



MICHAEL CURTIS
ELECTIONS COMMISSION CHAIR

**STATE OF HAWAII
ELECTIONS COMMISSION**

WRITTEN SUMMARY FOR VIDEO RECORDING

**REGULAR MEETING OF THE
ELECTIONS COMMISSION**

January 7, 2026 at 10:00 AM

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 AM]

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

II. Introduction of new Commissioner: Barbara Dalton, completing the term of Clare McAdam [10:00 AM]

III. Roll call and determination of a quorum [10:01 AM]

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

IV. Approval of written minutes from the December 3, 2025 meeting [10:02 AM]

Commissioner Dalton moved to approve the written minutes from the December 3, 2025 meeting. The motion was further amended to include the announcement of Commissioner McAdam's resignation, that Chair Curtis committed to putting Scott Nago's reevaluation on the next agenda, formation of a PIG on signature verification, status of motions from the last meeting to refer Doug Pasnik's complaint referenced in Agenda Item VII, request for the Office of Election's legislative agenda including lawmakers Scott Nago is working with to pass legislation, and review of the 2025 Elections by Mail report to the Legislature in compliance with Act 136 reporting compliance. The motion was seconded by

Commissioner Apana and **failed** noting the excused absence of Commissioner Papalimu. [10:02 AM]

YES: Andrion, Cushnie, Kamm, Curtis

NO: Apana, Dalton, Osterkamp

ABSTAIN: Sabas

Commissioner Cushnie moved to amend the motion, to approve the written minutes from the December 3, 2025 meeting, by including the announcement of Commissioner McAdam's resignation, that Chair Curtis committed to putting Scott Nago's reevaluation on the next agenda, formation of a PIG on signature verification, status of motions from the last meeting to refer Doug Pasnik's complaint referenced in Agenda Item VII, request for the Office of Election's legislative agenda including lawmakers Scott Nago is working with to pass legislation, and review of the 2025 Elections by Mail report to the Legislature in compliance with Act 136 reporting compliance. The motion was seconded by Commissioner Kamm and **carried** noting the excused absence of Commissioner Papalimu. [10:02 AM]

YES: Andrion, Apana, Cushnie, Kamm, Curtis

NO: Dalton, Osterkamp

ABSTAIN: Sabas

V. Report from Chief Election Officer [10:09 AM]

Public testimony was provided by Austin Martin, Keoni Payton, Junya Nakoa, Yumi Kawano, Jenn, Doug Pasnik, Karl Dicks, Shirlene Ostrov, Nolan Chang, Charmane Valerio, Elizabeth Cook, Tara Malia, Jamie Detwiler, Andrew Aker, Tara Rojas, Victoria Thompson, Cheryl Toyofuku, Brennon Cabral, Michelle Stefanik, Megeso William Denis, Tamara McKay, Kehau, Craig Spencer, Jaerick Medeiros, Alohalani Hope Cermelj, Susan Strom, Tammy Ash Perkins, Wallyn Christian, Sheryl Bieler.

Commissioner Lindsey moved to hand count the Hawaii County ballot return envelopes to determine the actual total of 2024 General Election ballots received. The motion was further amended to include sorting the ballot envelopes into two piles, one pile that was returned through the mail and one pile that was not returned through the mail that came in drop boxes. The motion was seconded by Commissioner Andrion and **carried** noting the excused absence of Commissioner Papalimu. [12:27 PM]

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

NO: Dalton, Osterkamp

Commissioner Cushnie moved to amend the motion, to hand count the Hawaii County ballot return envelopes to determine the actual total of 2024 General Election ballots received, to include sorting the ballot envelopes into two piles, one pile that was returned through the mail and one pile that was not returned through the mail that came in drop boxes. The motion was seconded by Commissioner Kamm and **carried** noting the excused absence of Commissioner Papalimu. [12:32 PM]

YES: Andrion, Apana, Cushnie, Kamm, Sabas

NO: Dalton, Osterkamp, Curtis

Commissioner Cushnie moved to have Commissioner Kamm and Commissioner Sabas chair, set up, and oversee the audit of the Hawaii County ballot return envelopes. The motion was seconded by Commissioner Apana and **carried** noting the excused absence of Commissioner Papalimu. [1:04 PM]

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

NO: Osterkamp

Commissioner Kamm moved that the audit of the Hawaii County ballot return envelopes be completed by the end of February. The motion was seconded by Commissioner Cushnie and **failed** noting the excused absence of Commissioner Papalimu. [1:09 PM]

YES: Cushnie

NO: Andrion, Apana, Dalton, Kamm, Osterkamp, Sabas, Curtis

Commissioner Cushnie moved to advise the Chief Election Officer Scott Nago that the chain of custody begins when envelopes are picked up at drop boxes and the USPS. The motion was seconded by Commissioner Andrion and **failed** noting the excused absence of Commissioner Papalimu. [1:12 PM]

NO: Andrion, Apana, Dalton, Kamm, Osterkamp, Sabas, Curtis

ABSTAIN: Cushnie

Commissioner Cushnie moved that the Election Commission advise Scott Nago to comply with all federal election laws. The motion was seconded by Commissioner Andrion and **failed** noting the excused absence of Commissioner Papalimu. [1:19 PM]

YES: Andrion, Cushnie, Kamm

NO: Apana, Dalton, Osterkamp, Sabas, Curtis

Commissioner Cushnie moved to ask the Attorney General that since more than 19,000 ballots were reported as received through the mail yet no postage was paid to the federal government and no USPS business reply mail receipts exist to document their delivery, does knowingly certifying those ballots without paying the required federal postage expose the counties or the state to liability under federal law. The motion was seconded by Commissioner Andrion and **failed** noting the excused absence of Commissioner Papalimu. [1:39 PM]

YES: Andrion, Cushnie

NO: Apana, Dalton, Kamm, Osterkamp, Sabas, Curtis

Commissioner Cushnie moved to remove Scott Nago as the Chief Election Officer. The motion was seconded by Commissioner Andrion and **failed** noting the excused absence of Commissioner Papalimu. [1:55 PM]

YES: Andrion, Cushnie

NO: Apana, Dalton, Kamm, Osterkamp, Sabas, Curtis

VI. Communications and correspondence [1:59 PM]

Public testimony was provided by Sheryl Bieler, Austin Martin, Tammy Ash Perkins, Peter Bernegger, Jenn, Chris Neff, Jaerick Medeiros, Junya Nakoa, Jamie Detwiler, Tara Malia, Alohalani Hope Cermelj, Michelle Stefanik, Shelby Billionaire.

Commissioner Cushnie moved that the Elections Commission transmit a formal written notice to the state auditor advising that based on the Commission's Permitted Interaction Group reports transmitted on December 12, 2025, evidence of potential irregular and improper handling of the election administration has come to the auditor's knowledge and requesting written confirmation of compliance with HRS 23-7. The motion was seconded by Commissioner Apana and **failed** noting the excused absence of Commissioner Papalimu. [2:39 PM]

YES: Andrion, Cushnie, Kamm

NO: Apana, Dalton, Osterkamp, Sabas, Curtis

Commissioner Sabas moved that we send a letter to the different county auditors, the auditors for Honolulu County, Maui County, Hawaii County, and Kauai County, and suggest that they do an audit of the 2024 General Election as recommended by State Auditor Les Kondo. The motion was seconded by Commissioner Kamm and **carried** noting the excused absence of Commissioner Papalimu. [2:55 PM]

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

NO: Dalton, Osterkamp

Commissioner Cushnie moved to have the Elections Commission request that the Postal Service send a representative to answer the Commission's questions. The motion was seconded by Commissioner Kamm and **carried** noting the excused absence of Commissioner Papalimu. [2:59 PM]

YES: Andrion, Apana, Cushnie, Kamm, Sabas

NO: Osterkamp, Curtis

ABSTAIN: Dalton

VII. Sunshine Appeals [3:12 PM]

a) S Appeal 26-07

b) S Appeal 26-10

c) S Appeal 26-13

d) S Appeal 26-17

e) S Appeal 26-15

Public testimony was provided by Austin Martin, Tammy Ash Perkins, Mary Healy, Jaerick Medeiros, Michelle Stefanik, Junya Nakoa.

Commissioner Dalton moved to amend the agenda by replacing Agenda Item VII d) S Appeal 26-17 with S Appeal 26-12 which was included in the meeting packet. The motion was seconded by Commissioner Andrion and **carried** unanimously noting the excused absence of Commissioner Papalimu. [3:32 PM]

Commissioner Cushnie moved to have the Elections Commission acknowledge that Chair Curtis violated the Sunshine Law, HRS 92-1 and HRS 92-2.5, by sharing a letter sent to the entire Elections Commission with only Jeffrey Osterkamp and these actions or inactions materially prevented the Commission from deliberating with full and equal access to information. The motion was seconded by Commissioner Andrion and **failed** noting the excused absence of Commissioner Papalimu. [3:42 PM]

YES: Andrion, Cushnie, Kamm

NO: Dalton, Osterkamp, Curtis

ABSTAIN: Apana, Sabas

Commissioner Dalton called for the question, and it was **carried** noting the excused absence of Commissioner Papalimu. [4:04 PM]

YES: Apana, Dalton, Kamm, Osterkamp, Sabas, Curtis

NO: Andrion, Cushnie

Commissioner Osterkamp moved to approve Deputy Attorney General Ching's response to S Appeal 26-10. The motion was seconded by Commissioner Dalton and **failed** noting the excused absence of Commissioner Papalimu. [4:07 PM]

YES: Apana, Dalton, Osterkamp, Curtis

NO: Andrion, Cushnie, Kamm

ABSTAIN: Sabas

Commissioner Cushnie moved to approve Deputy Attorney General Ching's response to S Appeal 26-07 and S Appeal 26-13. The motion was seconded by Commissioner Kamm and **failed** noting the excused absence of Commissioner Papalimu. [4:22 PM]

YES: Osterkamp, Curtis

NO: Andrion, Apana, Cushnie, Kamm

ABSTAIN: Dalton, Sabas

Commissioner Cushnie moved to approve Deputy Attorney General Ching's response to S Appeal 26-15. The motion was seconded by Commissioner Kamm and **failed** noting the excused absence of Commissioner Papalimu. [4:32 PM]

YES: Osterkamp, Sabas, Curtis

NO: Andrion, Apana, Cushnie, Kamm

ABSTAIN: Dalton

Commissioner Cushnie moved to have the Elections Commission acknowledge that it is violating HRS 92-9 minutes. The motion was seconded by Commissioner Andrion and **failed** noting the excused absence of Commissioner Papalimu. [4:36 PM]

YES: Andrion, Cushnie, Kamm

NO: Apana, Dalton, Osterkamp, Sabas, Curtis

Commissioner Dalton called for the question, and it was **carried** unanimously noting the excused absence of Commissioner Papalimu.
[4:39 PM]

Commissioner Apana moved to approve Deputy Attorney General Ching's response to S Appeal 26-12. The motion was seconded by Commissioner Andrion and **carried** noting the excused absence of Commissioner Papalimu.
[4:40 PM]

YES: Andrion, Apana, Dalton, Osterkamp, Sabas, Curtis

NO: Cushnie, Kamm

VIII. Adjournment [4:44 PM]

Chair Curtis adjourned the meeting at 4:44 PM.