



MICHAEL CURTIS  
ELECTIONS COMMISSION CHAIR

**STATE OF HAWAII  
ELECTIONS COMMISSION**

**MINUTES OF THE  
REGULAR MEETING OF THE  
ELECTIONS COMMISSION**

**October 29, 2025 at 10:00 AM**

Pursuant to Section 92-3.7, Hawaii Revised Statutes, the Elections Commission met remotely using interactive conference technology. The video of the meeting may be viewed on our website at: <https://elections.hawaii.gov/about-us/boards-and-commissions/elections-commission/>.

**Commissioners in Attendance:**

Michael Curtis, Chair  
Dylan Andrion  
James Apana  
Ralph Cushnie  
Lindsay Kamm  
Clare McAdam  
Jeffrey Osterkamp  
Kahiolani Papalimu  
John Sabas

**Support Staff in Attendance:**

Jordan Ching, Department of the Attorney General  
Scott T. Nago, Office of Elections  
Nicole Noel, Office of Elections  
Aaron Schulaner, Office of Elections  
Aulii Tenn, Office of Elections

**PROCEEDINGS**

**I. Call to order [10:00 AM]**

The regular meeting of the Elections Commission was called to order by Chair Curtis. (Video 1)

II. Roll call and determination of a quorum [10:00 AM]

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

Commissioner Sabas entered the meeting at 10:03 AM and Commissioner Papalimu entered the meeting at 10:18 AM.

III. Meeting minutes [10:01 AM]

- a) Approval of written minutes from the October 1, 2025 meeting
- b) Discussion on Office of Elections findings on the cost and timing of verbatim minutes

Commissioner Cushnie moved that the Elections Commission follow the law and comply with HRS §92-9 when recording meeting minutes including item five to include any other information that any member of the board requests be included or reflected in the minutes. The motion was seconded by Commissioner Andrion and **failed** noting the excused absence of Commissioner Apana and Commissioner Papalimu. [10:01 AM]

YES: Andrion, Cushnie, Kamm

NO: McAdam, Osterkamp, Sabas, Curtis

Commissioner Cushnie stated he would vote against approving the minutes, asserting they did not accurately reflect the meeting.

Commissioner Kamm asked for the dissenting opinion related to the prior motion. Commissioner Apana explained the process for drafting and amending minutes and noted that the Commission had previously discussed its methods for compiling them. Commissioner Kamm clarified that her question concerned the objections to the additions requested in the earlier motion.

Commissioner Cushnie moved to amend the written minutes of October 1, 2025, to include at 3:50 Commissioner Cushnie made a motion to form a Permitted Interaction Group (PIG) to investigate HAVA complaints and violations, the Chair ruled the motion out of order and said it would be put on the next agenda. The second amendment is that Commissioner Papalimu asked that her name be removed from the PIG report. The third amendment is to see all the opinions of the Attorney General be put into the minutes with reference to the law that he cited. The fourth amendment to include on page 24 of the minutes is Chair Mike

Curtis denied hiding emails but would not authorize un-redacting them. The fifth amendment is to show responses that Scott Nago made to questions. The motion was seconded by Commissioner Andrion and **failed** noting the excused absence of Commissioner Papalimu. [10:05 AM]

YES: Andrion, Cushnie, Kamm

NO: Apana, McAdam, Osterkamp, Sabas, Curtis

Commissioner McAdam moved to approve the written minutes of October 1, 2025. The motion was seconded by Commissioner Apana and **carried** noting the excused absence of Commissioner Papalimu. [10:09 AM]

YES: Apana, McAdam, Osterkamp, Sabas, Curtis

NO: Andrion, Cushnie, Kamm

Chair Curtis asked Chief Election Officer (CEO) Scott Nago to discuss the cost and timing of producing verbatim minutes. CEO Nago referenced his letter proposing use of the Zoom transcript and explained that staff transcription would take roughly four hours for each hour of meeting audio, with workload dependent on the election cycle.

Commissioner Apana asked whether Zoom transcripts carry an additional cost, and CEO Nago confirmed they do not, though the transcript would be lengthy.

Commissioner Papalimu asked whether verbatim minutes could be manipulated, citing past concerns about altered recordings. CEO Nago acknowledged the possibility but noted that, consistent with current policy, changes would only be made for issues such as obscenity or doxxing. He added that the video recording itself could serve as the official record under HRS.

Commissioner Cushnie requested Deputy Attorney General (DAG) Jordan Ching's opinion on HRS §92-9(5). DAG Ching stated that any additions to minutes require Commission approval and affirmed his view that the Commission is complying with the Sunshine Law.

IV. Updates relating to motions from Permitted Interaction Groups [10:24 AM]

- a) Status of the audit of the Office of Elections
- b) Status of the Commission's request for USPS business reply mail receipts for Hawaii County's 2024 General Election

James Raymond provided testimony in strong support of mail-in voting, criticizing the Commission for dismissing his comments as off-agenda.

Lyla Bashan provided testimony defending the integrity of mail-in voting, arguing that concerns about its reliability are unfounded and that requiring mail-in receipts would disenfranchise many Hawaii voters.

Michael Collat provided testimony in strong support of mail-in voting, opposing any measures that restrict it and emphasizing accessibility, efficiency, and election integrity.

Susan Trombley provided testimony supporting mail-in voting, sharing that health and mobility issues make it difficult for her and her family to vote in-person.

Jody Weidemann provided testimony in strong support of continuing mail-in voting, noting its increasing importance as she and her husband age.

Janet Mason provided testimony opposing the Commission's request to return to in-person voting and requiring mail receipts, calling the actions unlawful and harmful to voter participation.

Brodie Lockard provided testimony supporting mail-in voting, opposing efforts to restrict it, and sharing that as a wheelchair user, vote-by-mail has ensured his continued participation in elections.

Ruth Robison provided testimony opposing the Commission's proposal to return to polling place elections, emphasizing that mail-in voting is secure, increases access, and supports democracy.

Desi McKenzie provided testimony supporting mail-in voting, saying it protects her and her daughter with Down syndrome from health risks while ensuring their participation.

Representative Garner Shimizu provided testimony expressing concern over the Commission's transparency, urging adoption of verbatim AI-generated minutes for accuracy.

Keikilani Ho provided testimony questioning the PIG report's accuracy, alleging misrepresentation of a Commissioner's input, and calling for transparency in ballot records.

James Gashel provided testimony saying the Commission's vote to return to in-person voting violated the Sunshine Law and urged for transparency and public input.

Jaerick Medeiros provided testimony alleging Sunshine Law violations and corruption, criticizing mail-in voting, and urging a return to county-run elections.

David Wiseman provided testimony opposing the elimination of mail-in voting, emphasizing its accessibility and low fraud risk.

Dawn Ross provided testimony supporting mail-in voting, rejecting fraud claims and emphasizing its importance for accessible democracy.

Cory Hardin provided testimony supporting mail-in voting, noting fraud is rare and that it benefits voters with health, disability, or scheduling challenges.

Vernelle Oku provided testimony supporting restoring in-person voting for transparency and called for removing Commissioners who do not follow the law.

Tara Malia Gregory provided testimony urging election transparency, accountability, and an independent audit due to unverified ballot records and missing USPS data.

Ann, a blind voter, provided testimony explaining that vote-by-mail ensures privacy and accessibility, describing her voting experience as smooth and reliable, and condemned efforts to discredit the system.

Paul Bernstein provided testimony supporting mail-in voting, saying it allowed him to vote while caring for a parent on the mainland.

Perle Besserman provided testimony in strong support of keeping mail-in voting, citing its importance for senior citizens, people with disabilities, rural residents, and those who travel or work off-island.

Tina Marie Even provided testimony in strong opposition to return to polling-place elections, supporting mail-in voting as a secure, fair and accessible method that increases participation for all voters.

David provided testimony opposing a return to in-person voting, saying Hawaii lacks the infrastructure for single-day voting without lowering turnout.

Ellen Caringer provided testimony supporting Hawaii's vote-by-mail system, saying it ensures fairness and accessibility for all voters.

Robert Justice provided testimony opposing returning to in-person-only voting, saying mail-in voting ensures accessibility for seniors and people with disabilities and that in-person voting could lead to discrimination and voter intimidation.

Sue Cowing provided testimony opposing a ban on mail-in voting, saying it boosts turnout, reduces costs, and avoids rebuilding in-person systems.

Susan Young provided testimony supporting mail-in voting, noting that in-person polling disrupts school operations, burdens workers and caregivers, and limits access for people with injuries or disabilities.

Tim Huycke provided testimony supporting mail-in voting, citing its convenience, accessibility, and protection from intimidation.

Bonnie Hendrickson provided testimony expressing strong support for mail-in voting, saying she has used and trusted it for years and urged making voting easier for everyone.

Doris Segal Matsunaga provided testimony supporting keeping Hawaii's mail-in voting system, emphasizing its importance for residents in rural and semi-rural areas.

Kyle Daniel provided testimony opposing returning to in-person-only voting, supporting mail-in ballots for allowing working residents and those with limited time or mobility to vote conveniently and thoughtfully.

Michelle Stefanik provided testimony opposing mail-in voting, citing transparency and security concerns, and supporting a return to in-person precinct voting.

Vivian Toellner provided testimony supporting mail-in voting, said discrepancies likely came from drop-off ballots, and offered her accounting expertise to help improve transparency.

Patti Cook provided testimony strongly supporting vote-by-mail and expressed appreciation for the many others who spoke in favor of it.

Mara Hanson provided testimony opposing returning to in-person precinct voting, saying mail-in voting reduces burdens for working residents, ensures greater participation, allows ballot tracking and curing, and that USPS accounting issues shouldn't jeopardize the system.

Adriel Lam provided testimony alleging voter record and mail-in ballot irregularities, urging the Commission to investigate discrepancies and ensure accountability.

Lynn Ryan provided testimony in support of mail-in voting, mentioning its proven integrity, accessibility, and convenience for researching candidates.

Susan Strom provided testimony opposing mail-in voting, citing alleged USPS ballot count discrepancies and urging a return to secure in-person voting.

Alika Valdez provided testimony supporting mail-in voting, emphasizing its convenience for those with work or family obligations and urging trust in the system's transparency.

Tamara McKay provided testimony alleging problems with mail-in ballots and transparency, criticizing the Commission's procedures and voting patterns, and urging a return to one-day, in-person, paper-ballot elections with strict compliance to Sunshine Law.

Banner Fanene provided testimony fully supporting Agenda Items IV A and IV B.

Sharlene Mata provided testimony urging an independent audit to address election record discrepancies and ensure transparency and accountability.

Victor Muh provided testimony supporting in-person voting and proposing Election Day as a statewide celebration.

Lynn Surayan provided testimony criticizing the Commission's oversight of voting systems and urging more transparency and in-person voting options.

Brennon Cabral provided testimony against elections by mail.

AnnMarie Hamilton provided testimony urging a return to in-person voting, citing security, auditability, and chain of custody concerns with mail-in ballots.

Jamie Detwiler provided testimony supporting an audit and a return to in-person voting due to ballot custody concerns in the 2024 Elections.

Ann Pitcaithley provided testimony supporting mail-in voting while urging an independent audit of USPS mail receipts to address chain of custody concerns.

Klayton Kubo provided testimony expressing frustration about perceived corruption and urging the Commission to investigate reported election discrepancies.

Daniel Gabriel provided testimony supporting Agenda Items IV A and IV B, opposing mail-in voting due to security and accuracy concerns, and suggesting in-person or online voting as better alternatives.

Jennifer Hunt provided testimony expressing concern that Hawaii's vote-by-mail system lacks sufficient oversight and compliance with state election laws, calling for stronger accountability and transparency.

Robin Nagasako provided testimony in support of investigating the Office of Elections and returning to in-person voting with absentee options due to ballot discrepancies.

Brett Kulbis provided testimony in support of restoring in-person voting, citing ballot mishandling, poor accountability, and the need for transparent audits.

Thorne Silverberg provided testimony in support of improving, not eliminating, mail-in voting for seniors, veterans, and working families.

Donald Sakamoto provided testimony in support of electronic ballots for disabled voters and called for investigations and better voter registration accuracy.

Debbie provided testimony in support of items 4A and 4B, advocating a return to in-person voting for greater accountability and noting that Hawaii law already provides paid time off for employees to vote on Election Day.

Ailanna L. provided testimony in support of eliminating mail-in voting, stating she always votes in person despite a busy schedule and believes others can do the same using absentee voting if necessary.

April Lee provided testimony urging a return to early or absentee voting, citing weak ballot chain of custody and fraud risks.

Arthur Hannemann provided testimony in support of in-person voting while keeping mail-in options, emphasizing election integrity and vote protection.

Dennis Leskovec II provided testimony calling for more accountability, transparency, and political balance to restore public trust in Hawaii's democracy.

Laura Nakanelua provided testimony urging the Commission to follow legal procedures and maintain transparency and accountability in its meetings.

Andrew Aker provided testimony supporting in-person voting, emphasizing transparency, community unity, and civic education in elections.

Michael Golojuch Jr. provided testimony opposing the return to all in-person voting, emphasizing that mail-in voting ensures accessibility for working families and those with limited time or resources.



Patty provided testimony opposing mail-in voting, citing a lack of transparency and calling for a return to simple, in-person voting with greater public trust and accessibility.

Jennifer Cabjuan provided testimony supporting a hand-count audit for Honolulu County, citing ballot and postal security concerns and urging readiness for possible voter ID rules.

Jakki Nelson provided testimony supporting restoring in-person voting with absentee options, saying it builds community and is manageable with volunteers.

Robyn McCreary provided testimony supporting in-person voting with voter ID, secure offline counting, and making Election Day a statewide holiday.

Craig Spencer provided testimony urging stronger oversight without limiting voting options, opposing an all-in-person system that could disenfranchise mail voters.

Kevin Hill provided testimony supporting returning to primarily in-person, paper-based voting as the most secure and verifiable method.

Margie Merryman provided testimony supporting the continuation of Hawaii's mail-in voting system, emphasizing accessibility, cost efficiency, and trust in its integrity.

Lorraine Hinaga provided testimony supporting secure elections and a return to in-person voting, while keeping mail-in options for those unable to vote in person.

Tara Rojas provided testimony supporting an election audit and a return to in-person voting, citing distrust in mail-in voting and calling for new Commission leadership.

Pam Elders provided testimony opposing an audit and the elimination of mail-in voting, calling the proposals unnecessary, costly, and voter-suppressive.

Junya Nakoa provided testimony supporting in-person voting and an audit, citing distrust in Maui's mail-in ballot verification and counting.

Megeso Denis provided testimony supporting in-person voting with voter ID and same-day precinct counting, limiting mail voting to military and disabled voters.

Wendy N. provided testimony supporting that voters request absentee ballots over universal mail voting, citing ballot security and civic responsibility.

Tuli Tafai provided testimony opposing restrictions on ballot access, urging more service centers and early voting options.

The Royal House of Hawaii provided testimony asserting that U.S. governance in Hawai'i is illegitimate and questioning when the Hawaiian Kingdom would elect its own leaders.

Allie Arcangel provided testimony supporting expanded in-person voting options, saying younger voters should have the choice to vote in person.

Commissioner Kamm stated that she understood the Commission, rather than the Office of Elections, would be submitting its request to the Legislature.

Commissioner Kamm asked CEO Nago to confirm that the letter to the Legislature was sent on October 6. Commissioner Kamm further noted that she had previously discussed with Chair Curtis the possibility of drafting a separate request to the Legislature after CEO Nago had already submitted the letter.

Chair Curtis suggested treating the two letters as two separate motions. Commissioner Kamm noted that she had spoken with Chair Curtis about drafting a request to the Legislature after CEO Nago had already submitted one. Chair Curtis acknowledged the discussion.

Commissioner Cushnie expressed his support for the motion, citing allegations of discrepancies in the 2024 Elections and claiming poor recordkeeping and unverifiable records.

Commissioner Osterkamp stated his opposition, explaining that although he is not opposed to audits in principle, he believes the request is grounded in conspiracy-based allegations of fraud that the Commission should not perpetuate.

Commissioner Andrion clarified that the motion concerns having the request originate from the Commission itself and said that Commissioners should not comment on the validity of the request.

Commissioner Kamm moved that the Election Commission issue the letter, signed by Chair Curtis, to the Legislature regarding the request for an audit, that was previously approved at the Commission's October 1, 2025 meeting. The motion was seconded by Commissioner Cushnie and **carried**. [2:06 PM]

YES: Andrion, Apana, Cushnie, Kamm, Papalimu, Sabas, Curtis

NO: McAdam, Osterkamp

Commissioner Cushnie moved that the Elections Commission issue a letter to the Legislature regarding the request to return to in-person same-day voting, that was previously approved at the Commission's October 1, 2025 meeting. This motion was amended to instruct Chair Curtis to include in the letter the Commission's vote on the action taken at the October 1, 2025 meeting. This motion was further amended to have Chair Curtis and Commissioner Kamm write the letter together. The motion was seconded by Commissioner Papalimu and **carried**. [2:33 PM]

YES: Andrion, Cushnie, Kamm, Papalimu, Sabas

NO: Apana, McAdam, Osterkamp, Curtis

Commissioner Osterkamp moved to amend the motion, that the Elections Commission issue a letter to the Legislature regarding the request to return to in-person same-day voting, to instruct Chair Curtis to include in the letter the Commission's vote on the action taken at the October 1, 2025 meeting. The motion was seconded by Commissioner Apana and **carried**. [2:36 PM]

YES: Andrion, Apana, Cushnie, Kamm, McAdam, Osterkamp, Sabas, Curtis

NO: Papalimu

Commissioner Papalimu moved to amend the motion, that the Election Commission issue the letter to the Legislature regarding the request to return to in person same day voting and to include the vote of the Commission on the action taken, to have Chair Curtis and Commissioner Kamm write the letter to the Legislature together. The motion was seconded by Commissioner Andrion and **carried**. [2:41 PM]

YES: Andrion, Apana, Cushnie, Kamm, McAdam, Papalimu, Sabas, Curtis

NO: Osterkamp

Commissioner Cushnie moved to have a group of volunteers from different parties count the number of envelopes from the County of Hawaii and determine how many envelopes came through the postal service and determine the total number of envelopes collected by the County of Hawaii and this be completed before the end of this year. The envelopes should be arranged in stacks of ten and then stacks of hundreds and then stacks of thousands. The stacks should be

separated by whether they came through the postal service or via drop box. The motion was seconded by Commissioner Papalimu and **failed**. [2:51 PM]

YES: Papalimu

NO: Andrion, Apana, Cushnie, Kamm, McAdam, Osterkamp, Sabas, Curtis

Commissioner Cushnie attempted to move for a subpoena to compel the Hawaii County Clerk to provide USPS receipts. DAG Ching explained that the Commission may issue subpoenas only for evidentiary hearings, and because this was a regular public meeting, the Commission did not have legal authority to issue a subpoena.

Commissioner Kamm asked whether cost-sharing arrangements between the State and Counties included USPS receipts. CEO Nago responded that those details remain with the County.

Commissioner Papalimu asked again about the USPS account holder, including whether it has multiple names. CEO Nago said he was unsure who is on the account but confirmed it is not tied to the Office of Elections. When asked whether the Commission could request that information, he clarified that such requests would need to be directed to the County of Hawaii.

Commissioner Cushnie reiterated his assertion that CEO Nago should be retrieving the USPS receipts for the Commission and said the Commission should explore other means to confirm an alleged vote discrepancy.

Commissioner Cushnie moved to have CEO Nago contact the U.S. Postal Service to request information and records related to the County of Hawaii's receipts in order to help clarify discrepancies, prior to the next Commission meeting. The motion was seconded by Commissioner Kamm and **failed**. [2:57 PM]

YES: Cushnie

NO: Andrion, Apana, Kamm, McAdam, Osterkamp, Papalimu, Sabas, Curtis

V. Communications and correspondence, received for the record [3:20 PM]

Victoria Thompson provided testimony about mail-in ballot handling, claiming that undelivered ballots were sometimes discarded without proper tracking and urging the Commission to investigate how returned ballots are managed.

AnnMarie Hamilton provided testimony criticizing a report by Commissioners Osterkamp and McAdam, arguing that the unexplained discrepancy of 19,042 mail-in envelopes on the Big Island shows serious chain of custody failures in Hawaii's elections and calling for accountability and audits.

Tara Rojas provided testimony criticizing Chair Curtis for poor communication, lack of transparency and control over meetings, urging Commissioners to speak up, pay attention to the public, and rebuild trust in Hawaii's election process.

Jennifer Hunt provided testimony expressing concern about missing mail-in ballots, emphasizing the need for a clear chain of custody and accountability from the post office, and urging Commissioners to take action.

Daniel Gabriel provided testimony supporting Agenda Item V, advocating for all Commissioners to access Commission communications, and criticized Chair Curtis for inappropriate conduct during meetings.

Janet Mason provided testimony supporting a statewide audit of the 2024 Election but stated that Commissioner Cushnie's personal request to the USPS was inappropriate and that postal records should not be used to reconcile ballot counts.

Michelle Stefanik provided testimony supporting access to USPS ballot receipt records, calling for all Commissioners to have access to commission emails, and urging the removal of Chair Curtis and CEO Nago for poor leadership and lack of transparency.

Alan Haungs provided testimony stating that USPS mail tracking data should exist and suggested escalating concerns about missing ballot records to postal inspectors or higher authorities.

Michael Golojuch Jr. provided testimony urging Commissioners to better understand and follow Hawaii's Sunshine Law, emphasizing that individual actions or emails do not represent official Commission business and criticizing misinformation and unsubstantiated claims of election fraud.

Jamie Detwiler provided testimony supporting Commissioner Cushnie's letter, stating that its requests promote accountability and transparency for voters, and criticized what she described as gaslighting and inconsistent enforcement of meeting rules by the Chair.

Junya Nakoa provided testimony criticizing the Commission for lacking transparency and preventing discussion about missing ballots.

Pam Elders provided testimony urging the Commission to seek professional facilitation, proper training on meeting procedures, and verified information to reduce personal conflict, improve efficiency, and rebuild public trust.

Susan Strom provided testimony supporting Commissioner Cushnie's letter and calling for full transparency, accountability, and reform of the voting system while criticizing certain Commissioners for dismissive behavior and lack of trustworthiness.

Patty provided testimony criticizing Commissioners for omitting her emphasis on transparency in mail-in voting, accusing them of avoiding accountability, and urging them to either correct their mistakes or resign.

Robin Nagasako provided testimony criticizing the Commission's lack of professionalism and efficiency, urging certain members to resign and calling for greater accountability, transparency, and proper meeting training.

Terri Bulacan provided testimony questioning why her complaint alleging a conflict of interest involving Commissioner McAdam was not placed on the agenda and urged the Commission to investigate the matter immediately.

Tamara McKay provided testimony urging Commissioners to act professionally and without political bias, follow proper meeting procedures, and restore public trust through transparency and respectful conduct.

Representative Garner Shimizu provided testimony criticizing Chair Curtis for limiting public participation, urging the Commission to address election integrity concerns transparently and efficiently, and calling for members unwilling to serve the public to step down.

Tara Malia provided testimony urging the Commission to prioritize transparency, cooperation, and accountability, encouraging certain members to step down if they cannot act in the public's best interest.

Commissioner Cushnie was removed from the meeting by Chair Curtis for repeated disruption, citing the Chair's authority under Section 92-3, HRS.

Commissioner Osterkamp stated that Chair Curtis has been the target of hostility from some Commissioners over rulings or minor issues. He said that under Robert's Rules of Order, personal attacks are not permissible, and he noted that Chair Curtis acted appropriately to address ongoing disruptions by Commissioner Cushnie.

Commissioner Apana suggested tabling further discussion of Agenda Item V until Commissioner Cushnie could participate.

Commissioner Andrion moved to permit Commissioner Cushnie back into the meeting. The motion was seconded by Commissioner Papalimu and **failed** noting the excused absence of Commissioner Cushnie. [4:25 PM]

YES: Andrion, Apana, Kamm, Papalimu

NO: McAdam, Osterkamp

ABSTAIN: Sabas, Curtis

The meeting was recessed at 4:31 PM and reconvened on Wednesday, November 5, 2025, at 10:00 AM. (Video 2)

All members of the Elections Commission were present at the meeting with the exception of Commissioner Papalimu and Commissioner Sabas. Commissioner Papalimu entered the meeting at 10:05 AM and Commissioner Sabas entered the meeting at 10:09 AM.

Commissioner Cushnie argued that DAG Ching represents the Commission as a whole and should not communicate only with the Chair or the Office of Elections.

Commissioner Andrion expressed support for the motion and said he believes its purpose is to place the matter in the public record.

Commissioner Apana stated his opposition, explaining that Commissioners should be able to approach the Deputy Attorney General individually.

Commissioner Cushnie reiterated that he wants a written opinion from DAG Ching, noting that the previous Deputy Attorney General informed the Commission that the Attorney General's Office responds only to questions submitted by the body.

Commissioner Cushnie moved to have the Deputy Attorney General provide in writing within two weeks his opinion that emails sent to and from the Elections Commission email address can be withheld from the Commission and from the public and how the Chair can receive legal advice from the Deputy Attorney General that the Commission is not entitled to. The motion was seconded by Commissioner Andrion and **failed** noting the excused absence of Commissioner Kamm. [12:56 PM]

YES: Andrion, Cushnie, Papalimu

NO: Apana, McAdam, Osterkamp, Sabas, Curtis

VI. Discussion and decision making relating to Commissioner Osterkamp's Permitted Interaction Group (PIG) report on election results discrepancies on the Big Island [10:05 AM]

Jaerick Medeiros provided testimony criticizing the Commission's handling of the meeting, accusing certain members of bias and lack of transparency, and demanding that Commissioner Cushnie be allowed to speak and that the agenda be followed properly.

Austin Martin provided testimony expressing frustration that his complaint had not been addressed, alleging misconduct and lack of transparency within the Commission, and accusing officials of suppressing audits and misleading the public about election integrity.

Judith Mills-Wong provided testimony expressing appreciation for the thorough, fact-based report confirming the accuracy of ballot counts and supporting the decision not to use USPS mail records for audit purposes.

Jennifer Hunt provided testimony citing Hawaii election code on ballot accountability, questioning changes to ballot tracking procedures, criticizing the accuracy of the report, and alleging a lack of transparency and proper recordkeeping.

Shelby Billionaire provided testimony alleging federal corruption and conflicts of interest in the election process, questioning the credibility of officials and the handling of records, and calling for greater accountability.

Jamie Detwiler provided testimony criticizing the lack of decorum among Commissioners, questioning unequal enforcement of meeting conduct, and urging accountability and transparency in election procedures, including the handling of ballot mail receipts.

Tara Rojas provided testimony accusing the Commissioners of conflicts of interest, criticizing members for lack of attention and respect during meetings, and expressing frustration that public concerns and complaints were not being properly heard or addressed.

Adriel Lam provided testimony questioning the reliability of the USPS in handling mail-in ballots, criticizing Commissioners for dismissing concerns about election integrity, and expressing frustration that evidence of potential issues had been ignored.



Vernelle Oku provided testimony expressing disappointment with Commissioners for failing to uphold election integrity and urged several members, including the Chair, to resign if they could not fulfill their constitutional responsibilities.

Keoni Payton provided testimony criticizing the Commission for alleged law violations, misconduct, and lack of accountability, accusing several Commissioners of corruption and bullying.

Susan Strom provided testimony criticizing the Commission's handling of election integrity, claiming the elections were illegitimate due to ballot record issues and calling for same-day, in-person voting and a statewide re-vote.

Keikilani Ho provided testimony expressing distrust in the Commission and Office of Elections, citing conflicts of interest in the Big Island audit and repeated denials of public records requests.

Michael Golojuch Jr. provided testimony supporting Commissioner Osterkamp's report, stating it clearly disproved claims of ballot discrepancies and urging the Commission to dismiss related complaints and move on from unfounded election fraud allegations.

Tara Malia Gregory provided testimony criticizing election officials for lack of transparency and accountability, citing public records and emails as evidence of mismanagement and calling for truth and accuracy in ballot reporting.

Keenan Place-Puaa provided testimony urging the Commission to restore public trust by conducting a proper audit and following the law, expressing frustration over the lack of accountability and growing community distrust.

Daniel M. Gabriel provided testimony opposing the PIG report and argued that elections should be audited by an independent third party rather than by government officials auditing themselves.

Andrew Aker provided testimony accusing election officials of corruption and demanded honesty and accountability in Hawaii's elections.

Dale VanderBrink provided testimony thanking Commissioner Osterkamp for his detailed report and criticizing others for ignoring evidence and engaging in personal attacks.

Jeni Lehua provided testimony rejecting Commissioner Osterkamp's report, accusing the Commission of corruption, hypocrisy, and favoritism, and expressing frustration on behalf of Native Hawaiians.

Junya Nakoa provided testimony criticizing the Commission's investigation process, claiming it lacked fairness and accountability, and urging officials to restore public trust and encourage voter participation.

Sheryl Bieler provided testimony criticizing the Chair for poor meeting decorum, lack of transparency, and authoritarian conduct, urging the Commission to follow proper procedures and maintain respectful dialogue.

Tamara McKay provided testimony expressing distrust in the Commission's transparency and election integrity, calling for an audit, paper ballots, and accountability for the alleged improper removal of a Commissioner.

Peter Bernegger provided testimony alleging election fraud and a cover-up in Hawaii's 2024 Elections, warning Commissioners of forthcoming lawsuits and federal investigations.

Joan Schwandt provided testimony expressing distrust in mail-in voting, alleging ballot harvesting and lack of transparency in Hawaii's elections, and calling for in-person, paper ballot voting.

Michelle Stefanik provided testimony criticizing the Chair for favoritism and authoritarian behavior, expressing support for fair treatment among Commissioners and agreement with most testifiers.

Doug Pasnik provided testimony criticizing the Commission for failing to investigate ballot discrepancies in the Big Island report and urged proper oversight and transparency in election reviews.

Cal provided testimony saying the Commission is corrupt and oppressive to Kanaka Maoli, expressing deep frustration and warning of serious consequences if things do not change.

Nancy Moser provided testimony opposing the Commission's proposed election changes, arguing they would restrict voter access and reverse a functioning mail-in voting system.

Brennon Cabral provided testimony against elections by mail.

Representative Garner Shimizu provided testimony questioning the credibility of the PIG report, citing unanswered discrepancies in ballot counts, lack of transparency, and failure to fully investigate missing mail ballot data.

Commissioner Papalimu clarified she did not participate in the investigation tied to the report and asked for her name to be removed. She expressed concern about being portrayed as a conspiracy theorist and emphasized the need for transparency, noting BRM data could help validate certain records.

Commissioner McAdam explained that BRM receipts are financial documents only and not ballot-tracking tools, and that USPS is not involved in ballot verification. She also stated her auditing work does not create a conflict of interest.

Commissioners Andrion and Cushnie defended the PIG's investigation, asserting that their efforts were legitimate attempts to verify election results. They raised concerns about limited access to SVRS data and alleged discrepancies, including a claimed 19,000-ballot gap. Commissioner Cushnie further alleged withheld information and called for a criminal investigation.

Commissioner Kamm encouraged shifting the focus toward solutions, recommending that County Clerks provide a verifiable paper trail to support SVRS data. She also urged improved decorum in meetings.

Commissioner Osterkamp agreed on the importance of decorum and noted the Commission's limited authority to require additional reporting retroactively. He outlined the PIG report process and said all members had opportunities to contribute.

Commissioner Papalimu reiterated concerns about incomplete information, inconsistencies from election officials, and the lack of a clear paper trail. She questioned whether the alleged 19,000-ballot issue was adequately addressed and suggested considering a return to single-day, in-person voting.

Commissioner Sabas urged the Commission to move toward collaborative, solutions-focused discussion for future improvements.

Commissioner Kamm moved that the Elections Commission request that the Chief Election Officer require the County Clerks to produce reports based on verifiable paper trails of ballot envelopes collected and delivered to the counting centers. The motion was amended to have the Elections Commission advise the Chief Election Officer to require the County Clerks to produce daily reports based on hand counts of ballot envelopes collected. The motion was seconded by Commissioner Cushnie and **failed**. [12:26 PM]

YES: Andrion, Cushnie, Kamm, Papalimu

NO: Apana, McAdam, Osterkamp, Sabas, Curtis

Commissioner Osterkamp asked for clarification on the meaning of “verifiable” in the motion. Commissioner Kamm stated she was open to adjusting the wording and explained that her intent was for County Clerks to total collected return identification envelopes, subtract non-validated envelopes, and confirm the numbers recorded in SVRS.

Commissioner Cushnie proposed an amendment to make the motion’s language more specific.

Commissioner Apana questioned whether the amendment, and possibly the motion itself, was redundant. DAG Ching noted that it may be redundant because existing law already requires compliance with the procedures, depending on the motion’s intent.

Commissioner Osterkamp stated that HAR §3-177-453(b) does not pertain to chain of custody and read the rule for clarity.

Commissioner Kamm reiterated that her motion is intended to provide corroboration beyond what the State and Counties believe already satisfies legal requirements, and that obtaining ballot counts should be straightforward.

Commissioner Cushnie argued that ballot tracking should begin at the moment ballots are collected from drop boxes and the USPS. He stated that the described observer and reconciliation practices are not always followed, criticized reliance on SVRS summary reports, and emphasized the need for real-time recordkeeping.

Commissioner Cushnie moved to amend the motion, that the Elections Commission request that the Chief Election Officer require the County Clerks to produce reports based on verifiable paper trails of ballot envelopes collected and delivered to the counting centers, to include advise the Chief Election Officer to follow the law in accordance with HAR 3-177-453(b) that the chain of custody or record keeping begins when the counties pick up ballots at the drop boxes and when they receive the ballots from the USPS. The motion was seconded by Commissioner Andrion and **failed**. [12:28 PM]

YES: Andrion, Cushnie

NO: Apana, Kamm, McAdam, Osterkamp, Papalimu, Sabas, Curtis

Commissioner Kamm offered an amendment to clarify the motion’s language.

Commissioner Papalimu asked CEO Nago to confirm that law requires a form prescribed by the Chief Election Officer; CEO Nago affirmed that SVRS serves as the electronic form and that Counties can pull daily cumulative reports, which were provided to the Commission for the 2024 General Election.

Commissioner Sabas asked whether the motion intended to require a hand count. Commissioner Kamm stated she believed Counties already conduct hand counts in some cases, and CEO Nago clarified that practices vary. He explained that Kauai has hand counted envelopes but has experienced errors, and that hand counts would be infeasible and inaccurate for Honolulu due to the volume of ballots.

Commissioner Cushnie restated his belief that CEO Nago's statements contradict the ballot-processing information presented on the Office of Elections' website.

Commissioner Cushnie, Commissioner Kamm, and Chair Curtis discussed revisions to the motion to clarify that its intent is to account for the number of ballots collected by the County Clerks.

Commissioner Kamm moved to amend the motion, that the Elections Commission request that the Chief Election Officer require the County Clerks to produce reports based on verifiable paper trails of ballot envelopes collected and delivered to the counting centers, to instead have the Elections Commission advise the Chief Election Officer to require the County Clerks to produce daily reports based on hand counts of ballot envelopes collected. The motion was seconded by Commissioner Papalimu and **carried**. [12:40 PM]

YES: Andrion, Cushnie, Kamm, Papalimu, Curtis

NO: Apana, McAdam, Osterkamp, Sabas

Commissioner Cushnie moved to send a letter from the Elections Commission to the USPS Inspector General asking them how many ballots were delivered to the County of Hawaii during the 2024 General Election broken out by how many ballots were returned by voters versus how many were simply undeliverable and returned to sender. The motion was seconded by Commissioner Andrion and **failed** noting the excused absence of Commissioner Kamm. [12:54 PM]

YES: Andrion, Cushnie, Papalimu

NO: Apana, McAdam, Osterkamp, Sabas, Curtis

VII. Formal complaints [1:04 PM]

- a) ECC-25-005
- b) ECC-25-006
- c) ECC-25-007
- d) ECC-25-008
- e) ECC-25-009
- f) ECC-25-010

The Commission recessed for 10 minutes before reconvening at [1:05 PM].

Jennifer Hunt provided testimony criticizing the Commission for failing to enforce election laws, alleging inadequate recordkeeping and transparency in ballot chain of custody procedures, and urging a return to verifiable, precinct-level voting.

Austin Martin provided testimony alleging election misconduct and lack of transparency, claiming officials ignored complaints and hindered fair participation.

Peter Bernegger provided testimony alleging HAVA violations involving missing mail-in envelopes and failure to retain election records, urging the Commission to reopen his complaint and enforce federal requirements.

Tara Rojas provided testimony expressing concern about corruption, ignored complaints, and lack of accountability within the Elections Commission, urging members to uphold the will of the people and ensure integrity in elections.

Shelby Billionaire provided testimony alleging widespread corruption and election fraud, expressing distrust in the election system and calling for independent accountability and transparency.

Jamie Detwiler provided testimony about ongoing concerns with ballot chain of custody, urging the Commission to address unresolved issues and provide a response to her formal complaint.

Judith Mills-Wong provided testimony supporting factual, professional oversight of elections and audits, emphasizing that complaints are not facts and condemning threats made against Commissioners.

Jaerick Medeiros provided testimony criticizing the Commission's handling of elections, accusing members of corruption and incompetence, and calling for election control to return to the Counties.

Doug Pasnik provided testimony alleging that Hawaii's elections were certified unlawfully before meeting statutory requirements and criticized the Commission and Chief Election Officer for failing to investigate or enforce election laws.

Keoni Payton provided testimony urging a return to paper, county-run elections for transparency and safety, rejecting claims it would harm disabled voters.

Tara Malia Gregory provided testimony stating that Hawaii's election process violated state and federal chain of custody laws, urging the Commission to ensure transparency and compliance with HAVA requirements.

Jennifer Cabjuan provided testimony alleging poor chain of custody practices in Honolulu County's mail ballot process and urged a return to same-day, precinct-level voting to ensure transparency and accurate counts.

Michelle Stefanik provided testimony expressing concerns about limited transparency and lack of observer access during ballot counting, calling for greater accountability and openness in Hawaii's election process.

Representative Garner Shimizu provided testimony questioning the whereabouts of returned ballot envelopes and urging the Commission to verify the count and ensure that Hawaii's mail-in voting system complies with state laws requiring a verifiable paper audit trail.

Joan Schwandt provided testimony emphasizing the importance of protecting free speech, calling for in-person voting with ID verification, annual election audits, and greater transparency to restore public trust in the election process.

Chair Curtis lost connection to the meeting and rejoined at [2:11 PM]. The Commission recessed at [2:05 PM] and reconvened at [2:15 PM].

Commissioner Cushnie asked how the Commission could demonstrate transparency to the public and raised concerns about the verifiability of chain of custody records.

Commissioner Apana stated he wanted the public to have the best system possible and shared insights from meeting with the Maui County Clerk about ballot collection processes. He noted that while nothing is perfect, improvement

is the goal and some previous proposals were impractical without additional resources.

Commissioner McAdam emphasized that the Commission had previously recommended the Legislature form a bipartisan committee on chain of custody issues and suggested continuing that approach while also considering a PIG. Chair Curtis asked that the letter be resent.

Commissioner Papalimu stated she appreciated clarification that certain daily forms can be retrieved and believed this could simplify reporting. She underscored the need for regular information from County Clerks and expressed concern about perceived disregard for legal requirements.

Commissioner Sabas and Chair Curtis stressed the importance of building relationships with County Election Offices to support cooperation and system improvements.

Commissioner Osterkamp suggested forming a PIG to meet with County Clerks and develop recommendations, potentially including one Commissioner from each county.

Commissioner Cushnie supported resending the letter to the Legislature and forming a PIG to work with County Clerks on obtaining daily ballot collection counts.

DAG Ching advised postponing a vote on forming a PIG, citing Sunshine Law requirements and OIP guidance. Commissioner Cushnie disagreed, accusing DAG Ching of obstruction and requesting statutory citations. DAG Ching explained that PIGs are governed by HRS §92-2.5 and must be considered alongside HRS §92-7 on public meetings. Chair Curtis stated that the formation of a PIG would be placed on the next agenda.

Commissioner Cushnie moved to form a Permitted Interaction Group (PIG) to meet with the County Clerks to develop a solution to the chain of custody and to determine how to obtain accurate daily reports of ballots received. The motion was seconded by Commissioner Sabas and **failed** noting the excused absence of Commissioner Kamm. [2:38 PM]

YES: Apana, Cushnie

NO: Andrion, McAdam, Osterkamp, Sabas, Curtis

ABSTAIN: Papalimu



Chair Curtis stated that the motion was to place the formation of a PIG on the next agenda to address chain of custody issues. Commissioner Osterkamp said the motion seemed unclear, noting differing references to daily reports, and stated he would vote against it because a PIG should ask questions rather than begin with a predetermined conclusion.

Commissioner McAdam added that the PIG should focus on forward-looking improvements rather than past allegations.

Commissioner Osterkamp reiterated concerns that discussion continued to center on chain of custody allegations and daily reports. Chair Curtis responded that the PIG would address chain of custody matters consistent with Agenda Item VII, with its scope set at the next meeting.

Commissioner Papalimu moved to include on the next meeting's agenda the formation of a Permitted Interaction Group (PIG) to work with the County Clerks regarding chain of custody and daily reports. The motion was seconded by Commissioner Sabas and **carried** noting the excused absence of Commissioner Kamm. [2:48 PM]

YES: Andrion, Apana, Cushnie, McAdam, Papalimu, Sabas, Curtis

NO: Osterkamp

Commissioner Osterkamp referenced public reports describing Bernegger's history of extensive litigation, false election-fraud claims, and related criminal charges, cautioning the Commission about the implications of validating the complaint.

Commissioner Cushnie stated that the Office of Elections mishandled the complaint and that the Commission should review its validity.

Commissioner Andrion added that the Commission should avoid disparaging public commenters and evaluate the complaint on its merits.

Commissioner Andrion moved to agendaize the formation of a Permitted Interaction Group (PIG) to investigate HAVA violations, in relation to agenda item VII(d) Formal Complaints ECC-25-008. The motion was seconded by Commissioner Cushnie and **failed** noting the excused absence of Commissioner Kamm. [2:54 PM]

YES: Papalimu

NO: Andrion, Apana, Cushnie, McAdam, Osterkamp, Sabas, Curtis

Commissioner Cushnie restated his support for the motion and asked for guidance within 14 days. Commissioner McAdam requested removing the 14-day timeframe. Chair Curtis noted the Commission cannot set a response deadline but allowed the timeframe to remain in the motion.

Commissioner Cushnie moved to request a written opinion from the Attorney General within 14 days regarding whether Peter Bernegger's HAVA complaint, referenced in agenda item VII(d) Formal Complaints ECC-25-008, has merit. The motion was seconded by Commissioner Andrion and **carried** noting the excused absence of Commissioner Kamm. [3:00 PM]

YES: Andrion, Apana, Cushnie, Papalimu, Sabas, Curtis

NO: McAdam, Osterkamp

Commissioner Cushnie moved to refer Doug Pasnik's complaint, referenced in agenda item VII(b) Formal Complaints ECC-25-006, to the Attorney General for investigation to determine whether the complaint has merit. The motion was seconded by Commissioner Andrion and **carried** noting the excused absence of Commissioner Kamm. [3:03 PM]

YES: Andrion, Apana, Cushnie, Papalimu, Sabas, Curtis

NO: McAdam, Osterkamp

Commissioner Cushnie voiced support for the motion, saying the Commission should be able to review return identification envelope images to verify whether they were mailed, noting that these envelopes are public information.

Commissioner Andrion asked DAG Ching whether the Commission had subpoena authority. DAG Ching explained that subpoenas apply only during evidentiary hearings tied to investigations. Following this, Commissioner Cushnie clarified that the motion sought the images through a request, not a subpoena.

Commissioner Cushnie moved to request from the County of Hawaii the wet envelope images when the envelopes were signature verified. The motion was seconded by Commissioner Andrion and **failed** noting the excused absence of Commissioner Kamm. [3:06 PM]

YES: Andrion, Cushnie, Papalimu

NO: Apana, McAdam, Osterkamp, Curtis

ABSTAIN: Sabas

VIII. Adjournment [3:12 PM]

Chair Curtis adjourned the meeting at 3:12 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Nicole Noel', is positioned above the printed name.

Nicole Noel  
Elections Commission Secretary

DRAFT