

TO: DEFENDANT HOWELL MAHOE, JR., also known as "Chinky Mahoe"

IT IS THE ORDER OF THE COURT THAT DURING YOUR TERM OF PROBATION, YOU SHALL COMPLY IN ALL RESPECTS WITH THE FOLLOWING TERMS AND CONDITIONS:

1. You must not commit another federal or state crime during the term of probation;
2. You must report to a probation officer as directed by the court or the probation officer;
3. You must remain within the jurisdiction of the court unless granted permission to leave by the court or a probation officer;
4. You must notify a probation officer prior to any change in address or employment;
5. You must notify a probation officer promptly if arrested or questioned by a law enforcement officer; and
6. You must permit a probation officer to visit you at your home or elsewhere as specified by the court;
7. Your further special conditions of probation are as follows:

SEE ATTACHED.

NOTE: IF YOUR WHEREABOUTS BECOME UNKNOWN TO YOUR PROBATION OFFICER BECAUSE OF YOUR FAILURE TO KEEP HIM INFORMED, THE COURT MAY ORDER YOUR ARREST. ANY FAILURE BY YOU TO COMPLY WITH ALL OF THE TERMS AND CONDITIONS OF PROBATION WILL MEAN THAT THE COURT CAN REVOKE YOUR PROBATION AND SENTENCE YOU TO PRISON, OR CHANGE OR ADD TO THE TERMS OF PROBATION. YOU ARE FURTHER INFORMED THAT PER HRS 134-7, YOU ARE PROHIBITED FROM OWNING OR POSSESSING ANY FIREARM OR AMMUNITION.

THE FOREGOING TERMS AND CONDITIONS OF PROBATION HAVE BEEN EXPLAINED TO ME; I FULLY UNDERSTAND THEM, AGREE TO ABIDE BY THEM IN EVERY WAY AND UNDERSTAND THE CONSEQUENCES. I HAVE RECEIVED A COPY OF THESE TERMS AND CONDITIONS OF PROBATION.

DATE

DEFENDANT'S SIGNATURE

WITNESSED BY

INTERPRETED BY (PROBATION OFFICER)

Cr. No. 97-1219

State of Hawaii vs. HOWELL MAHOE, JR., aka "Chinky Mahoe"

7. SPECIAL CONDITIONS OF PROBATION

YOU SHALL:

- A. Follow all reasonable instructions which are given to you by your probation officer;
- B. Not own or possess any firearms or ammunition. If you have any firearms or ammunition, you must immediately turn them in to the appropriate county police department;
- C. Participate satisfactorily in the Hawaii Sex Offender Treatment Program (HSOTP) with the provision that you obtain and maintain sex offender treatment, as approved by your probation officer, at your own expense until clinically discharged with the concurrence of your probation officer. Monthly progress reports are to be submitted to your probation officer by your therapist. If your probation officer deems you to be financially unable to pay, you shall participate in treatment with a Judiciary contracted therapist with payment to be made in accordance with the Adult Probation Division's payment formula;
- D. Submit to polygraph examinations, as deemed appropriate by the Adult Probation Division and/or your therapist, to be paid at your own expense;
- E. Pay for and submit to electronic monitoring as deemed appropriate by your probation officer;
- F. Not possess, use or consume any alcohol, unprescribed or illegal drug, nor possess any drug-related paraphernalia;
- G. Make a \$2,000.00 contribution to an agency of your choice which treats sex abuse victims, to be paid in full within three months;
- H. Submit to urinalysis or other similar assessment tests at your own expense as directed by your probation officer. A positive finding or a failure to provide a specimen within two hours of instruction may be considered prima facie evidence of probation violation;
- I. Refrain from purchasing or possessing inappropriate audio or visual materials as clinically defined by your primary therapist; nor shall you frequent any place where such material is available to you;

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Special Conditions of Probation

- J. Submit at reasonable times to a search of your person, residence, vehicle, or other sites and property under your control by any probation officer, with or without a warrant, based on reasonable suspicion that illicit substances or other contraband (which may include inappropriate materials as clinically defined by your therapist), may be in the places of a search. Any illicit substances or contraband found or observed in such a search may be seized;
- K. Abide by any curfew, travel and leisure time restrictions imposed by your probation officer;
- L. Refrain from hitchhiking and picking up hitchhikers;
- M. Not contact or attempt to contact, directly or indirectly, the victims, nor any other party significantly related to the victims, without the prior knowledge and authorization of your probation officer;
- N. Not contact or attempt to contact, directly or indirectly, any minor child nor reside in the same residence with minor children without the permission of your probation officer;
- O. Obtain and maintain residence as approved by your probation officer;
- P. Work full-time or attend educational/vocational training as approved by your probation officer throughout the period of probation (except as precluded by treatment);
- Q. Perform 500 hours of community service, to be completed by the end of the probationary period;
- R. Have one or more adults present during any contacts you have with minor children; and
- S. Sign a Waiver of Extradition.