403	#153
287	#1	727	#4	1019	#58, #90	1417	#94
292	#102	731	#1	1032	#199	1421	#68
295	#138	735	#34	1040	#227	1423	#122
296	#48	761	#62	1046	#4, #104	1427	#39
310	#31	764	#44	1050	#132	1432	#168
312	#245	790	#227	1095	#92	1433	#216
316	#44	801	#128	1100	#62	1439	#1
320	#44	820	#87	1108	#17	1443	#115
324	#9	821	#36	1121	#245	1456	#3
327	#25	839	#217	1135	#231	1457	#50
342	#79	843	#2	1141	#194	1461	#5
355	#25	844	#248	1153	#76	1464	#15
372	#120	862	#109	1154	#13	1469	#31
382	#73	872	#9	1175	#139	1471	#46
396	#172	883	#169	1203	#73, #123	1477	#141
421	#173	896	#214	1206	#146	1514	#137
431	#20	899	#115	1212	#68	1515	#10
437	#16	903	#9	1220	#69	1517	#2
439	#55	907	#14, #184, #192	1226	#1, #220	1524	#134
442	#27	913	#24	1247	#1		
477	#129	914	#1	1258	#17		