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October 1, 2026

Honorable Richard T. Bissen, Jr.
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Mayor Date 10.2.26

For Transmittal to:

Honorable Alice Lee
Council Chair
Maui County Council
200 South High Street
Wailuku, Hawaii 96793

SUBJECT: RESPONSE TO INVESTIGATION UPDATE (PAF 26-229)

Dear Council Chair Lee:

I am writing in response to your August 28, 2026, letter. Our response to each of your inquiries are below.

1. **What has the Department of the Prosecuting Attorney's involvement, if any, been in the matter described in the news story?**

   In late August, 2024, I became aware of allegations that were presented to the County of Maui Board of Ethics regarding an individual within the Office of Economic Development ("OED"). On November 8, 2024, I received a request for further guidance from the Department of Finance regarding these matters. Along with the request for guidance, the Department of Finance transmitted a summary of their investigation into the matter, which was completed in October 2024. Following my review of the materials, my department met with Department of Finance staff in late November, 2024. The Department of Finance shared additional documentation with my department in

December, 2024. In January 2025, my department opened a criminal investigation into the possible misuse of County grant funds issued by OED.

2. **How and why did the Department of the Attorney General become involved?**

   At the time our department opened its investigation, we contacted the Department of the Attorney General in the normal course of the deconfliction process. During those discussions, the Department of the Prosecuting Attorney (DPA) and the Department of the Attorney General's Special Investigation and Prosecution Division (SIPD) decided to collaborate in the investigation. This joint investigative effort not only provided additional human resources, it also provided access to tools not available to us in Maui County, including access to forensic accountants. Initially, our department provided prosecutorial and law enforcement resources, and SIPD provided law enforcement resources to the investigation. In March, 2026, after the completion of a substantial amount of work in the investigation, I asked SIPD to take sole responsibility for all prosecutorial decision-making related to the investigation. Our department has continued to provide law enforcement support to SIPD, as requested.

   Our department's collaboration with SIPD at the outset of this investigation, and my request that they assume prosecutorial decision-making responsibilities, were done to ensure that the investigation, and any findings therefrom, are beyond reproach.

3. **Has the Department of the Attorney General provided updates on the investigation?**

   We continue to remain in contact with SIPD as our department is providing law enforcement support, when requested.

4. **Does the Department of the Attorney General have the authority to prosecute violations of the Code of Ethics under Section 2.56.010, Maui County Code?**

   The Department of the Attorney General may have authority to prosecute criminal violations of Section 2.56.010 of the Maui County Code under certain circumstances. Our department has not yet received any referral of such violations. Generally speaking, investigations of this nature extend beyond the narrow focus of violations of Chapter 2.56 of the Maui County Code.

As this remains an active and ongoing investigation, we will not be providing any requested documentation, nor will we detail any specifics of the investigation.

Very truly yours,

ANDREW H. MARTIN
Prosecuting Attorney