



## STATE OF HAWAII ELECTIONS COMMISSION

MICHAEL CURTIS  
ELECTIONS COMMISSION CHAIR

### WRITTEN SUMMARY FOR VIDEO RECORD

#### REGULAR MEETING OF THE ELECTIONS COMMISSION

January 15, 2025 @ 10:00 a.m.

**Note: The video of the meeting may be viewed on our website**  
at <https://elections.hawaii.gov/about-us/boards-and-commissions/elections-commission/>

#### PROCEEDINGS

I. Call to Order [10:00 a.m.]

The regular meeting of the Elections Commission was called to order by Chair Curtis.

II. Roll Call and Determination of a Quorum [10:00 a.m.]

All members of the Elections Commission were present at the meeting with the exception of Commissioner Papalimu.

III. Approval of the Written Minutes from the October 8, 2024 meeting [10:00 a.m.]

Commissioner McAdam moved to approve the minutes of October 8th. The motion was seconded by Commissioner Cushnie and **carried** noting the excused absence of Commissioner Papalimu. [10:01 a.m.]

YES: Aquino, Kuwada, McAdam, Osterkamp, Young, Curtis

NO: Andrion, Cushnie

IV. Approval of the Written Minutes from the December 18, 2024 meeting [10:05 a.m.]

Commissioner McAdam moved to approve the minutes of December 18th. The motion was seconded by Commissioner Young.

Commissioner Cushnie made a motion to amend the December 18 minutes to accurately reflect the events during item 5. The minutes should state that Commissioner Cushnie made a motion to subpoena ballot box chain of custody documentation from all counties for the 2024 General Election, including Dropbox and USPS collections. This motion was seconded by Commissioner Andrion. The Chair stated that the motion was out of order and that we could only entertain a motion to rescind the request for this documentation or move on to item 6. Commissioner Cushnie further stated that the chair was violating Rule 1.4(a) by not allowing full participation, and the Chair subsequently had him removed from the meeting for obstructing the agenda. The minutes should reflect that Commissioner Cushnie was only allowed to make the motion the Chair desired, not his own motion, and the minutes should reflect this as the true account of the meeting. The motion to amend the minutes was seconded by Commissioner Aquino and **failed** noting the excused absence of Commissioner Papalimu. [10:05 a.m.]

YES: Andrion, Aquino, Cushnie

NO: Kuwada, McAdam, Osterkamp, Young, Curtis

Commissioner Aquino made a motion to amend the December 18 meeting minutes to include Mr. Nago's response to the question asked by the Chair during item 4. The Chair asked Mr. Nago for his opinion on whether the Chief Election Officer has the authority to change the voting method from mail-in to day-of in-person voting with voter ID. Mr. Nago responded, 'No.' This response should be added to the minutes to accurately reflect the discussion. The motion was seconded by Commissioner Cushnie and **carried** unanimously noting the excused absence of Commissioner Papalimu. [10:12 a.m.]

Commissioner Aquino made a motion to amend the minutes of the December 18 meeting to include the motion made by Commissioner Papalimu at approximately 12:45 p.m. that died for lack of a second. Commissioner Papalimu's motion was to request the Deputy Attorney General to give an opinion on whether the Chief Election Officer has the authority to change the voting method from mail-in to day-of, in person voting, at the precinct with voter ID required. The motion to amend the minutes was seconded by Commissioner Cushnie and **failed** noting the excused absence of Commissioner Papalimu. [10:17 a.m.]

YES: Andrion, Aquino, Cushnie

NO: Kuwada, McAdam, Osterkamp, Young, Curtis

The original motion to approve the minutes of December 18th was brought back to discussion and a vote was taken. The motion **carried** noting the excused absence of Commissioner Papalimu. [10:31 a.m.]

YES: Andrion, Aquino, Kuwada, McAdam, Osterkamp, Young, Curtis

NO: Cushnie

V. Communications & Correspondence [10:31 a.m.]

Commissioner Young moved to receive Communications & Correspondence. The motion was seconded by Commissioner Kuwada.

Commissioner Cushnie moved to amend the motion to not only receive the Communications and Correspondence, but also to discuss each item individually. The motion was seconded by Commissioner Andrion and **failed** noting the excused absence of Commissioner Papalimu. [10:35 a.m.]

YES: Andrion, Aquino, Cushnie

NO: Kuwada, McAdam, Osterkamp, Young, Curtis

The original motion to receive Communications & Correspondence was brought back to discussion. A vote was taken and the motion **carried** noting the excused absence of Commissioner Papalimu. [10:45 a.m.]

YES: Andrion, Aquino, Cushnie, Kuwada, McAdam, Young, Curtis

NO: Osterkamp

VI. Discussion and Decision Making on Response to Sunshine Law Complaint (S Appeal 25-07) [10:47 a.m.]

Deputy Attorney General Christopher Leong shared the substance of the OIP complaint from Commissioner Cushnie, which questions whether the Elections Commission violated the Sunshine Law by excluding advice from Deputy Attorney General Brian Yee in the approved minutes of the August 27, 2024 meeting. [10:49 a.m.]

Commissioner Cushnie made a motion to address the OIP complaint and correct the minutes of the August 27 meeting and turn it in to OIP with a true reflection of what happened. The motion was seconded by Commissioner Andrion and **failed** noting the excused absence of Commissioner Papalimu. [10:53 a.m.]

YES: Andrion, Aquino, Cushnie

NO: Kuwada, McAdam, Osterkamp, Young, Curtis

VII. Performance Evaluation and Consideration of Salary Adjustment of the Chief Election Officer, Pursuant to HRS §§ 11-7.5(5) and 11-1.6(e), and Action, If Appropriate [10:55 a.m.]

Public testimony was provided by Andy Crossland, Jamie Detwiler, Chris Neff, Nolan Chang, Lee Trent, Jennifer Hunt, Gary Cordery, Rhy Thornton, Janet Mason, Karl Dicks, Doug Pasnik, Andrew Aker, Wallyn Christian, Shigemi Okada, Robyn McCreary, Rosemarie Jauch, Dana Land, Jaerick Medeiros, Mary Healy, Noela Von Wiegandt, Margaret Lim, Sheryl Bieler, and Nicolette Vonwiegandt.

Commissioner Osterkamp moved to go into executive session to have a direct discussion with Scott Nago regarding item VII. The motion was seconded by Commissioner McAdam and **failed** noting the excused absence of Commissioner Papalimu. [12:20 p.m.]

YES: Kuwada, McAdam, Osterkamp, Young, Curtis

NO: Andrion, Aquino, Cushnie

Chair Curtis asked Scott Nago if he's willing to participate in public discussion. Scott answered no to his question. [12:24 p.m.]

Commissioner Cushnie made a motion to remove Scott Nago. The motion was seconded by Commissioner Andrion and **failed** noting the excused absence of Commissioner Papalimu. [12:24 p.m.]

YES: Andrion, Aquino, Cushnie

NO: Kuwada, McAdam, Osterkamp, Young, Curtis

VIII. Biennial Evaluation of the Operations of Elections and Report to the Legislature, Pursuant to HRS § 11-8.5 and Action [12:40 p.m.]

Chair Curtis raised concerns about USPS service issues, ballot tracking technology, and the reliability of machine-based signature verification, advocating for in-person voting and caution with electronic systems.

Commissioner Andrion made a motion to investigate ballot box chain of custody from the Counties. The motion was seconded by Commissioner Aquino. [12:56 p.m.]

Commissioner Cushnie moved to amend the original motion to request documentation for the ballot box collections chain of custody, including those from the United States Postal Service, as prescribed by §3-177-453, and to include the transfer of ballots from the counties to the state. The motion was seconded by Commissioner Andrion and **failed** noting the excused absence of Commissioner Papalimu. [1:08 p.m.]

YES: Andrion, Aquino, Cushnie

NO: Kuwada, McAdam, Osterkamp, Young, Curtis

The original motion to investigate ballot box chain of custody from the Counties was brought back to discussion. A vote was taken and the motion **failed** noting the excused absence of Commissioner Papalimu. [1:21 p.m.]

YES: Andrion, Aquino, Cushnie

NO: Kuwada, McAdam, Osterkamp, Young, Curtis

Commissioner Young made a motion to recommend to the Legislature to create a Bipartisan taskforce to resolve election issues raised by the Election Commission. The motion was seconded by Commissioner Cushnie and **carried** noting the excused absence of Commissioner Papalimu. [1:29 p.m.]

YES: Andrion, Aquino, Cushnie, Kuwada, McAdam, Young, Curtis

NO: Osterkamp

Commissioner Cushnie made a motion to ask the Counties for their chain of custody documentation. The motion was seconded by Commissioner Andrion and **carried** noting the excused absence of Commissioner Papalimu. [1:35 p.m.]

YES: Andrion, Aquino, Cushnie, Kuwada, McAdam, Young, Curtis

NO: Osterkamp

## IX. Adjournment

Chair Curtis adjourned the meeting at 1:37 p.m.