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**FIRST CIRCUIT**  
**1CPC-25-0000161**  
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IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI'I

STATE OF HAWAI'I

v.

TIMOTHY LEE,

Defendant.

CASE NO.: 1CPC-25-0000161

COUNT 1:

FALSE NAME CONTRIBUTION  
(HRS §§ 11-352(a) and 11-412(b))  
(Report/Citation No. SIPD230007-001)

COUNT 2:

FALSE NAME CONTRIBUTION  
(HRS §§ 11-352(a) and 11-412(b))  
(Report/Citation No. SIPD230007-002)

COUNT 3:

FALSE NAME CONTRIBUTION  
(HRS §§ 11-352(a) and 11-412(b))  
(Report/Citation No. SIPD230007-003)

COUNT 4:

FALSE NAME CONTRIBUTION  
(HRS §§ 11-352(a) and 11-412(b))  
(Report/Citation No. SIPD230007-004)

COUNT 5:

FALSE NAME CONTRIBUTION  
(HRS §§ 11-352(a) and 11-412(b))  
(Report/Citation No. SIPD230007-005)

COUNT 6:

FALSE NAME CONTRIBUTION  
(HRS §§ 11-352(a) and 11-412(b))  
(Report/Citation No. SIPD230007-006)

COUNT 7:  
FALSE NAME CONTRIBUTION  
(HRS §§ 11-352(a) and 11-412(b))  
(Report/Citation No. SIPD230007-007)

COUNT 8:  
FALSE NAME CONTRIBUTION  
(HRS §§ 11-352(a) and 11-412(b))  
(Report/Citation No. SIPD230007-008)

COUNT 9:  
FALSE NAME CONTRIBUTION  
(HRS §§ 11-352(a) and 11-412(b))  
(Report/Citation No. SIPD230007-009)

INDICTMENT

**INDICTMENT**

The Grand Jury charges:

COUNT 1: On or about March 2, 2020, through and including June 11, 2020, in the City and County of Honolulu, State of Hawai'i, Timothy Lee did intentionally or knowingly make a contribution to any candidate or candidate committee in any name other than that of Timothy Lee, who owned the money or property, thereby committing the offense of False Name Contribution in violation of Sections 11-352(a) and 11-412(b) of the Hawai'i Revised Statutes.

Count 1 relates to a contribution made by Timothy Lee to Amemiya for Mayor for \$1,000.00 via a check drawn on an account in the name of Ka Wai Norman Chan and Mei-Yu Mah (check #232 dated March 2, 2020 drawn from American Savings Bank) and a reimbursement of \$1,000.00 made by Timothy Lee to Ka Wai Norman Chan via cash on or about June 11, 2020.

COUNT 2: On or about March 2, 2020, through and including May 12, 2020, in the City and County of Honolulu, State of Hawai'i, Timothy Lee did intentionally or knowingly make a

contribution to any candidate or candidate committee in any name other than that of Timothy Lee, who owned the money or property, thereby committing the offense of False Name Contribution in violation of Sections 11-352(a) and 11-412(b) of the Hawai'i Revised Statutes.

Count 2 relates to a contribution made by Timothy Lee to Amemiya for Mayor for \$1000.00 via a check drawn on an account in the name of Michael S. Vachio and Patricia M. Vachio (check #1308 dated March 2, 2020 drawn from Bank of Hawai'i) and a reimbursement of \$1000.00 made by Timothy Lee to Michael S. Vachio via a check drawn on an account in the name of Timothy Lee and Kanako O. Lee (check #129 dated May 12, 2020 drawn from Central Pacific Bank).

COUNT 3: On or about March 2, 2020, through and including May 12, 2020, in the City and County of Honolulu, State of Hawai'i, Timothy Lee did intentionally or knowingly make a contribution to any candidate or candidate committee in any name other than that of Timothy Lee, who owned the money or property, thereby committing the offense of False Name Contribution in violation of Sections 11-352(a) and 11-412(b) of the Hawai'i Revised Statutes.

Count 3 relates to a contribution made by Timothy Lee to Amemiya for Mayor for \$1000.00 via a check drawn on an account in the name of Chan Hee Yi (check #0002 dated March 2, 2020 drawn from Central Pacific Bank) and a reimbursement of \$1000.00 made by Timothy Lee to Chan Hee Yi via a check drawn on an account in the name of Timothy Lee and Kanako O. Lee (check #128 dated May 12, 2020 drawn from Central Pacific Bank).

COUNT 4: On or about March 2, 2020, through and including May 12, 2020, in the City and County of Honolulu, State of Hawai'i, Timothy Lee did intentionally or knowingly make a contribution to any candidate or candidate committee in any name other than that of Timothy Lee, who owned the money or property, thereby committing the offense of False Name

Contribution in violation of Sections 11-352(a) and 11-412(b) of the Hawai'i Revised Statutes.

Count 4 relates to a contribution made by Timothy Lee to Amemiya for Mayor for \$1000.00 via a check drawn on an account in the name of Sydney K. Jung (check #0003 dated March 2, 2020 drawn from Central Pacific Bank) and a reimbursement of \$1000.00 made by Timothy Lee to Sydney K. Jung via a check drawn on an account in the name of Timothy Lee and Kanako O. Lee (check #127 dated May 12, 2020 drawn from Central Pacific Bank).

COUNT 5: On or about March 1, 2020, through and including April 15, 2020, in the City and County of Honolulu, State of Hawai'i, Timothy Lee did intentionally or knowingly make a contribution to any candidate or candidate committee in any name other than that of the person who owned the money or property, thereby committing the offense of False Name Contribution in violation of Sections 11-352(a) and 11-412(b) of the Hawai'i Revised Statutes.

Count 5 relates to a contribution made by Timothy Lee to Amemiya for Mayor for \$1000.00 via a check drawn on an account in the name of Tetsuaki Saihara (check #447 dated March 1, 2020 drawn from Bank of Hawai'i) and a reimbursement of \$1000.00 made by Timothy Lee to Hibiscus Interactive LLC via check which was in the name of JL Avalon Capbridge LLC (check #1062 dated April 15, 2020 drawn from Central Pacific Bank).

COUNT 6: On or about April 24, 2020, through and including June 11, 2020, in the City and County of Honolulu, State of Hawai'i, Timothy Lee did intentionally or knowingly make a contribution to any candidate or candidate committee in any name other than that of Timothy Lee, who owned the money or property, thereby committing the offense of False Name Contribution in violation of Sections 11-352(a) and 11-412(b) of the Hawai'i Revised Statutes.

Count 6 relates to a contribution made by Timothy Lee to Friends of Kymberly Pine for \$2000.00 via a check drawn on an account in the name of Ka Wai Norman Chan and Mei-Yu

Mah (check #250 dated April 24, 2020 drawn from American Savings Bank) and a reimbursement of \$2000.00 made by Timothy Lee to Ka Wai Norman Chan via cash on or about June 11, 2020.

COUNT 7: On or about April 24, 2020, through and including May 12, 2020, in the City and County of Honolulu, State of Hawai'i, Timothy Lee did intentionally or knowingly make a contribution to any candidate or candidate committee in any name other than that of Timothy Lee, who owned the money or property, thereby committing the offense of False Name Contribution in violation of Sections 11-352(a) and 11-412(b) of the Hawai'i Revised Statutes.

Count 7 relates to a contribution made by Timothy Lee to Friends of Kymberly Pine for \$4000.00 via a check drawn on an account in the name of Michael S. Vachio and Patricia M. Vachio (check #1319 dated April 24, 2020 drawn from Bank of Hawai'i) and a reimbursement of \$4000.00 made by Timothy Lee to Michael S. Vachio via a check drawn on an account in the name of Timothy Lee and Kanako O. Lee (check #129 dated May 12, 2020 drawn from Central Pacific Bank).

COUNT 8: On or about April 24, 2020, through and including May 22, 2020, in the City and County of Honolulu, State of Hawai'i, Timothy Lee did intentionally or knowingly make a contribution to any candidate or candidate committee in any name other than that of Timothy Lee, who owned the money or property, thereby committing the offense of False Name Contribution in violation of Sections 11-352(a) and 11-412(b) of the Hawai'i Revised Statutes.

Count 8 relates to a contribution made by Timothy Lee to Friends of Kymberly Pine for \$1000.00 via a check drawn on an account in the name of Chan Hee Yi (check #103 dated April 24, 2020 drawn from Central Pacific Bank) and a reimbursement of \$1000.00 made by Timothy Lee to Chan Hee Yi via a check drawn on an account in the name of Timothy Lee and Kanako

O. Lee (check #130 dated May 22, 2020 drawn from Central Pacific Bank).

COUNT 9: On or about April 24, 2020, through and including May 22, 2020, in the City and County of Honolulu, State of Hawai'i, Timothy Lee did intentionally or knowingly make a contribution to any candidate or candidate committee in any name other than that of Timothy Lee, who owned the money or property, thereby committing the offense of False Name Contribution in violation of Sections 11-352(a) and 11-412(b) of the Hawai'i Revised Statutes.

Count 9 relates to a contribution made by Timothy Lee to Friends of Kymberly Pine for \$1000.00 via a check drawn on an account in the name of Sydney K. Jung (check #121 dated April 24, 2020 drawn from Central Pacific Bank) and a reimbursement of \$1000.00 made by Timothy Lee to Sydney K. Jung via a check drawn on an account in the name of Timothy Lee and Kanako O. Lee (check #131 dated May 22, 2020 drawn from Central Pacific Bank).

DEFINITIONS: The following definitions apply to this Indictment.

"Advertisement" means any communication, excluding sundry items such as bumper stickers, that:

- (1) Identifies a candidate directly or by implication, or identifies an issue or question that will appear on the ballot at the next applicable election; and
- (2) Advocates or supports the nomination, opposition, or election of the candidate, or advocates the passage or defeat of the issue or question on the ballot.

"Campaign funds" means contributions, interest, rebates, refunds, loans, or advances received by a candidate committee or noncandidate committee.

"Candidate" means an individual who seeks nomination for election or seeks election to office. An individual remains a candidate until the individual's candidate committee terminates registration with the commission. An individual is a candidate if the individual does any of the following:

- (1) Files nomination papers for an office for the individual with the county clerk's office or with the chief election officer's office, whichever is applicable;
- (2) Receives contributions, makes expenditures, or incurs financial obligations of more than \$100 to bring about the individual's nomination for election, or to bring about the individual's election to office;

- (3) Gives consent for any other person to receive contributions, make expenditures, or incur financial obligations to aid the individual's nomination for election, or the individual's election, to office; or
- (4) Is certified to be a candidate by the chief election officer or county clerk.

"Candidate committee" means an organization, association, or individual that receives campaign funds, makes expenditures, or incurs financial obligations on behalf of a candidate with the candidate's authorization.

"Commission" means the campaign spending commission.

"Contribution" means:

- (1) A gift, subscription, deposit of money or anything of value, or cancellation of a debt or legal obligation and includes the purchase of tickets to fundraisers, for the purpose of:
  - (A) Influencing the nomination for election, or the election, of any person to office;
  - (B) Influencing the outcome of any question or issue that has been certified to appear on the ballot at the next applicable election; or
  - (C) Use by any candidate committee or noncandidate committee for the purpose of subparagraph (A) or (B);
- (2) The payment, by any person or party other than a candidate, candidate committee, or noncandidate committee, of compensation for the services of another person that are rendered to the candidate, candidate committee, or noncandidate committee without charge or at an unreasonably low charge for a purpose listed in paragraph (1);
- (3) A contract, promise, or agreement to make a contribution; or
- (4) Any loans or advances that are not documented or disclosed to the commission as provided in section 11-372 of the Hawai'i Revised Statutes;

"Contribution" does not include:

- (1) Services voluntarily provided without compensation by individuals to or on behalf of a candidate, candidate committee, or noncandidate committee;
- (2) A candidate's expenditure of the candidate's own funds; provided that this expenditure shall be reportable as other receipts and expenditures;
- (3) Any loans or advances to the candidate committee; provided that these loans or advances shall be reported as loans; or

- (4) An individual, candidate committee, or noncandidate committee engaging in internet activities for the purpose of influencing an election if:
  - (A) The individual, candidate committee, or noncandidate committee is uncompensated for the internet activities; or
  - (B) The individual, candidate committee, or noncandidate committee uses equipment or services for uncompensated internet activities, regardless of who owns the equipment and services.

“Election” means any election for office or for determining a question or issue provided by law or ordinance.

“Equipment and services” includes computers, software, internet domain names, internet service providers, and any other technology that is used to provide access to or use of the Internet.

“Expenditure” means:

- (1) Any purchase or transfer of money or anything of value, or promise or agreement to purchase or transfer money or anything of value, or payment incurred or made, or the use or consumption of a nonmonetary contribution for the purpose of:
  - (A) Influencing the nomination for election, or the election, of any person seeking nomination for election or election to office, whether or not the person has filed the person’s nomination papers;
  - (B) Influencing the outcome of any question or issue that has been certified to appear on the ballot at the next applicable election; or
  - (C) Use by any party for the purposes set out in subparagraph (A) or (B);
- (2) Any payment, by any person other than a candidate, candidate committee, or noncandidate committee, of compensation for the services of another person that are rendered to the candidate, candidate committee, or noncandidate committee for any of the purposes mentioned in paragraph (1)(A); provided that payment under this paragraph shall include provision of services without charge; or
- (3) The expenditure by a candidate of the candidate’s own funds for the purposes set out in paragraph (1)(A).

“Expenditure” does not include:

- (1) Services voluntarily provided without compensation by individuals to or on behalf of a candidate, candidate committee, or noncandidate committee;
- (2) Voter registration efforts that are nonpartisan; or



- (3) An individual, candidate committee, or noncandidate committee engaging in internet activities for the purpose of influencing an election if:
  - (A) The individual, candidate committee, or noncandidate committee is uncompensated for internet activities; or
  - (B) The individual, candidate committee, or noncandidate committee uses equipment or services for uncompensated internet activities, regardless of who owns the equipment and services;

provided that the internet activity exclusion does not apply to any payment for an advertisement other than a nominal fee; the purchase or rental of an electronic address list made at the direction of a candidate committee or noncandidate committee; or an electronic mail address list that is transferred to a candidate committee or noncandidate committee.

“Individual” means a natural person.

“Internet activities” include:

- (1) Sending or forwarding electronic messages;
- (2) Providing a hyperlink or other direct access to another person’s website;
- (3) Blogging;
- (4) Creating, maintaining, or hosting a website;
- (5) Paying a nominal fee for the use of another person’s website; and
- (6) Any other form of communication distributed over the Internet.

“Loan” means an advance of money, goods, or services, with a promise to repay in full or in part within a specified period of time. A loan does not include expenditures made on behalf of a candidate committee or noncandidate committee by a candidate, volunteer, or employee if:

- (1) The candidate, volunteer, or employee’s aggregate expenditures do not exceed \$1,500 within a thirty-day period;
- (2) A dated receipt and a written description of the name and address of each payee and the amount, date, and purpose of each expenditure is provided to the candidate committee or noncandidate committee before the candidate committee or noncandidate committee reimburses the candidate, volunteer, or employee; and
- (3) The candidate committee or noncandidate committee reimburses the candidate, volunteer, or employee within forty-five days of the expenditure being made.

“Noncandidate committee” means an organization, association, party, or individual that has the purpose of making or receiving contributions, making expenditures, or incurring financial obligations to influence the nomination for election, or the election, of any candidate to office, or

for or against any question or issue on the ballot; provided that a noncandidate committee does not include:

- (1) A candidate committee;
- (2) Any individual making a contribution or making an expenditure of the individual's own funds or anything of value that the individual originally acquired for the individual's own use and not for the purpose of evading any provision of this part; or
- (3) Any organization that raises or expends funds for the sole purpose of producing and disseminating informational or educational communications that are not made to influence the outcome of an election, question, or issue on a ballot.

"Office" means any Hawai'i elective public or constitutional office, excluding county neighborhood board and federal elective offices.

"Other receipts" means the candidate's own funds, interest, rebates, refunds, and any other funds received by a candidate committee or noncandidate committee, but does not include contributions received from other persons or loans.

"Party" means any political party that satisfies the requirements of section 11-61 of the Hawai'i Revised Statutes.

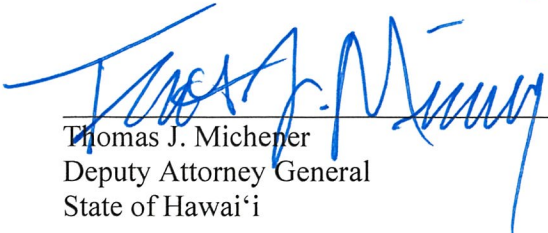
"Person" means an individual, a partnership, a candidate committee or noncandidate committee, a party, an association, a corporation, a business entity, an organization, or a labor union and its auxiliary committees.

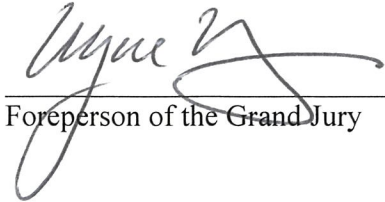
A person acts intentionally with respect to his conduct when it is his conscious object to engage in such conduct. A person acts intentionally with respect to attendant circumstances when he is aware of the existence of such circumstances or believes or hopes that they exist. A person acts intentionally with respect to a result of his conduct when it is his conscious object to cause such a result.

A person acts knowingly with respect to his conduct when he is aware that his conduct is of that nature. A person acts knowingly with respect to attendant circumstances when he is aware that such circumstances exist. A person acts knowingly with respect to a result of his conduct when he is aware that it is practically certain that his conduct will cause such a result.

A True Bill found this day:

2/17/2025

  
Thomas J. Michener  
Deputy Attorney General  
State of Hawai'i

  
Foreperson of the Grand Jury