

TO: DEFENDANT-JEROME D. TEXEIRA

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:
 - A. Follow all reasonable instructions which are given to you by your probation officer;

SEE ATTACHED SPECIAL TERMS AND CONDITIONS OF PROBATION

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)

State of Hawaii v. JEROME D. TEXEIRA
Cr. No. 02-1-0180(1)
ATTACHMENT TO TERMS AND CONDITIONS OF PROBATION

SPECIAL TERMS AND CONDITIONS

- A. Follow all reasonable instructions which are given to you by your Probation Officer.
- B. You are committed to the custody of the Director of the Department of Public Safety for a period of ONE (1) YEAR of jail confinement, mittimus to issue forthwith, with credit for time already served.
- C. You must obtain and maintain gainful (full-time) employment and/or educational/vocational training throughout the period of probation.
- D. You must refrain from the use of alcohol and/or illicit/unprescribed drugs/substances and submit to testing at your own expense as directed by the Adult Client Services Branch, with the provision that a positive finding and/or failure to provide a specimen within two hours of instruction may be considered prima facie evidence of probation violation.
- E. You must submit to drug/alcohol assessments throughout your period of probation as directed by the Adult Client Services Branch and, if deemed necessary, seek and maintain outpatient and/or residential drug/alcohol treatment until clinically discharged with the concurrence of the Adult Client Services Branch.
- F. You must not make or attempt to make contact, directly or indirectly, with the victim or any other party significantly related to the victim, without the prior knowledge and authorization of the Probation Officer.
- G. You must write a letter of apology to the victim, as approved by the Adult Client Services Branch.
- H. You must not own/possess/have in your control any type of firearm and/or ammunition.
- I. You must sign a Waiver of Extradition.
- J. You must reimburse the Judiciary for any assessment and/or treatment paid by the Judiciary as determined by the Adult Client Services Branch.

- K. You must participate satisfactorily in the Hawaii Sex Offender Treatment Program (HSOTP) with the provision that you must 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 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 Client Services Branch payment formula.
- L. You must provide a written waiver of confidentiality for any assessment, treatment, counseling or therapy.
- M. You must abide by any curfew, travel and leisure time restrictions imposed by the Adult Client Services Branch. Your probation officer shall have discretion as to what particular locations, if any, you should avoid or frequent.
- N. You must 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.
- O. Based on reasonable suspicion that illicit substances, contraband, or inappropriate materials, as clinically defined by your primary therapist, may be in the places of a search, 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, and that any illicit substances, contraband, or inappropriate materials, found or observed thereby may be seized.
- P. You must pay the Crime Victim Compensation Fee \$100.00.
- Q. You must pay a probation services fee \$150.00.
- R. You must pay the Crime Victim Compensation Fee and the probation services fee at the rate of \$25.00 per month beginning 30 days after your release from incarceration/jail. Payments shall be applied to the foregoing obligations in the same order as they are listed in this paragraph. Any modifications in the manner of payment must be approved by the Court.
- S. You must perform 100 hours of community service at a rate of not less than 10 hours per month, to commence within 30 days upon your release from incarceration/jail.