

MBS  
MTD

**STATE OF HAWAII**  
CIRCUIT COURT OF THE FIRST  
CIRCUIT

**JUDGMENT  
OF CONVICTION AND PROBATION  
SENTENCE  
NOTICE OF ENTRY**

CASE NUMBER:  
**Cr. No. 08-1-0762**

STATE VS. (DEFENDANT)  
**JOHN KENN**

DATE OF HEARING:  
July 8, 2009

REPORT NUMBER(S):

DEFENDANT'S PLEA:  
GUILTY

TRIAL:  
CHANGE OF PLEA

ORIGINAL CHARGE(S):  
See Attached

CHARGE(S) TO WHICH DEFENDANT PLED:  
See Attached

DEFENDANT IS CONVICTED AND FOUND GUILTY OF:  
See Attached

PHOTOGRAPH  
(If Available)

FINGERPRINT  
(If Available)

I do hereby certify that this is a full, true, and correct copy of the original on file in this office.  
*Quincy Proctor*  
Clerk, Circuit Court, First Circuit

**FINAL JUDGMENT AND SENTENCE OF THE COURT:**  
PROBATION: SEE ATTACHED TERMS AND CONDITIONS OF PROBATION.  
COUNTS 1 -- 34: FIVE (5) YEARS  
COUNTS 35 -- 37: ONE (1) YEAR, CONCURRENT  
SEX OFFENDER  
CRIME VICTIM COMPENSATION FEE: \$3,735.00  
RESTITUTION: \$3,010.00  
Defendant shall provide specimen samples and print impressions as required by H.R.S. Chap. 844D.

DATE  
July 8, 2009

JUDGE  
RICHARD K. PERKINS  
SIGNATURE  
*Richard K. Perkins*

FIRST CIRCUIT COURT  
STATE OF HAWAII  
FILED  
JUL - 8 2009  
11:10 o'clock 9 A.M.  
S. TOYAMA  
Clerk, Eighth Division

**NOTICE OF ENTRY**

THIS JUDGMENT HAS BEEN ENTERED AND COPIES MAILED OR DELIVERED TO ALL

DATE  
July 8, 2009

CLERK  
S. TOYAMA  
*S. Toyama*

<p align="center"><b>STATE OF HAWAII</b> CIRCUIT COURT OF THE FIRST CIRCUIT</p>	<p align="center"><b>JUDGMENT</b> GUILTY CONVICTION AND PROBATION SENTENCE</p>	<p>CASE NUMBER:  <b>Cr. No. 08-1-0762</b></p>
---	--	---

State of Hawaii vs. **JOHN KENN**

**Original Charges:**

- COUNTS 1, 2, 6--9: SEXUAL ASSAULT IN THE 1ST DEGREE  
(§707-730(1)(b), H.R.S.)
- COUNTS 3--5, 10--12: SEXUAL ASSAULT IN THE 3RD DEGREE  
(§707-732(1)(b), H.R.S.)
- COUNTS 13--16: SEXUAL ASSAULT IN THE 1ST DEGREE  
(§707-730(1)(c), H.R.S.)
- COUNTS 17--19: SEXUAL ASSAULT IN THE 3RD DEGREE  
(§707-732(1)(c), H.R.S.)
- COUNTS 20--34: SEXUAL ASSAULT IN THE 2ND DEGREE  
(§707-731(1)(a), H.R.S.)
- COUNTS 35--37: SEXUAL ASSAULT IN THE 4TH DEGREE  
(§707-733(1)(a), H.R.S.)

**Charges Pled Guilty to:**

- COUNTS 1, 2, 6--9, 13--16, 20--34: SEXUAL ASSAULT IN THE 2ND DEGREE  
(§707-731(1)(a), H.R.S.)
- COUNTS 3--5, 10--12, 17--19: SEXUAL ASSAULT IN THE 3RD DEGREE  
(§§ 707-732(1)(b) and 707-730(1)(c), H.R.S.)
- COUNTS 35--37: SEXUAL ASSAULT IN THE 4TH DEGREE  
(§707-733(1)(a), H.R.S.)

**Charges Found Guilty of:**

- COUNTS 1, 2, 6--9, 13--16, 20--34: SEXUAL ASSAULT IN THE 2ND DEGREE  
(§707-731(1)(a), H.R.S.)
- COUNTS 3--5, 10--12, 17--19: SEXUAL ASSAULT IN THE 3RD DEGREE  
(§§ 707-732(1)(b) and 707-730(1)(c), H.R.S.)
- COUNTS 35--37: SEXUAL ASSAULT IN THE 4TH DEGREE  
(§707-733(1)(a), H.R.S.)

State of Hawaii vs. John Kenn  
Criminal Number 08-1-0762  
HPD Report Numbers

1. 08-120989
2. 08-088794
3. 08-120990
4. 08-120991
5. 08-120992
6. 08-120994
7. 08-120993
8. 08-120996
9. 08-120997
10. 08-120995
11. 08-120998
12. 08-120999
13. 08-121001
14. 08-121000
15. 08-121003
16. 08-121004
17. 08-121002
18. 08-121005
19. 08-121006
20. 08-121008
21. 08-121007
22. 08-121009
23. 08-121010
24. 08-121011
25. 08-121014
26. 08-124694
27. 08-124695
28. 08-124696
29. 08-124697
30. 08-186468
31. 08-186469
32. 08-186470
33. 08-186471
34. 08-186472
35. 08-124698
36. 08-124699
37. 08-124700

**TO: DEFENDANT, JOHN KENN**

**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 shall not commit another federal or state crime during your term of probation;
2. You shall report to your probation officer as ordered by the Court or by your probation officer. After this hearing or upon your release from confinement, you are ordered to report immediately to:  

Adult Client Services  
777 Punchbowl Street  
Honolulu, Hawaii 96813  
(808) 539-4500;
3. You shall not leave the island of O'ahu unless you first obtain permission to leave from your probation officer or the Court;
4. You shall report any change of address, telephone number, or employment to your probation officer before any such change;
5. You shall promptly notify your probation officer if you are arrested or questioned by a law enforcement officer; and
6. You shall permit your probation officer to visit your home and any other places specified by the Court at all reasonable times.
7. Your further special conditions of probation are as follows: 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.

**YOUR FURTHER SPECIAL TERMS AND CONDITIONS OF PROBATION ARE ATTACHED.**

**WARNING:**

**IF YOUR WHEREABOUTS BECOME UNKNOWN TO YOUR PROBATION OFFICER BECAUSE OF YOUR FAILURE TO KEEP HIM/HER INFORMED, THE COURT MAY ORDER YOUR ARREST. UPON ANY FAILURE TO COMPLY WITH EACH OF THE TERMS AND CONDITIONS OF YOUR PROBATION, INCLUDING SPECIAL CONDITIONS, THE COURT MAY REVOKE YOUR PROBATION AND SENTENCE YOU TO PRISON OR CHANGE OR ADD TO THE CONDITIONS OF YOUR PROBATION.**

**YOU ARE FURTHER INFORMED THAT YOU ARE PROHIBITED FROM OWNING OR POSSESSING ANY FIREARM OR AMMUNITION PURSUANT TO HRS § 134-7.**

**THE 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

SIGNATURE OF PROBATION OFFICER

**Cr. No. 08-1-0762**  
**State of Hawaii vs. JOHN KENN**

**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. Serve a term of imprisonment of eighteen (18) months in Counts 1, 2, 6--9, 13--16 and 20--34, and one (1) year in Counts 3--5, 10--12, 17--19 and 35--37, with credit for time served, effective forthwith;
- D. Work full time or attend educational/vocational training as approved by your probation officer throughout the period of probation;
- E. Pay restitution in the amount of \$3,010.00 to the Crime Victim Compensation Commission;
- F. Pay to the crime victim compensation fund \$3,735.00;
- G. Pay a probation services fee in the amount of \$150.00;
- H. Pay the restitution, crime victim compensation fee, probation services fee at the rate of at least \$125.00 per month. Payment 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;
- I. Not possess, use, or consume any alcohol, unprescribed or illegal drug nor possess any drug-related paraphernalia;
- J. 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;**
- K. Submit to drug/alcohol assessment at your own expense as directed by your probation officer;

**7. Special Conditions Of Probation**

- L. Obtain and maintain substance abuse treatment as directed by your probation officer until clinically discharged with the concurrence of your probation officer. You shall be responsible for payment for such treatment;
- M. 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 substance(s) or other contraband (which may include firearms and/or ammunition and/or inappropriate materials as clinically defined by your therapist) may be in the place(s) of a search. Any illicit substance(s) or contraband found or observed in such a search may be seized;
- N. Obtain and maintain mental health treatment or services, including 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 payment for such treatment;
- O. Not contact or attempt to contact, directly or indirectly, the victim, , nor any other party significantly related to the victim, without the prior knowledge and authorization of your probation officer;
- P. Sign a Waiver of Extradition;
- Q. Refrain from entering Windward Mall and its parking lot;
- R. As determined by your probation officer, participate in and complete service plan(s) in relation to your Level of Service Inventory - Revised and other assessment results on emotional/personal issues, attitude orientation, low self control, drugs and/or alcohol dependence, companions and family/marital relationships;
- S. 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 Client Services payment formula;

**Cr. No. 08-1-0762**

**State of Hawaii vs. JOHN KENN**

**7. Special Conditions Of Probation**

- T. Refrain from purchasing or 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;
- U. Abide by any curfew, travel, and leisure time restrictions imposed by your probation officer;
- V. Refrain from hitchhiking and picking up hitchhikers;
- W. 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;
- X. Obtain and maintain a residence as approved by your probation officer;  
and
- Y. Pay for and submit to electronic monitoring as deemed appropriate by your probation officer.