

DEPARTMENT OF THE ATTORNEY GENERAL
STATE OF HAWAI'I

IN RE INVESTIGATION OF:) SUBPOENA
)
MAUI FIRES)
AUGUST 7 - 10, 2023) AG Subpoena No. 2023-084
)
_____)

SUBPOENA DUCES TECUM

TO: Maui Emergency Management Agency
Attn: Custodian of Records
200 S. High Street
Kalana O Maui Bldg., 1st Fl.
Wailuku, HI 96793

YOU ARE HEREBY COMMANDED to appear at 1955 Main Street, Suite 401, Wailuku, Hawai'i 96793, on the 11th day of December, 2023, at 9 a.m. to be examined under oath regarding: Documents described in Exhibit 1.

YOU ARE FURTHER COMMANDED to bring with you original copies of books, records, papers, documents, including those electronically stored, or other objects as follows: Documents described in Exhibit 1.

This subpoena is issued pursuant to section 28-2.5, Hawaii Revised Statutes.


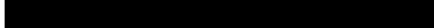
OBEDIENCE to this subpoena may be enforced by the Circuit Court of the Second Circuit.

DATED: Honolulu, Hawai'i, November 27, 2023.



ATTORNEY GENERAL
STATE OF HAWAI'I

If this box is checked, it may not be necessary to appear in person. To make arrangements to produce records and information without appearing in person, please call:

Contact Person: Deputy Attorney General Ciara Kahahane
Telephone No.: 
Email: 

See Reverse Side for Recipient's Rights and Return of Service.

EXHIBIT 1

1. Current editions, as of August 2023, for all emergency management-related plans for Maui County. Including, but not limited to:
 - a. the Maui County Emergency Operations Plan (EOP),
 - b. the West Maui Emergency Plan, and
 - c. any operational and/or tactical plans addressing wildfire, wind, tsunami, evacuation, emergency notification, alert/warning, and other related planning documents.

(Note: We have the May 2021 EOP, and the May 2018 West Maui Emergency Plan. We are mostly interested in specific operational and/or tactical plans addressing specific emergencies, and more specifically wildland or wildland-urban interface (WUI) fires.)
2. All drafts, updates, and/or revisions to the West Maui Emergency Plan draft document dated May 14, 2018.
3. All drafts, updates, and/or revisions to the Maui County Emergency Operations Plan, May 2021 edition ("Basic Plan").
4. All "Functional and Hazard Annexes" included/referenced in Sections III and IV of the Basic Plan, May 2021 edition.
5. All draft and completed "Functional and Hazard Annexes," to the Basic Plan, for wildfire-related activities and/or WUI fires.
6. All after-action reviews (AARs) and records of any Maui County exercises (table-top, functional, full-scale) conducted for wildfire and/or WUI fires from 2013-2023.
7. All Maui County departmental strategic plans, policies, or procedures that support the Maui County Emergency Operations Plan.
8. Records of daily Maui County Emergency Operations Center (EOC) activation status for the period 1-15 August 2023.
9. Identification and contact information for the Maui County officials listed in Figure 5 "Lines of Succession" of the Maui County EOP, May 2021 edition, from 7-10 August 2023.
10. Daily EOC organizational chart(s), by National Incident Management System Incident Command System (NIMS-ICS) role(s) and/or emergency support function(s) (ESF) for the period August 7-10, 2023.
11. Rosters, sign-in sheets, logs, and documents, physical or electronic, listing all personnel that staffed the EOC from 8:00 p.m. on August 7, 2023, through 8:00 p.m. on August 10, 2023, as well as an accounting of the time(s) that each person was present in the EOC.

12. All documents, physical or electronic, that were developed in the EOC during the time period from 8:00 p.m. on August 7, 2023, through 8:00 p.m. on August 10, 2023.
13. Records of all communications made to or by the MEMA Administrator from 8:00 p.m. on August 7, 2023, through 8:00 p.m. on August 10, 2023. These records may include but are not limited to: texts, phone calls, and emails.
14. Transcripts and records maintained by any electronic emergency management system, such as WebEOC, from 8:00 p.m. on August 7, 2023, through 8:00 p.m. on August 10, 2023.
15. Copies of all incident action plans (IAPs) for the fire events that occurred in Maui County on August 7-10, 2023 ("Maui Fires") that were developed from 8:00 p.m. on August 7, 2023, through 8:00 p.m. on August 10, 2023.
16. Recordings of all EOC operations and of images from cameras located in the community that were viewed in the EOC from 8:00 p.m. on August 7, 2023, through 8:00 p.m. on August 10, 2023.
17. Training/certification and exercise records for MEMA and MEMA employees for the past two years (NIMS and other), including individual qualifications, local exercises, statewide exercises, and coordinated exercises with Federal and NGO partners.
18. Information on all preparedness messaging addressing the August 2023 wind event that may have been distributed by MEMA and/or Maui County prior to the Maui Fires. This includes, by way of illustration and not limitation, media releases, outreach campaigns, social media, Integrated Public Alert and Warning System (IPAWS), Wireless Emergency Alerts (WEA), and/or directives.
19. All maintenance and testing logs for the statewide alert and warning siren system in Maui County.

* Unless stated otherwise, all requests pertaining to regularly updated plans, procedures, or other documents, are for the version that was in use on August 7-9, 2023.

RETURN OF SERVICE

Received this subpoena at _____ on _____ and
on _____ at _____, I served it on
the within named by delivering a copy to _____.

Dated: _____

Signature of Serving Officer

RECIPIENT'S RIGHTS

You have been served with an investigative subpoena in an administrative investigation, issued by the Attorney General of the State of Hawaii, in accordance with section 28-2.5, Hawaii Revised Statutes, to produce certain records and information, and to appear at the time and place specified to give sworn testimony. **Please reach out to the "Contact Person" listed above if the box is checked that you are not required to appear in person for testimony.** Attendance is required only in the county in which the subpoena is served, or such other place as may be agreed upon by you and the issuing authority. If the subpoena is served in a county other than that in which you reside, are employed, or transact business, the Department of the Attorney General shall bear the expense of travel as provided by the rules of the court.

If you disobey this subpoena, the Attorney General may apply to the circuit court in the county in which you reside or are located to compel obedience. Prior to the date on which you are commanded to appear, you may move the circuit court to quash or modify the subpoena if compliance would be unreasonable or oppressive or violate any privilege you may be entitled to exercise in a court proceeding.