

From: [Pikachu Billionaire](#)
To: [OE.Elections.Commission](#)
Subject: [EXTERNAL] Urgent Demand for Accountability and Transparency at July 16, 2025 Elections Commission Meeting
Date: Sunday, July 13, 2025 2:09:23 PM

Urgent Demand for Accountability and Transparency at July 16, 2025 Elections Commission Meeting Dear Hawaii Office of Elections and Esteemed Commissioners, I am writing to express my profound concerns regarding ongoing issues within the Office of Elections, including allegations of corruption, lack of transparency, and the deliberate stonewalling of public inquiries. As a concerned citizen and leader of the Ohana Unity Party, I stand firmly in support of Commissioner Ralph Cushnie's statements highlighting deficiencies in the chain of custody for ballots and election materials, as well as broader issues of corruption in the electoral process. The Office of Elections has consistently failed to respond to emails and inquiries from the public, including my own, despite these concerns being recorded in the minutes of past meetings, such as the one held in March 2025. This lack of communication is unacceptable and undermines public trust in our democratic institutions. The chain of custody for election materials is a fundamental pillar of a secure and fair electoral process. Commissioner Cushnie's efforts to bring attention to these vulnerabilities must be addressed with concrete action, not continued silence. Furthermore, I am deeply troubled by the lack of progress from the Permitted Interaction Group (P.I.G), as outlined in the July 16, 2025, agenda, which was tasked with investigating election-related issues on Big Island and Kauai. The apparent inaction by Osterkramp, who was responsible for advancing this investigation between the March and July 2025 meetings, raises serious questions about whether this delay was intentional. The failure to produce any tangible results during this four-month period suggests either gross negligence or deliberate obstruction, both of which are unacceptable and demand immediate scrutiny. The people of Hawaii deserve an electoral system that is transparent, accountable, and free from corruption. To that end, I urge the Office of Elections and all commissioners to take the following actions at the July 16, 2025, meeting: 1. Provide a detailed public report on the current chain of custody procedures, including any improvements made since March 2025, to address Commissioner Cushnie's concerns. 2. Explain the Office's failure to respond to public inquiries and establish a clear, enforceable protocol for timely communication with constituents. 3. Present a full accounting of the P.I.G's activities since March 2025, including an explanation for Osterkramp's apparent failure to advance the investigation into Big Island and Kauai election issues, and outline immediate steps to rectify this inaction. 4. Commit to a transparent, independent investigation into allegations of corruption or mismanagement within the Office of Elections, with findings reported publicly. The continued lack of accountability and transparency erodes public confidence in Hawaii's electoral process. I demand a written response to this email and a public discussion of these issues at the July 16 meeting. The Office of Elections must uphold its responsibility to serve the people of Hawaii with integrity. Sincerely, Master Shelby "Pikachu" Billionaire, HRM Kingdom of The Hawaiian Islands, H.I. Ohana Unity Party, Chairman www.OhanaUnityParty.com
OhanaUnityChair@gmail.com

From: [Sherilyn Wells](#)
To: [OE.Elections.Commission](#)
Cc: [AccesstoJustice@usdoj.gov](#); [USAHI.PublicAffairs@usdoj.gov](#)
Subject: [EXTERNAL] Re the Hawai'i Election Commission's (mis)handling of complaints and evidence - failure to act. And TWO ACTION STEPS you must take.
Date: Sunday, July 13, 2025 2:44:47 PM
Attachments: [Attorney General Pamela Bond re Scott Nago federal felony.doc](#)

July 13, 2025

To the Chairman -

I expect you to **timely** provide this testimony to ALL Commission members re your 7/15/25 meeting.

TWO CRUCIAL ACTION STEPS:

We need a full audit of the PHYSICAL ballots AND the envelopes.

We need a REAL INVESTIGATION into the electronic ballot insertion.

You have a statutory duty to investigate complaints and evidence fully, not to just file the complaints and move on as though nothing of substance was provided.

For instance, I have provided fully documented evidence of a very easily confirmed federal felony committed by Scott Nago, punishable by prison time and a fine, and you did NOTHING despite the fact that he is an "at-will hire," completely under your control.

Here's the letter (attached) I've provided the federal DOJ, with a summary of the issue.

Could this (see dogeinhawaii's substack article just below) be one reason why the Commission's will to take appropriate action has been so neutered?

<https://substack.com/@dogeinhawaii/note/c-132247086>

Jeffrey Osterkamp, Cades Schutte, Civil Beat, and the Elections Commission: A Web of Influence Over Hawai'i's Elections

Jeffrey Osterkamp sits on Hawai'i's Elections Commission while working as a partner at Cades Schutte — the same law firm behind the Cades Foundation.

The Cades Foundation is one of the funders of Honolulu Civil Beat — the news outlet founded and controlled by Pierre Omidyar.

So while Osterkamp is tasked with overseeing election integrity, his firm's foundation financially supports the media arm of Hawai'i's most powerful political influencer.

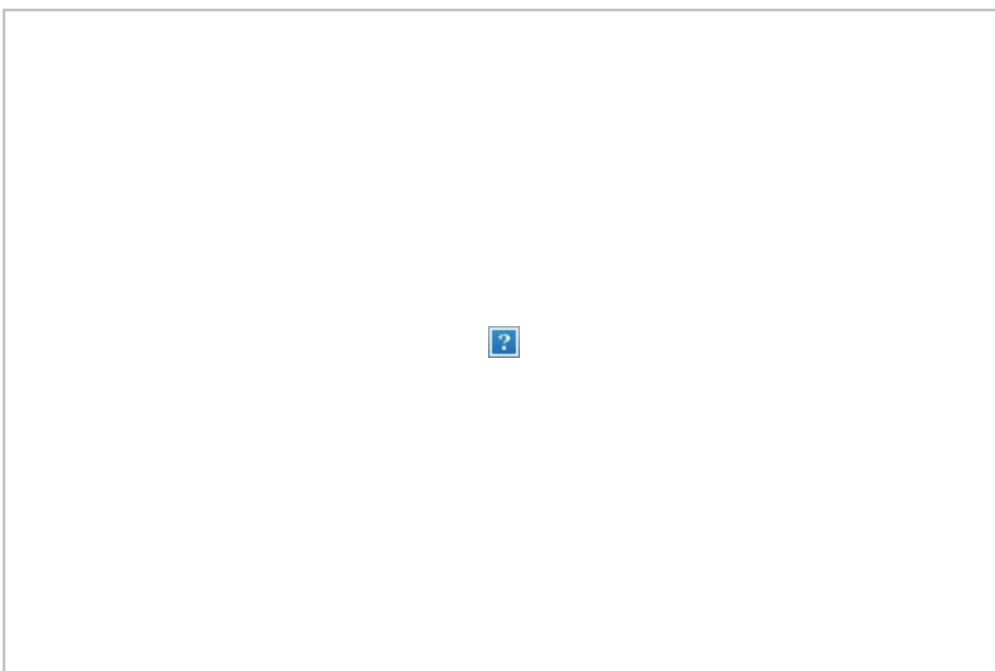
Cades Schutte's public-facing foundation funds Civil Beat — the same platform that pushes Omidyar-aligned narratives and aggressively shapes public opinion in Hawai'i.

It's not a stretch to say: the law firm representing big clients in government contracts also funds the media outlet influencing the political climate — while its own partner helps oversee our elections.

Conflict of interest? Maybe not on paper. But the overlap between Osterkamp, Cades, Civil Beat, and Omidyar's media empire is too close for comfort.

Civil Beat has quietly become a political weapon in Hawai'i — and it's backed not just by Omidyar money, but by “respectable” firms like Cades Schutte through its foundation.

It's all connected: law, media, and elections — with Cades Schutte right in the middle.



Sent with [Proton Mail](#) secure email.

Attorney General Pamela Bondi
U.S. Department of Justice
950 Pennsylvania Ave NW
Washington D.C. 20530

Sherilyn Wells
68-1921 Lina Poepoe St
Waikoloa, Hawai'i 96738
votetrees@protonmail.com
360-441-7098

April 6, 2025

RE – In September 2022, Hawai'i Election Officer Scott Nago declined to fulfill a timely Cast Vote Record request for Hawai'i County's 2020 election; his excuse appears to qualify as a federal felony under **52 U.S.C. § 20701**. See also **10 U.S.C. § 253**.

Statement of Sherilyn Wells.

At the end of August, 2022, I timely (via email and then in-person/hard copy & USPS mail) requested the Cast Vote Record for the 2020 General Election for Hawai'i County from the Hawai'i Office of Elections/Chief Election Officer Scott Nago (hereinafter Office/Nago).

Their response indicated that Office/Nago had turned over control of the records to the elections software company (that no longer worked for the State of Hawai'i) BEFORE the state's mandatory retention period had ended.

Here is the Office/Nago response re why the 2020 CVRs were not retrievable,
followed by an excerpt from a DOJ document re requests for records.

Office/Nago - “..we would need the former contractor's proprietary voting system and access to their technical support to retrieve the cast vote records you are seeking from the storage media devices we have. However, our contract with the contractor for that system has expired and we no longer have the system.

Office/Nago – “In regard to your request for a ballot view report, it would require the agency to create a summary or compilation from records, but the requested information is not readily retrievable.”

Guidance from the DOJ states:

“...require that “administrative procedures be in place giving election officers ultimate management authority over the retention and security of those election records, including the right to physically access” such records..”

Federal Law Constraints on Post-Election “Audits”

Office/Nago also cited irrelevant state statutes as support for declining to provide the CVRs. A Request for Clarification as to relevance went unanswered.

In addition to my timely request for the County’s 2020 CVRs, there were at least two other virtually identical CVR requests that received the same response from Office/Nago, for a total of three federal code violations (at a minimum).

Thank you for your attention to this refusal by a state official to follow federal election law, as well as potential violations of 10 U.S.C. § 253.

Please let me know if there is any way I can be of further assistance.

Appreciatively,

**Sherilyn Wells
Waikoloa Village
Hawai’i**

Additional Guidance from the DOJ (*Federal Law Constraints on Post-Election “Audits”*) re retaining control over and access to records of elections:

The Department interprets the Civil Rights Act to require that covered elections records “be retained either physically by election officials themselves, or under their direct administrative supervision.” Federal Prosecution of Elections Offenses at 79.

“This is because the document retention requirements of this federal law place the retention and safekeeping duties squarely on the shoulders election officers.” *Id.* If a state or local election authority designates some other individual or organization to take custody of the election records covered by Section 301, then the Civil Rights Act provides that the “duty to retain and preserve any record or paper so deposited shall devolve upon such custodian.” 52 U.S.C. § 20701.

Therefore, if the original election official who has custody of records covered by the Act hands over those election records to other officials (for example, to legislators or other officeholders) or the official turns over the records to private parties (such as companies that offer to conduct “forensic examinations”), the Department interprets the Act to require that “administrative procedures be in place giving election officers ultimate management authority over the retention and security of those election records, including the right to physically access” such records. *Id.* In other words, the obligation to retain and preserve election records remains intact regardless of who has physical possession of those records. Jurisdictions must ensure that if they conduct post-election ballot examinations, they also continue to comply with the retention and preservation requirements of Section 301.

There are federal criminal penalties attached to willful failures to comply with the retention and preservation requirements of the Civil Rights Act. First, Section 301 itself makes it a federal crime for “[a]ny officer of election” or “custodian” of election records to willfully fail to comply with the retention and preservation requirements. 52 U.S.C. § 20701. Second, Section 302 provides that any “person, whether or not an officer of election or custodian, who willfully steals, destroys, conceals, mutilates, or alters any record or paper” covered by Section 301’s retention and preservation requirement is subject to federal criminal penalties. *Id.* §

20702. Violators of either section can face fines of up to \$1000 and imprisonment of up to one year for each violation.

From: [Sherilyn Wells](#)
To: [OE.Elections.Commission](#)
Cc: [AccesstoJustice@usdoj.gov](#); [USAHL.PublicAffairs@usdoj.gov](#)
Subject: [EXTERNAL] Re: Re the Hawai'i Election Commission's (mis)handling of complaints and evidence - failure to act. And TWO ACTION STEPS you must take.
Date: Sunday, July 13, 2025 2:54:06 PM

Aberrant or missing CHAIN OF CUSTODY - another elephant in the election-manipulation room.

Sent with [Proton Mail](#) secure email.

On Sunday, July 13th, 2025 at 2:41 PM, Sherilyn Wells <votetrees@protonmail.com> wrote:

July 13, 2025

To the Chairman -

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TWO CRUCIAL ACTION STEPS:

We need a full audit of the PHYSICAL ballots AND the envelopes.

We need a REAL INVESTIGATION into the electronic ballot insertion.

You have a statutory duty to investigate complaints and evidence fully, not to just file the complaints and move on as though nothing of substance was provided.

For instance, I have provided fully documented evidence of a very easily confirmed federal felony committed by Scott Nago, punishable by prison time and a fine, and you did NOTHING despite the fact that he is an "at-will hire," completely under your control.

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Could this (see dogeinhawaii's substack article just below) be one reason why the Commission's will to take appropriate action has been so neutered?

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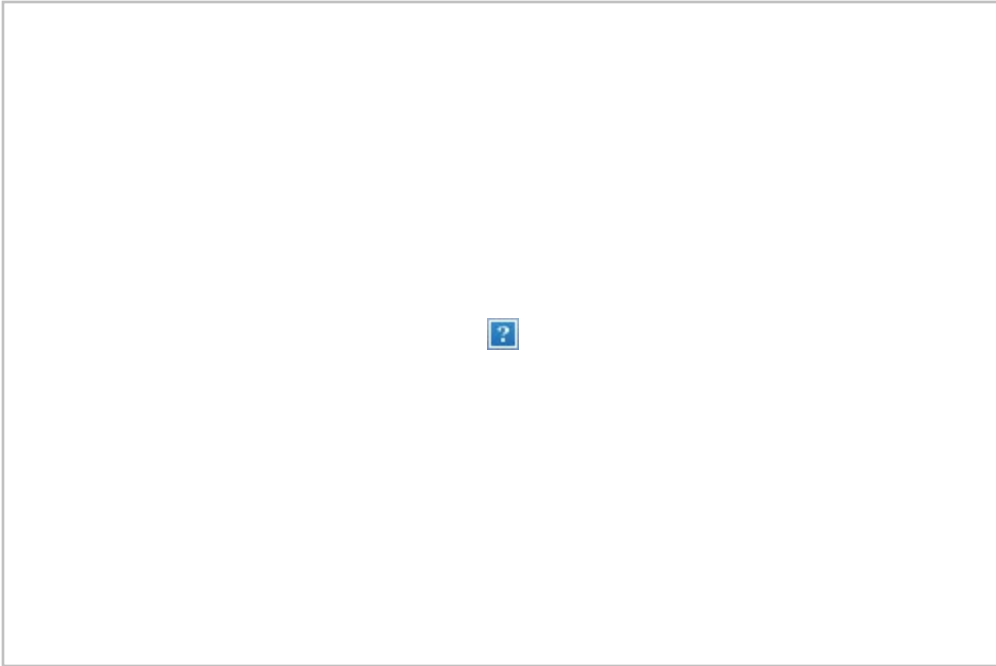
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Cc: [AccesstoJustice@usdoj.gov](#); [USAHL.PublicAffairs@usdoj.gov](#)
Subject: [EXTERNAL] Correcting date to 7/16/25 AND from TWO to THREE action steps. Re the Hawai'i Election Commission's (mis)handling of complaints and evidence - failure to act. And TWO ACTION STEPS you must take.
Date: Monday, July 14, 2025 7:29:16 AM
Attachments: [Attorney General Pamela Bond re Scott Nago federal felony.doc](#)

To the Chairman -

Date Correction:

I expect you to **timely** provide this testimony to ALL Commission members re your 7/16/25 meeting. Mahalo.

THREE Crucial Action Steps (up from TWO):

And please add this issue to the TWO CRUCIAL ACTION STEPS issues (ergo - now THREE Crucial Action Steps):

Aberrant or missing CHAIN OF CUSTODY - another elephant in the election-manipulation room.

The other two -

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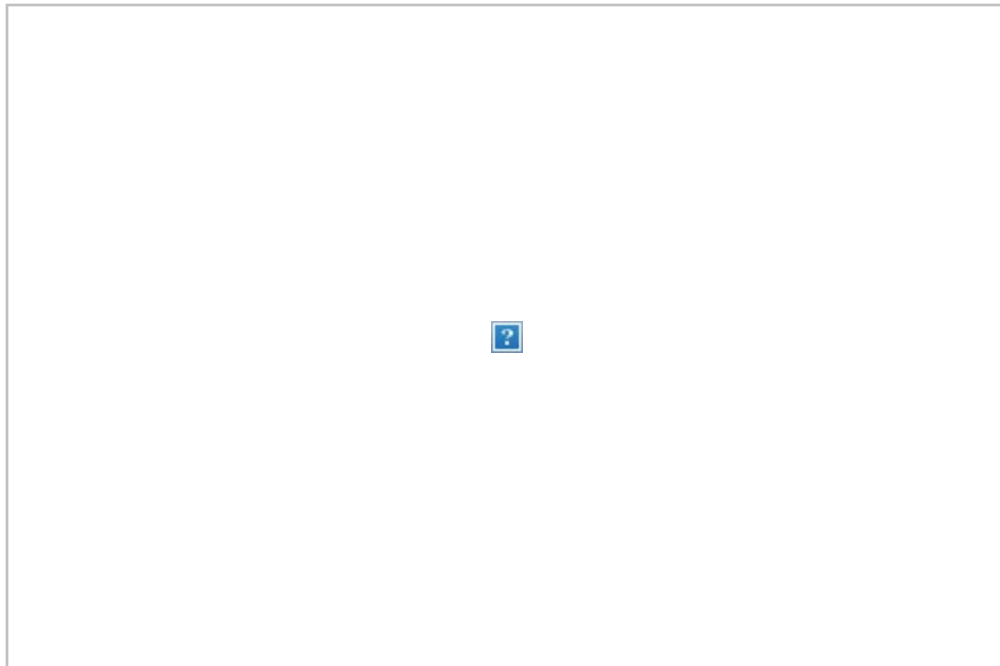
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Later today, I will be submitting a request to the FBI to investigate what appears to be a serious issue with public corruption in Hawai'i: <https://www.fbi.gov/investigate/public-corruption>

Attorney General Pamela Bondi
U.S. Department of Justice
950 Pennsylvania Ave NW
Washington D.C. 20530

Sherilyn Wells
68-1921 Lina Poepoe St
Waikoloa, Hawai'i 96738
votetrees@protonmail.com
360-441-7098

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Therefore, if the original election official who has custody of records covered by the Act hands over those election records to other officials (for example, to legislators or other officeholders) or the official turns over the records to private parties (such as companies that offer to conduct "forensic examinations"), the Department interprets the Act to require that "administrative procedures be in place giving election officers ultimate management authority over the retention and security of those election records, including the right to physically access" such records. *Id.* In other words, the obligation to retain and preserve election records remains intact regardless of who has physical possession of those records. Jurisdictions must ensure that if they conduct post-election ballot examinations, they also continue to comply with the retention and preservation requirements of Section 301.

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From: [OhanaUnityParty](#)
To: [OE.Elections.Commission](#)
Subject: [EXTERNAL] Formal Demand for Response: Alleged Crimes in 2024 Election Oversight
Date: Monday, July 14, 2025 2:41:00 PM

Dear Office of Elections Staff and Commissioners, Aloha with a heart heavy with concern for our ohana. I, Master Shelby "Pikachu" Billionaire, HRM, Chairman of the Ohana Unity Party (www.Ohanaunityparty.com), write from the Kingdom of The Hawaiian Islands to demand accountability for alleged crimes tainting the 2024 election. This email is for the public record, and I invite your response to clarify these grave accusations. ### Alleged Crimes Against Our Democracy Public testimonies, including Commissioner Ralph Cushnie's lawsuit (Hawai'i Public Radio, 2024-10-16), and YouTube recordings (March 2025, HPD Channel) from Karl Dicks, Wallyn Christian, Tara Rojas, and myself, expose a pattern of misconduct by Commissioners Michael Curtis, Clare McAdam, Jeffrey Kuwada, Jeffrey Osterkamp, and Peter Young. Their quorum and majority have allegedly enabled the following violations: 1. **HRS § 11-153 - Custody of Ballots**: Breaching secure chain of custody in 2024 audits. 2. **HAR § 3-172-54 - Election Procedures**: Obstructing transparent audit processes. 3. **HRS § 92F-11 - Public Records**: Denying access to critical election documents. 4. **HRS § 84-14 - Ethics**: Engaging in conflicts of interest and retaliatory actions. 5. **HRS § 92-3 - Open Meetings**: Suppressing public participation with stalling tactics. 6. **HRS § 92-1 - Public Purpose**: Acting against the will of our ohana. 7. **Hawaii Constitution, Article II, Section 4**: Rigging primary ballots by forcing party choice, violating the 1978 promise of secret, fraud-free voting—2024 results (60% Democratic, 20% Republican, 20% Nonpartisan) prove this manipulation. 8. **Mens Rea and Actus Reus**: Demonstrating intent and wrongful acts, potentially amounting to election fraud under 52 U.S.C. § 10307. These actions, captured on public record, suggest a deliberate effort to steal our votes and silence our voices. ### The Heartbreak They Cause Imagine the keiki's tears as their future is rigged, the kupuna's anguish as their legacy is mocked, the ohana's pain under Curtis's iron grip, McAdam's cold indifference, Kuwada's sly manipulation, Osterkamp's endless delays, and Young's silent betrayal. Our 2024 ballots, forced into partisan chains, betray the 1978 Constitution's aloha. I demand to know—how do you justify this to our people? ### A Call for Transparency This is not on the agenda, but the Honolulu Police Commission and Interim Chief Rade Vanic are aware. I urge you to respond in writing by July 21, 2025, addressing each allegation. Your silence will only deepen our ohana's wounds. Let this be recorded—will you stand for justice, or continue this corruption? With respect and a plea for truth, Master Shelby "Pikachu" Billionaire, HRM Kingdom of The Hawaiian Islands, H.I. Ohana Unity Party, Chairman www.Ohanaunityparty.com OhanaUnityChair@gmail.com

P.S.

Legal Context and Alleged Crimes Based on public testimonies, YouTube recordings (March 2025, HPD Channel), Ralph Cushnie's lawsuit (Hawai'i Public Radio, 2024-10-16), and other records, the following crimes or violations are alleged: 1. **Violation of HRS § 11-153 - Custody of Ballots**: Failure to maintain secure chain of custody during 2024 election audits. 2. **Violation of HAR § 3-172-54 - Election Procedures**: Non-compliance with transparent audit processes. 3. **Violation of HRS § 92F-11 - Public Records**: Denial of access to election records. 4. **Violation of HRS § 84-14 - Ethics in Public Service**: Conflicts of interest and unethical conduct. 5. **Violation of HRS § 92-3 - Open Meetings**: Suppression of public participation. 6. **Violation of HRS § 92-1 - Public Purpose**: Actions against the public interest. 7. **Violation of Hawaii Constitution, Article II, Section 4**: Rigging primary ballots via forced party choice, breaching voter secrecy. 8. **Mens Rea and Actus Reus**: Inferred criminal intent and wrongful acts through stalling and ejections, potentially escalating to election fraud under 52 U.S.C. § 10307

(Voting Rights Act) if proven. These allegations are regarding Commissioners Michael Curtis, Clare McAdam, Jeffrey Kuwada, Jeffrey Osterkamp, and Peter Young, who allegedly use their quorum and majority to enforce these actions.

From: [Tom Berg](#)
To: [OE.Elections.Commission](#)
Subject: [EXTERNAL] Testimony July 16, 2025 AGENDA #6
Date: Tuesday, July 15, 2025 10:13:47 AM
Attachments: [Berg.ElectionTestimonyJULY 16.pdf](#)

Aloha State of Hawaii
Elections Commission

Please consider accepting my testimony-

Please see attached- it is one page.

Mahalo
Tom Berg

JULY 16, 2025
TESTIMONY
STATE OF HAWAII ELECTIONS COMMISSION
AGENDA ITEM # 6

Please consider that beyond the stats, the chain of custody, and other physical aspects of executing the task of tallying votes, would you please be so kind as to officially probe how the public can access the results to garner an answer to the following inquiry:

How does the public extrapolate the number of votes as cast on election day, November 5, 2024 – that were:

- In person; and
- Recorded as received at Kapolei Hale?

The public should be able to isolate the tally as taken at Kapolei Hale from the votes as were recorded elsewhere on election day specifically.

My inquiry is:

“If you have the tally of votes as were cast in-person on election day at Kapolei Hale, as isolated, then you should be able to extrapolate the number of votes as tallied for the United States Presidency and U.S. Senate as a separate statistic.

Then apply statewide- how many people voted for what nominee for President and U.S. Senate on election day, in-person, wherever there was a place to vote in-person, versus not in-person and not on election day?

Can these statistics be made public?”

Then, with that number, the results might reflect that the percentage of votes cast for President and U.S. Senate on election day in person, sustain the argument that same day in-person voting benefits those candidates who were unsuccessful in their run.

To continue to restrict same day in-person voting could be interpreted as an act of voter suppression if intent is to wean a method of voting that by result, had benefited one political party over another.

Mahalo

Tom Berg
Ewa Beach, HI

From: [Linda Miyata](#)
To: [OE.Elections.Commission](#)
Cc: [Linda Miyata](#)
Subject: [EXTERNAL] Testimony request
Date: Tuesday, July 15, 2025 7:35:40 PM

ALOHA, MAHALO FOR YOUR WILLINGNESS TO BE ON THIS COMMITTEE TO IMPROVE OUR ELECTIONS.

MY NAME IS LINDA AND I'M A 4TH GENERATION RESIDENT OF HAWAII. MY GRANDMA WAS BORN IN WAIKAPU MAUI AND MY GRANDPA IN HANAPEPE KAUAI.

OUR FAMILY HAS BEEN VOTING IN PERSON WITH PAPER BALLOTS FOR DECADES, SUCCESSFULLY.

I WOULD LIKE TO OFFICIALLY REQUEST THAT WE RETURN TO IN PERSON VOTING WITH PAPER BALLOTS.

IT'S ACTUALLY CHEAPER AS WE WON'T HAVE TO RENT THE MACHINES OR PAY TO BRING HART WORKERS FROM THE MAINLAND AND PAY FOR THEIR HOTELS.

I KNOW THE ELECTIONS TEAM BEGINS WORKING ON THE MANUAL PROCEDURES FOR THE NEXT ELECTION RIGHT AFTER THEY COMPLETE AN ELECTION.

SO NOW IS THE TIME TO PREPARE WELL FOR IN PERSON VOTING WITH PAPER BALLOTS.

PEOPLE WILL VOLUNTEER IF THINGS ARE ORGANIZED AND HAVE ENOUGH TIME TO LEARN THE PROCEDURES WITH CONFIDENCE.

WE STILL HAVE A HOLIDAY ON ELECTION DAY SO ALL THE PUBLIC SCHOOL CAFETERIAS ARE AVAILABLE.

I BELIEVE WE CAN GET ENOUGH VOLUNTEERS. ALL PUBLIC SCHOOL TEACHERS HAVE THE DAY OFF, SO THEY WOULD HAVE AN OPPORTUNITY TO WORK AT THE PRECINCTS.

AT OUR 2024 ELECTION, WE HAD 300 VOLUNTEERS. 200 OPENING ENVELOPES AND 100 OFFICIAL OBSERVERS. AND THE ELECTIONS OFFICE ALREADY HAS THEIR CONTACT INFO.

I'M SURE EVERYONE HERE COULD RECRUIT AT LEAST 10 PEOPLE TO HELP WITH THE VOTING CENTERS. THE KEY IS TO START EARLY, SO PEOPLE FEEL PREPARED AND CONFIDENT.

WE DON'T NEED A VOTING CENTER AT EVERY PRECINCT, BUT PERHAPS AT LEAST ONE OR TWO PER DISTRICT.

SINCE THERE ARE MANUALS FOR EVERY ELECTION, THERE MUST BE COPIES FROM EARLIER IN PERSON, PAPER BALLOT PROCEDURES. WE COULD USE THAT AS A GUIDE.

WE WOULDN'T NEED DROP BOXES, OR THE ELECTRONIC SIGNATURE VERIFIERS. WE JUST NEED A CAN DO ATTITUDE.

LETS WORK AS A TEAM AND RESTORE CONFIDENCE AND TRUST IN OUR ELECTIONS. THE PEOPLE OF HAWAII DESERVE THE BEST.

FROM: Peter F. Young, Chair & Commissioner
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TO: Michael Curtis, Chair
State of Hawai'i Elections Commission

SUBJECT: Report on the Investigation into State and Kauai County Compliance with
HAR 3-177 and Discrepancies in Ballot Counts and Recommendations to
the State of Hawai'i Elections Commission

DATE: July 13, 2025

This is a report of the Permitted Interaction Group (PIG), which concludes:

- The complaints regarding chain of custody and election result discrepancies on Kauai are valid.
- No logs or records complying with HAR 3-177-453 (b) requiring "The clerk shall maintain a complete and current count of all mark sense ballots issued, spoiled, and received in their county" were received from the County of Kauai.
- The count - based on scans of ballot envelopes into the Statewide Voter Registration System (SVRS) - is not reconciled with any manual counts and is not verifiable.
- The number of mail-in ballots increased from the number collected (26,633 less 219 rejected in signature verification as reported by the County, but not officially) to the final number counted on Kauai (27,075 - as officially reported by the State). No plausible explanation for the increase of 661 ballots was offered by Chief Election Officer Scott Nago or the Kauai County Clerk.

PIG Investigation Summary

The Permitted Interaction Group (PIG) was formed at the March 19, 2025 meeting of the Elections Commission with three members: Peter Young (Chair & Commissioner), Anita Aquino (Member & Commissioner), and Lindsay Kamm (citizen member). Its charge was to collect information to validate complaints regarding chain of custody and election results discrepancies on Kauai, then to present its findings and make recommendations back to the State of Hawai'i Elections Commission.

On March 17, 2025, Chief Election Officer Scott Nago wrote to the Elections Commission stating that, despite inquiries, “election officials, at all levels, work with the utmost integrity and dignity to ensure secure and accurate elections.” He also stated that the division of election responsibilities between the counties and the State is meant to prevent fraud. He further explained that the various checks and balances that assure an honest and accurate election may not be visible to an observer and may occur at some other point in time. The PIG recognizes the excellent work of the various election units throughout the State and commend their continued efforts to improve the processes involved in State of Hawai‘i [various] elections each year.

On April 11, 2025, the PIG sent letters to Mr. Nago and the County Clerk requesting the daily records of the number of ballot envelopes received by the counties, the number verified, and the number transferred to the Counting Centers. The PIG asked the Clerk to demonstrate how they fulfilled HAR 3-177-453, which specifies,

“The clerk shall maintain a complete and current count of all mark sense ballots issued, spoiled, and received in their county. The accounting of mark sense ballots by the clerk shall be recorded on forms prescribed by the chief election officer.”

Over the last three months, the PIG has had several written exchanges with Chief Election Officer Nago, Kauai County Clerk Jade Fountain-Tanigawa, and Kauai Deputy Clerk Lyndon Yoshioka. Both offices have responded to our requests, furnished documents, and offered explanations.

They have not, however, provided a clear understanding of how the checks and balances work, nor have they removed doubt about the integrity of the election procedures. The PIG did not receive documents that comply with the law cited above. There are discrepancies in the processes for us to have full confidence in 1) the County of Kauai’s ballot envelope count (manual hand-count vs. official count), or 2) the Statewide Voter Registration System (SVRS).

Specifically, the number of ballot envelopes increased from the number collected (26,633) to the number transferred to the Counting Center (26,954) after the 219 ballot envelopes that did not pass signature verification were removed. Both these counts are less than the total mail-in ballots counted on Kauai as reported by the State (27,075). Lyndon Yoshioka’s response to four separate questions is that

“Any perceived inconsistency or correction within the manual hand-counts of return identification envelopes is irrelevant to the official election results, as they do not represent the official count.”

While this quote is true to fact, it does leave the PIG members trying to understand why there is a manual hand-count if it is “irrelevant” and why this manual hand-count discrepancy is not noted throughout the County’s documentation to address this confusion. The word “irrelevant” is off-putting to the members of the PIG.

The breakdown with the County occurs because all the documents that record the number of ballot envelopes received from the post office and collected from the ballot boxes have a disclaimer printed on them:

Figures in this spreadsheet represent a manual count of envelopes – not the number of ballots counted. This spreadsheet was created for internal purposes to track election progress with the understanding that it would not match official election results.

If this manual hand-count is not official, providing a full explanation at each hand-count iteration would address this discrepancy from the counts that are official. The PIG could not find any iterative explanation between the manual hand-count and the official count. There appears to be no inventory control of ballot envelopes, and the Statewide Voter Registration System (SVRS) logs are electronic and unverifiable by the PIG. Although the law clearly makes the Counties responsible for this task and the State assures the people that there is a chain of custody in which every ballot envelope is accounted for, there remain questions. In addition, the law does not provide for Official Observers outside of the Counting Room; if they are allowed to observe ballot envelope collection or signature verification, it is as a courtesy.

Mr. Nago stated in his letter to the PIG on April 25, 2025:

“Overall, the structure of sharing responsibilities between entities (State and County) creates natural checks and balances such as the comparison of the number of voters who cast their vote in the election -maintained by the County Clerk, to the number of voted ballots counted – compiled by the Office of Elections.”

In theory, it sounds valid, but in practice, there is no reconciliation between the two. One would expect the number of signature-verified ballot envelopes in SVRS to equal the number delivered to the Counting Center, but neither of those numbers are provided in real time, nor are they official. Mr. Nago states that the official count begins when the ballot envelopes are scanned by the Counties and recorded in the SVRS. This, then, is where the chain of custody begins, but there are opportunities to remove or add ballot envelopes prior to scanning.

PIG Recommendations

Having concluded our investigation, the PIG's recommendations are as follows:

- 1) Hold the State and County officials accountable for what happened during the 2024 General Election:
 - a. From the County, request an official audit of ballot envelopes from the collection points to the transfer to the Counting Center.
 - b. From the State, request an official audit to confirm that the State has 27,075 mail-in paper ballots in its possession.
 - c. Hold a hearing to address the State and County elections officials about how the total number of mail-in ballots counted on Kauai grew to 27,075. This is in keeping with 3-170-9: "The elections commission may convene a public hearing to receive evidence and to solicit public comment concerning the investigation. Such a public hearing will be held within a reasonable time after the elections commission has completed its investigation."
- 2) Request that efforts be made to modify the administration of elections in the future and change the rules to ensure:
 - a. Counties keep an accurate official daily count of ballot envelopes collected and received and publish a summary of the same. Any discrepancies between manual hand-count and official count be explained and attached to all summary statements of an election. This is not irrelevant.
 - b. Allow Official Observers to be present for collection of ballot envelopes from ballot boxes and the sign-off on the numbers recorded.
 - c. Allow Official Observers to be present for all steps of Signature Verification and sign-off on results.
 - d. Counties keep an official record of the number of ballot envelopes that do not pass signature verification each day and publish a chart summarizing those numbers.
 - e. Counties keep an official count of ballot envelopes transported to the County Centers and publish those counts. These counts should be included in any manual hand-count vs. official count discrepancy reports that are attached to any election summary report.