

ORIGINAL

STATE OF HAWAII CIRCUIT COURT OF THE THIRD CIRCUIT	<b>JUDGMENT</b> GUILTY CONVICTION AND PROBATION SENTENCE NOTICE OF ENTRY	CASE NUMBER  CR. NO. 04-1-28K
STATE OF HAWAII vs. (DEFENDANT)  CHRISTOPHER T. HOLSCHUH		POLICE REPORT NO.  H-42571/NK

DEFENDANT'S PLEA (7-28-2004) <input checked="" type="checkbox"/> GUILTY <input type="checkbox"/> NOT GUILTY <input type="checkbox"/> NO CONTEST	<input type="checkbox"/> JURY VERDICT <input checked="" type="checkbox"/> JUDGE FINDINGS
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ORIGINAL CHARGE(S)  SEXUAL ASSAULT IN THE THIRD DEGREE	CHARGE TO WHICH DEFENDANT PLEAD  SEXUAL ASSAULT IN THE THIRD DEGREE, in violation of Section 707-732(1)(b), HRS, as amended
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DEFENDANT IS CONVICTED AND FOUND GUILTY OF SAME CHARGE TO WHICH DEFENDANT PLEAD

**JUDGMENT AND SENTENCE OF THE COURT:    PROBATION**

TERM            TEN (10) YEARS	FINE
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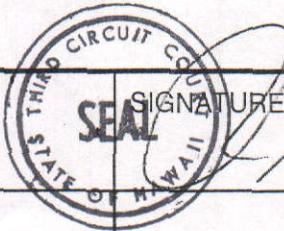
SPECIAL CONDITIONS  <input type="checkbox"/> RESTITUTION  <input checked="" type="checkbox"/> JAIL  <input type="checkbox"/> COMMUNITY SERVICE	<input checked="" type="checkbox"/> OTHER (SEE ATTACHED TERMS AND CONDITIONS OF PROBATION)  I hereby certify that this is a full, true and correct copy of the original on file in this office.  <i>J. Mock Chew</i> Clerk, Third Circuit Court, State of Hawaii
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It is adjudged that the Defendant has been convicted and is guilty as stated above.

IT IS THE JUDGMENT AND SENTENCE of the court that the Defendant pay the fine/restitution indicated and is hereby placed on probation for the period stated above, commencing as of the date of this judgment, unless sooner discharged by order of the court, upon condition that the Defendant comply with all of the terms and conditions of probation set forth in the attached document.

IT IS ORDERED that copies of this Judgment be delivered to the Adult Probation Division of this court, that a probation officer of this court take charge of and have supervision of the Defendant and instruct the Defendant regarding the terms and conditions of probation, and that the probation officer furnish the Defendant a copy of this Judgment.

IT IS FURTHER ORDERED that bail conditions be canceled.

DATE SIGNED <i>9/15/04</i>	JUDGE RONALD IBARRA	 SIGNATURE  L. MOCK CHEW, CLERK THIRD CIRCUIT COURT STATE OF HAWAII 2004 SEP 15 AM 11:56 FILED
NOTICE OF ENTRY  THIS JUDGMENT HAS BEEN ENTERED AND COPIES MAILED OR DELIVERED TO ALL PARTIES		
DATE SEP 15 2004	CLERK LANI NG <i>Lani Ng</i>	

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HCCC/FISCAL/P. BRESCIANI

**ORIGINAL**

STATE OF HAWAII CIRCUIT COURT OF THE THIRD CIRCUIT	TERMS AND CONDITIONS OF PROBATION	CASE NUMBER  CR NO. 04-1-28K
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TO: DEFENDANT CHRISTOPHER T. HOLSCHUH

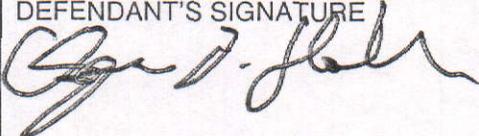
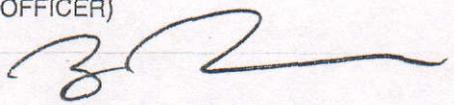
IT IS THE ORDER OF THE COURT THAT DURING YOUR TERM OF PROBATION, YOU SHALL COMPLY IN ALL RESPECTS WITH THE FOLLOWING TERMS AND CONDITIONS:

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 SHEET

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 9/23/04	DEFENDANT'S SIGNATURE 	WITNESSED BY  INTERPRETED BY (PROBATION OFFICER) 
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TERMS AND CONDITIONS OF PROBATION (Page 3 of 5)

SPECIAL CONDITIONS:

1. You shall follow all reasonable instructions given to you by your probation officer.
2. You shall not own or possess any firearms or ammunition. If you have any firearms or ammunition, you shall immediately turn them in to the appropriate county police department.
3. You shall be committed to the custody of the Director of the Dept. Of Public Safety for incarceration for a period of 180 DAYS, with release for sex offender treatment. If you violate any term or condition of probation, the prosecutor's office can bring a motion. Mittimus to issue September 15, 2004 at 12:00 noon.
4. You shall obtain and maintain full time verifiable employment or attend educational/vocational training approved by your probation officer throughout the period of probation.
5. You shall pay \$100.00 to the Crime Victims Compensation Fund.
6. You shall pay a probation service fee of \$150.00.
7. Fees imposed herein shall be paid at the rate of at least \$20.00 per month, with the first payment being due 60 days after your release from incarceration.
8. You shall refrain from the use, consumption and/or possession of alcohol and/or illegal/unprescribed drugs or hemp products or possess any drug related paraphernalia.
9. You shall not associate with anyone in possession of illegal drugs or be in the vicinity where illegal drugs are kept.

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10. You shall submit to urinalysis or other assessment tests as directed by your probation officer. You shall be responsible for the cost of the test subject to your ability to pay of not less than \$5.00 per test. A positive finding or a failure to provide a specimen within two hours of the instruction may be considered prima facie evidence of probation violation.
11. You shall obtain a substance abuse assessment at your own expense within 30 days after your release from incarceration.
12. You shall follow all recommendations of the substance abuse assessment within 30 days of the date of the assessment until successful completion.
13. You shall obtain mental health treatment or services including taking medication and/or tests if ordered, as directed by your probation officer until clinically discharged with the concurrence of your probation officer. You shall be responsible for the payment of such treatment.
14. You shall not contact or attempt to contact, directly or indirectly, the victim
15. You shall sign a waiver of confidentiality between your probation officer and your treatment provider to determine whether you are in compliance with the drug, alcohol and sex offender treatment.
16. You shall participate satisfactorily in the Hawaii Sex Offender Treatment program at your own expense until clinically discharged with the concurrent of your probation officer. You shall provide quarterly progress reports to your probation officer through your therapist. If your probation officer deems you are unable to pay, you shall participate in treatment with a judiciary contracted therapist with payment to be made in accordance with the Adult Probation payment formula.
17. You shall refrain from purchasing, possessing or accessing via the Internet or other electronic database 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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18. You shall abide by any curfew, travel and leisure time restrictions imposed by your probation officer.
19. You shall refrain from hitchhiking and picking up hitchhikers.
20. You shall not have any 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.
21. You shall obtain and maintain residence as approved by your probation officer.
22. You shall provide photograph and/or fingerprints.
23. You shall pay for and submit to electronic monitoring as deemed appropriate by your probation officer.
24. You shall submit to polygraph examinations at your own expense as deemed appropriate by your probation officer.
25. You shall submit to plethysmograph examinations at your own expense as directed by your sex offender therapist and your probation officer.
26. You shall obtain a psychosexual evaluation as directed by your sex offender therapist and your probation officer.
27. You shall report to the Hawaii County Police Department and submit a blood sample for DNA testing.
28. You shall register as a sex offender with the Hawaii County Police Department.