



MICHAEL CURTIS
ELECTIONS COMMISSION CHAIR

STATE OF HAWAII ELECTIONS COMMISSION

MINUTES OF THE REGULAR MEETING OF THE ELECTIONS COMMISSION

May 6, 2026 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
Ralph Cushnie
Barbara Dalton
Lindsay Kamm
Jeffrey Osterkamp
Kahiolani Papalimu
John Sabas

Support Staff in Attendance:

Jordan Ching, Department of the Attorney General
Raymund de Vega, Office of Elections
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.

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 Apana.

III. Approval of written minutes from the April 1, 2026 meeting [10:00 AM]

Doug Pasnik provided testimony stating that unresolved referrals and missing records from prior Commission actions show a lack of accountability and raised concerns about the Commission's ability to ensure reliable elections.

Alohalani Hope Cermelj provided testimony asking whether emails from her and North Kahala seniors requesting resignations were being shared with the Commission and stated that the meeting minutes were incomplete without those emails.

Michelle Stefanik provided testimony alleging that the Commission failed to follow through on prior directives to include Deputy Attorney General (DAG) Jordan Ching's written opinion in the meeting minutes and requested immediate correction to ensure the official record reflects the Commission's actions.

Shelby Billionaire provided testimony opposing approval of the April 1, 2026 meeting minutes, arguing that prior testimony and concerns, including specific DOJ case numbers and alleged conflicts of interest, were overly paraphrased or omitted from the official record.

Austin Martin provided testimony opposing approval of the meeting minutes, arguing that they did not fully reflect concerns about alleged procedural misconduct, pressure surrounding the Chair selection process, and the need to include DAG Ching's opinion in the official record.

Commissioner Sabas moved to approve the written minutes from the April 1, 2026 meeting. The motion was further amended to include Deputy Attorney General Ching's opinion on the 22-month rule. The motion was seconded by Commissioner Cushnie and **carried** noting the excused absence of Commissioner Apana. [10:16 AM]

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

ABSTAIN: Dalton

Commissioner Cushnie moved to amend the April 1, 2026 meeting minutes to include DAG Ching's opinion letter regarding the 22-month ballot retention rule, stating that the Commission had previously voted to include the opinion in the record. DAG Ching confirmed that the opinion letter had previously been sent to the Commission. Raymund de Vega, Elections Commission Support Staff, stated that the letter had already been added to the amended February 4, 2026 meeting minutes and published on the Elections Commission webpage. Commissioners expressed that adding the opinion letter to the April 1, 2026 meeting minutes increased visibility and public access.

Commissioner Cushnie moved to amend the motion, to approve the written minutes from the April 1, 2026 meeting, to include Deputy Attorney General Ching's opinion on the 22-month rule. The motion was seconded by Commissioner Andrion and **carried** noting the excused absence of Commissioner Apana. [10:16 AM]

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

NO: Dalton, Osterkamp

IV. Discussion with Jon Henricks, County Clerk of Hawaii County, regarding alleged Hawaii County ballot discrepancies and chain of custody procedures [10:21 AM]

Alohalani Hope Cermelj provided testimony criticizing election officials over alleged missing ballots and chain of custody issues and questioned whether County Clerk, Jon Henricks, would appear before the Commission.

Austin Martin provided testimony alleging that, while serving as an election observer in 2022, he was improperly removed after raising concerns about election equipment and procedures, and he urged the Commission to carefully review claims and records to uphold election integrity.

Jennifer Hunt provided testimony alleging that election observers were not allowed to observe ballot chain of custody procedures during the 2022 and 2024 Elections and raised concerns about ballot discrepancies and the lack of records to verify election handling outside the counting center.

Brennon Cabral via Enoka-Shayne Bingo provided testimony questioning whether Hawaii County election officials sought missing USPS receipts related to ballot records and disputed statements made by a Commissioner about the source of records obtained through a UIPA request.

AnnMarie Hamilton provided testimony asking Jon Henricks to answer questions regarding ballot discrepancies, missing USPS receipt records, chain of custody documentation, audit procedures, and public access to election processing records from the 2024 General Election.

Victoria Thompson provided testimony requesting that the Commission set a date and designate a point of contact to carry out a count of the ballot discrepancy on Hawaii Island.

Michelle Stefanik provided testimony stating that official records and her experience as an election observer raised concerns about gaps in ballot chain of custody procedures and transparency, and she called for an independent audit to verify ballot discrepancies and election handling practices.

Doug Pasnik provided testimony citing missing observer certifications and chain of custody records from the 2022 Election and asked whether complete records exist to independently verify ballot handling and election results as required by law.

Tara Malia Gregory provided testimony asking whether Jon Henricks had received communications similar to an email she obtained through a UIPA request in which Chair Curtis expressed support for election officials and described criticism as mostly insubstantial.

Jon Henricks, County Clerk of Hawaii County, appeared before the Commission to discuss questions regarding ballot accounting, chain of custody records, USPS business reply mail receipts, election procedures, and reported ballot envelope discrepancies.

Commissioners asked about records produced through public records requests, whether additional USPS documentation could be obtained, ballot transfer procedures, signature verification practices, observer access, and the possibility of conducting an audit of ballot envelopes.

Mr. Henricks stated that he did not believe there was a ballot-count discrepancy and explained that the records previously produced were limited to documents available at the time of the records request. He indicated that additional USPS records may exist, but expressed reservations about using postal billing records to reconcile election results. He also stated that he did not see value in conducting a ballot envelope audit and questioned whether he had the authority to authorize one.

Discussion also addressed the handling of secured election materials, standardization of county election procedures, transfer records between county offices and the state counting center, and observer access to certain election processes. Mr. Henricks stated that election procedures continue to be refined in coordination with the Office of Elections and expressed confidence in the professionalism of election staff and the security and accuracy of the election process.

V. Discussion on electing a new Elections Commission Chair [12:21 PM]

a) Applicants for Elections Commission Chair

Love Cavour provided testimony criticizing the lack of transparency and oversight in election administration and urged election officials and Commissioners to answer public concerns, improve accountability, and uphold public trust.

Blanca Larson provided testimony supporting previous calls for greater election integrity, transparency, and leadership that prioritizes public concerns.

Susan Strom provided testimony urging the Commission to prioritize transparency, accountability, and election integrity in selecting a new Chair, while criticizing mail-in ballot procedures and the handling of public concerns about election discrepancies.

Judith Mills-Wong provided testimony encouraging the Commission to use a transparent and standardized process for selecting its new Chair, including publicly sharing the Chair's role, selection criteria, and explanation for the final decision.

Austin Martin provided testimony alleging that the Commission's Chair selection process was being improperly influenced and argued that Commissioners were not legally required to elect a Chair under the current circumstances.

Michelle Stefanik provided testimony stating that the next Elections Commission Chair should prioritize transparency, accountability, and efficient leadership, and expressed support for Tamara McKay, Wendell Elento, and Commissioner Cushnie while raising concerns about David Wiseman's suitability for the role.

Shelby Billionaire provided testimony supporting Ralph Cushnie or Dylan Andron for Elections Commission Chair, expressing concerns about election laws, transparency, and the handling of Chair applications and candidate information.

Nancy Moser provided testimony in support of a transparent and clearly explained process for selecting the next Elections Commission Chair and expressed agreement with recommendations made by the League of Women Voters of Hawaii.

Kitty Olsen provided testimony expressing concern about unresolved ballot discrepancies, criticizing the handling of discussion regarding Jon Henricks, and urging greater accountability, transparency, and verification in election processes.

Andrew Aker provided testimony calling for a transparent and verifiable process in selecting the next Elections Commission Chair and stated that members of the public were closely monitoring Commission proceedings and applicants.

Victoria Thompson provided testimony supporting Ralph Cushnie, Dylan Andrion, and Kahiolani Papalimu for Elections Commission Chair, while also recommending performance reviews, additional training, and stronger organizational support for election officials and Commissioners.

Brennon Cabral via Wallyn Christian provided testimony urging the Commission to conduct the Chair selection process publicly and expressed support for Ralph Cushnie or Dylan Andrion as transparent and trustworthy candidates for Elections Commission Chair.

Wallyn Christian provided testimony stating that the next Elections Commission Chair should understand Robert's Rules of Order, maintain fairness and order during meetings, listen to public concerns, and select leadership that acts in the interest of the people while recognizing candidates such as Tamara McKay, Ralph Cushnie, and Dylan Andrion.

AnnMarie Hamilton provided testimony endorsing Ralph Cushnie for Elections Commission Chair, praising his focus on ballot discrepancy investigations, transparency, accountability, and independent oversight of election processes.

Jennifer Hunt provided testimony supporting Ralph Cushnie for Elections Commission Chair, expressing concerns about election law compliance, ballot accountability, observer access during ballot handling, and public trust in Hawaii's election system.

Julie Yamato provided testimony supporting Tamara McKay for Elections Commission Chair, citing her leadership experience, knowledge of parliamentary procedure, attention to procedural integrity, and commitment to accountability, transparency, and organizational governance.

Tara Malia Gregory provided testimony asking for transparency and accountability in the Elections Commission Chair selection process, raising concerns about oversight responsibilities and ballot discrepancy issues, and expressing support for Dylan Andrion, Ralph Cushnie, and Tamara McKay based on their public engagement and leadership experience.

Susan Strom provided testimony supporting Ralph Cushnie for Elections Commission Chair, praising his and Dylan Andrion's efforts toward transparency and accountability, and urging the Commission to follow what she described as the will of the people.

Laura Nakanelua provided testimony supporting Ralph Cushnie for Elections Commission Chair, praising his attention to election transparency and accountability, while urging the Commission to thoroughly investigate election concerns and strengthen public confidence in Hawaii's election system.

Patti Cook provided testimony urging the Elections Commission to conduct an open and transparent Chair selection process, including public candidate interviews and voting, and recommended removing candidates who did not submit required resumes.

Commissioner Andrion moved to appeal the ruling of Chair Curtis and to return to Agenda Item IV. The motion was seconded by Commissioner Cushnie and **failed** noting the excused absence of Commissioner Apana. [12:22 PM]

YES: Andrion, Cushnie, Kamm, Papalimu

NO: Dalton, Osterkamp, Sabas, Curtis

The Commission discussed the timeline and procedures for selecting a new Chair. Chair Curtis stated the goal was to elect a Chair on June 3rd, but additional meetings could be held if no selection was made. He also stated that applicants who did not submit resumes did not meet the application requirements, which Commissioner Cushnie disputed.

Commissioner Papalimu expressed concern that 15-minute interviews would not provide enough time for Commissioner questions and suggested extending interviews to 30 minutes. Curtis agreed that 30 minutes was reasonable, if needed.

Commissioner Dalton moved to adopt the recommendations Chair Curtis spelled out and to conduct the election of the next Elections Commission Chair on June

3, 2026. The recommendations from Chair Curtis are: the Elections Commission elect the next Chair at the June 3, 2026 meeting; each of the applicants be given 15 minutes of question and answer whether in public or in executive session; the Commission's decision, including the six votes needed to elect the next Chair, occur after the interviews at the June 3, 2026 meeting; questions from the Commissioners be solicited and obtained so there are no duplicate questions and that each Commissioner suggest one or two questions before the next meeting for the candidate to answer and discuss. The motion was further amended to increase the interview time from 15 minutes to 30 minutes maximum for each applicant. The motion was further amended to change the date of the next Elections Commission meeting to elect the next Chair to June 10, 2026. The motion was seconded by Commissioner Sabas and **carried** unanimously noting the excused absence of Commissioner Apana. [1:15 PM]

Commissioners discussed increasing the interview time Chair from 15 minutes to a maximum of 30 minutes per applicant. Commissioners discussed balancing fairness, thoroughness, and meeting duration, with Commissioner Andrion expressing support for allowing sufficient time to fully question applicants. Commissioner Osterkamp suggested submitting written questions to applicants in advance to reduce interview time and allow Commissioners additional opportunity to review responses. Commissioner Dalton suggested phrasing the limit as a maximum of 30 minutes and recommended that Commissioners submit proposed questions in advance of the meeting notice deadline.

Commissioner Papalimu moved to amend the motion, to adopt the recommendations Chair Curtis spelled out and to conduct the election of the next Elections Commission Chair on June 3, 2026, to increase the interview time from 15 minutes to 30 minutes maximum for each applicant. The motion was seconded by Commissioner Kamm and **carried** noting the excused absence of Commissioner Apana. [1:18 PM]

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

NO: Osterkamp

Commissioners discussed postponing the Chair interviews from June 3 to June 10, to address scheduling conflicts and allow additional time for preparation. They supported moving the meeting to June 10 so candidates and Commissioners would have more time to review and prepare interview questions.

Commissioner Kamm moved to amend the amended motion, to adopt the recommendations Chair Curtis spelled out and to conduct the election of the next Elections Commission Chair on June 3, 2026 and to increase the interview time from 15 minutes to 30 minutes maximum for each applicant, to change the date of the next Elections Commission meeting to elect the next Chair to June 10, 2026. The motion was seconded by Commissioner Papalimu and **carried** unanimously noting the excused absence of Commissioner Apana. [1:31 PM]

The Commission discussed the process for preparing interview questions for Elections Commission Chair applicants. Commissioners discussed using written questionnaires prior to interviews to allow for follow-up questions during the interview period. Commissioner Andrion moved to appoint Commissioners Dalton and Kamm to collect, consolidate, and refine written interview questions submitted by Commissioners and distribute them to applicants for written responses.

Commissioners discussed timelines for submitting questions and responses, including suggestions for Commissioners to submit questions within seven days and applicants to provide written responses before the interviews. Commissioner Kamm questioned whether written responses would reduce the need for lengthy interviews, while Commissioners Cushnie and Andrion stated the written responses would help focus interviews on follow-up questions.

DAG Ching provided Sunshine Law guidance, advising that Commissioners submit questions through the Office of Elections and noting that discussions between the two appointed Commissioners could not include commitments on voting positions.

Commissioner Sabas moved to appoint Commissioner Dalton and Commissioner Kamm to serve as the arbiters of the written interview questions. The motion was seconded by Commissioner Dalton and **carried** noting the excused absence of Commissioner Apana. [1:35 PM]

ABSTAIN: Curtis

Commissioners discussed adjournment while some agenda items remained unfinished. Commissioner Cushnie stated that agenda items were still pending and questioned whether the motion was proper. Chair Curtis stated that a motion and second were on the floor and indicated the Commission would proceed to a vote on adjournment.

Commissioner Dalton moved to adjourn the meeting. The motion was seconded by Commissioner Osterkamp and **failed** noting the excused absence of Commissioner Apana. [1:46 PM]

YES: Dalton, Osterkamp

NO: Andrion, Cushnie, Kamm, Papalimu, Sabas, Curtis

The Commission discussed procedures for selecting the next Chair. Commissioner Andrion stated the proposed process would provide guidelines for narrowing candidates while allowing flexibility during voting. Commissioners clarified that members would not be required to vote for any candidate, even if the process narrowed to two finalists. Chair Curtis noted that six votes would still be required to elect a Chair, and Commissioner Kamm stated that if no candidate received six votes, the process would restart.

Commissioner Kamm moved that the Election Commission elect a Chair using the sequential runoff method, which is Commissioners cast a yes or no vote for each candidate and the lowest vote getters are eliminated, the Commissioners again cast a yes or no vote for each remaining candidate, and again, the lowest vote getters are eliminated; as the field narrows one candidate can potentially get two thirds majority or six votes. The motion was seconded by Commissioner Papalimu and **carried** noting the excused absence of Commissioners Apana and Dalton. [1:58 PM]

YES: Andrion, Cushnie, Kamm, Osterkamp, Papalimu

ABSTAIN: Sabas, Curtis

The Commission discussed whether Commissioners who were candidates for Chair could participate in discussions and voting for the Chair position. Commissioner Papalimu stated that HRS rules provide for all eight Commissioners to vote for Chair and opposed restricting participation. Commissioner Osterkamp raised concerns about potential conflicts of interest, including candidates voting for themselves or questioning other candidates during interviews.

Commissioner Cushnie stated that the statute provides that the Chair is selected by the eight Commissioners and noted that prior Chairs had also been Commissioners. DAG Ching advised that, under the cited statutory provision, all eight Commissioners may vote for Chair, including Commissioners who are nominees for the position.

Commissioner Osterkamp moved that any candidate for Chair is not permitted to vote for or engage in the discussion for Chair. The motion was seconded by Commissioner Sabas and **failed** noting the excused absence of Commissioners Apana and Dalton. [2:03 PM]

YES: Osterkamp, Sabas

NO: Andrion, Cushnie, Kamm, Papalimu

ABSTAIN: Curtis

VI. Unfinished business [2:06 PM]

- a) Letter from Chief Election Officer Scott Nago regarding the state's Help American Vote Act (HAVA) plan
- b) Letter from Representative Garner Shimizu on his legislative efforts to assist the Commission

Victora Thompson provided testimony questioning the Office of Elections' compliance with the Help America Vote Act (HAVA), challenged statements made by election officials, and requested a detailed public explanation of how the state is meeting HAVA requirements.

Michelle Stefanik provided testimony questioning whether Hawaii's HAVA grievance process functions independently and effectively, criticizing the handling of election complaints and audit efforts, and urging greater transparency, accountability, and meaningful oversight.

Doug Pasnik provided testimony criticizing the Elections Commission for failing to act on election oversight concerns it had already identified, arguing that the Commission has deferred accountability despite its statutory responsibility to ensure reliable and verifiable elections.

Chief Election Officer (CEO) Scott Nago provided additional comments regarding HAVA compliance but declined to elaborate beyond the letter previously submitted, citing potential litigation. Commissioners asked questions about the complaint process and HAVA compliance. CEO Nago stated that, due to pending litigation, he would not respond to questions regarding the handling of complaints but maintained that the Office of Elections is in compliance with HAVA. When asked whether the Commission could seek guidance from the U.S. Election Assistance Commission (EAC), CEO Nago responded that the decision was up to the Commission.

Commissioner Cushnie discussed a proposed request to the EAC regarding the handling of complaints against election officials, stating the request would ask whether complaints may be dismissed due to conflicts of interest involving the adjudicating body. Commissioner Kamm asked CEO Nago why HAVA compliance was not reflected on the checklist posted on the Office of Elections website. CEO Nago explained that the complaints process had been filed separately after the original HAVA plan containing the checklist.

Commissioner Kamm suggested updating the website to reflect the additional filing, and CEO Nago stated that doing so would require amending the plan. Chair Curtis reminded the Commission that the motion on the floor concerned whether to send a letter to the EAC. Commissioner Cushnie stated that if the Office of Elections was compliant, the EAC response would help validate that position.

Commissioner Cushnie moved that the Elections Commission send a formal letter to the U.S. Election Assistance Commission requesting a determination as to whether Hawaii's HAVA compliant process is compliant with Section 402. The motion was seconded by Commissioner Andrion and **failed** noting the excused absence of Commissioners Apana and Dalton. [2:17 PM]

YES: Andrion, Cushnie, Kamm, Papalimu

NO: Osterkamp, Sabas, Curtis

Commissioner Cushnie raised concerns regarding discrepancies between the number of mail ballot envelopes reportedly collected in Kauai County during the 2020 Election and the number of mail-in ballots reported counted by the state. He stated that the discrepancy involved 3,379 envelopes and argued that further review was needed to resolve outstanding questions regarding recordkeeping. Commissioner Cushnie proposed organizing volunteers to count the 2020 Kauai election envelopes.

Chair Curtis stated that the matter did not appear to fall under the current agenda item concerning HAVA or Representative Shimizu's audit efforts, but stated he would entertain the motion.

Commissioner Cushnie moved to hand count the 2020 ballot envelopes from the County of Kauai with the aid of volunteers, the count shall be done before July, and the method shall be the same as proposed for the 2024 ballot envelope audit. The motion was seconded by Commissioner Kamm and **failed** noting the excused absence of Commissioners Apana and Dalton. [2:21 PM]

YES: Andrion, Cushnie, Kamm, Papalimu

NO: Osterkamp, Sabas, Curtis

Commissioners discussed Representative Shimizu's response regarding the Commission's request for assistance in pursuing an election audit. Commissioner Sabas reviewed the history of the request, noting it was made following recommendations from legislative leadership, and expressed disappointment that no legislation or resolution was introduced. He stated that, in his view, an audit was no longer necessary and that the Commission should focus on future election preparations.

Commissioner Osterkamp moved to adjourn the meeting. The motion was seconded by Commissioner Sabas and **carried** noting the excused absence of Commissioners Apana, Dalton, and Papalimu. [2:38 PM]

YES: Andrion, Cushnie, Kamm, Osterkamp, Curtis

ABSTAIN: Sabas

VII. Adjournment [2:38 PM]

Chair Curtis adjourned the meeting at 2:38 PM.

Respectfully submitted,

Raymund de Vega

Raymund de Vega
Elections Commission Support Staff