

State

REQUEST TO ACCESS A GOVERNMENT RECORD

This is a model form that may be used by a Requester to provide sufficient information for an agency to process a record request. Although the Requester is not required to use this form or to provide any personal information, the agency needs enough information to contact the Requester with questions about this request or to provide its response. This request may not be processed if the agency has insufficient information or is unable to contact the Requester.

DATE: 01-05-2022

TO: **Hawaii County Office of the County Clerk**
Agency that Maintains the Government Record

councilweb@hawaiicounty.gov
Agency's Contact Information

FROM: request+udm9zkxt2m@foi.uipa.org
Requester's Name or Alias

request+udm9zkxt2m@foi.uipa.org
Requester's Contact Information

AS THE REQUESTER, I WOULD LIKE THE FOLLOWING GOVERNMENT RECORD:

Describe the government record as specifically as possible so that it can be located. Try to provide a record name, subject matter, date, location, purpose, or names of persons to whom the record refers, or other information that could help the agency identify the record. A complete and accurate description of the requested government record will prevent delays in locating the record. Attach additional pages if needed.

January 5, 2022

Records Access Officer

Hawaii County Office of the County Clerk

Re: Uniform Information Practices Act (UIPA) Request

Cast Vote Records (CVRs) for the 2020 General Election

Aloha Records Access Officer:

Pursuant to the Hawaii Uniform Information Practices Act ("UIPA"), Hawaii Revised Statutes Chapter 92F, I hereby request the following records be produced in the common electronic format as described below:

1. A copy of the Hart Verity Central Cast Vote Records (CVRs) for Hawaii County for the November 3, 2020 General Election.

According to the equipment manual, "To protect voter privacy, CVRs are stored in randomized order so that voting order cannot be determined. CVRs do not contain voter information connecting a vote to a specific voter. The use of digital signatures makes CVRs tamper-evident. CVRs are stored in multiple places for redundancy."

This request is not for any software that should be covered by the IP of the vendor. Please provide this request in whichever format is deemed to be readily retrievable.

If this request is deemed not readily retrievable, please consider enlisting the assistance of your inhouse IT personnel to readily retrieve the information requested.

If no records exist responsive to the above request(s), I hereby request a certification to that effect. For records produced in response to the request(s), I hereby request certifications that the record(s) produced are correct.

If my request does not adequately describe the records to be produced, please contact me via e-mail so that I may clarify my request, and when appropriate inform me of the manner in which records are filed, retrieved or generated.

Pursuant to the UIPA, records available for public access in their entireties must be disclosed within a reasonable time, not to exceed 10 business days from the date the request was received, or after receipt of any prepayment required. Records not available in their entireties must be disclosed within 5 business days after this notice or after receipt of any prepayment required. HAR § 2-71-13(c). If incremental disclosure is authorized by HAR § 2-71-15, the first increment must be disclosed within 5 business days of this notice or after receipt of any prepayment required. If for any reason any portion of my request is denied, please inform me of the reason(s) for each record denied in writing and provide the name, job title, address and e-mail address of the person or body to whom an appeal should be directed.

Please feel free to e-mail me with any questions or suggestions that you may have. Thank you kindly for your assistance.

I WOULD LIKE: (Please check one or more of the options below, as applicable)

To inspect the government record

A copy of the government record: (Please check only one of the options below.) See the next page for information about fees and costs that you may be required to pay for agency services to process your record request. Note: Copying and transmission charges may also apply to certain options.

Pick up at agency (**date and time**): _____

Mail (address): _____

E-mail (address): request+udm9zkxt2m@foi.uipa.org

Fax (toll free and only if available; provide fax number): _____

Other, if available (please specify): _____

If the agency maintains the records in a form other than paper, please advise in which **format you would prefer to have the record.**

Electronic Audio Other (please specify): _____

Check this box if you are attaching a request for waiver of fees in the public interest
(See waiver information on next page).

FEES FOR PROCESSING PUBLIC RECORD REQUESTS

You may be charged fees for the services that the agency must perform when processing your request for public records, including fees for making photocopies and other lawful fees. **The first \$30 of fees charged for searching for a record, reviewing, and segregating will not be charged to you. Any amount over \$30 will be charged to you.** Fees are as follows:

Search for a Record	\$2.50 for 15 minutes
Review and Segregation of a Record	\$5.00 for 15 minutes

Generally, no search, review, and segregation fees may be charged if you are making a request for personal records that are about you.

WAIVER OF FEES IN THE PUBLIC INTEREST

As an alternative to the \$30 fee waiver (not in addition to), the agency may waive the first \$60 of fees for searching for, reviewing and segregating records when the waiver would serve the public interest. If you wish to apply for a waiver of fees in the public interest, you must attach to this request a statement of facts, including your identity as the requester, to show how the waiver of fees would serve the public interest. The criteria for this waiver, found at section 2-71-32, Hawaii Administrative Rules, are

- (1) The requested record pertains to the operations or activities of an agency;
- (2) The record is not readily available in the public domain; and
- (3) The requester has the primary intention and the actual ability to widely disseminate information from the government record to the public at large.

COSTS

The Agency may charge you any other lawful fees and the costs to copy and deliver your personal or public record request.

AGENCY RESPONSE TO YOUR REQUEST FOR ACCESS

The agency to which you addressed your request must respond within a set time period. The agency will normally respond to you within 10 business days from the date it receives your request; however, in *extenuating circumstances*, the agency must respond within 20 business days from the date of your request. If you have questions about the response time or the records being sought, you should first contact the agency and request to consult with the agency's UIPA contact person.

Please note that the Office of Information Practices (OIP) does not maintain the records of other agencies and a requester must seek records directly from the agency. If the agency denies or fails to respond to your written request for records or if you have other questions regarding compliance with the UIPA, then you may contact OIP at 808-586-1400, qip@hawaii.gov, or 250 South Hotel Street, Suite 107, Honolulu, Hawaii 96813.

REQUESTER'S RESPONSIBILITIES

You have certain responsibilities under section 2-71-16, Hawaii Administrative Rules, which include making arrangements to inspect and copy records, providing further clarification or description of the requested record as instructed by the agency's notice, and making a prepayment of fees and costs, if assessed. The rules and additional training materials are available online at qip.hawaii.gov or from OIP.