

ORIGINAL

STATE OF HAWAII
CIRCUIT COURT OF THE
THIRD CIRCUIT

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

CASE NUMBER
CR. NO. 10-1-130K

STATE OF HAWAII vs. (DEFENDANT)

RYAN KEKAI QUEJA

DEFENDANT'S PLEA
 GUILTY NOT GUILTY NO CONTEST

JURY VERDICT JUDGE FINDINGS

ORIGINAL CHARGE(S)
Counts 1, 2: SEXUAL ASSAULT IN THE THIRD DEGREE;
Count 3: SEXUAL ASSAULT IN THE FIRST DEGREE; Count
4: SEXUAL ASSAULT IN THE THIRD DEGREE; Count 5:
ATTEMPTED SEXUAL ASSAULT IN THE THIRD DEGREE;
Count 6: SEXUAL ASSAULT IN THE SECOND DEGREE

CHARGE(S) TO WHICH DEFENDANT PLEAD
Counts 1, 2: SEXUAL ASSAULT IN THE THIRD DEGREE, in
violation of Section 707-732(1)(b), HRS, as amended; Count 3:
SEXUAL ASSAULT IN THE FIRST DEGREE, in violation of Section
707-730(1)(b), HRS, as amended; Count 4: SEXUAL ASSAULT IN
THE THIRD DEGREE, in violation of Section 707-732(1)(c), HRS,
as amended; Count 5: ATTEMPTED SEXUAL ASSAULT IN THE
THIRD DEGREE, in violation of Sections 705-500(1)(b) and 707-
732(1)(c), HRS, as amended; Count 6: SEXUAL ASSAULT IN THE
SECOND DEGREE, in violation of Section 707-731(1)(a), HRS, as
amended

**DEFENDANT IS CONVICTED AND FOUND GUILTY
SAME CHARGES TO WHICH DEFENDANT PLEAD**

JUDGMENT AND SENTENCE OF THE COURT: PROBATION

TERM TWENTY (20) YEARS as to Count 3; TEN (10)
YEARS as to Counts 1, 2, 4, 5, 6, concurrent with
each other

FINE

SPECIAL CONDITIONS

RESTITUTION

OTHER (SEE ATTACHED TERMS AND CONDITIONS OF
PROBATION)

JAIL

I hereby certify that this is a full, true and correct
copy of the original on file in this office.

COMMUNITY SERVICE

S. Mandaguit
Clerk, Third Circuit Court, State of Hawaii

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

JUDGE

SIGNATURE

FEBRUARY 3, 2011

RONALD IBARRA

NOTICE OF ENTRY

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

DATE
FEB - 3 2011

CLERK *Nicole K. Loo*
NICOLE K. LOO



2011 FEB - 3 PM 12: 35
Nicole K. Loo
Nicole K. Loo
THIRD CIRCUIT COURT
CLERK
STATE OF HAWAII

FILED

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OK

STATE OF HAWAII
CIRCUIT COURT OF THE
THIRD CIRCUIT

TERMS AND CONDITIONS
OF PROBATION

CASE NUMBER

CR NO. 10-1-130K

TO: DEFENDANT RYAN KEKAI QUEJA,

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

2/3/11

DEFENDANT'S SIGNATURE

Ryan Queja

WITNESSED BY

INTERPRETED BY (PROBATION OFFICER)

CR NO. 10-1-130K
STATE OF HAWAII vs. RYAN KEKAI QUEJA
JUDGMENT OF CONVICTION AND PROBATION SENTENCE

B. SPECIAL CONDITIONS

You Shall:

1. Follow all reasonable instructions given to you by your probation officer.
2. Be committed to the custody of the Director of the Department of Public Safety for a period of incarceration of TWENTY-FOUR (24) MONTHS, for the offense of Sexual Assault in the First Degree; EIGHTEEN (18) MONTHS for the offense of Sexual Assault in the Second Degree; TWELVE (12) MONTHS for the offense of Attempted Sexual Assault in the Third Degree and TWELVE (12) MONTHS for each of the three counts of Sexual Assault in the Third Degree; with credit for time served and all time to be served concurrently. You shall serve your term of incarceration intermittently with a minimum of three (3) months consecutive each year. The first mittimus shall issue on February 4, 2011 at 12:00 p.m. The remaining mittimus schedules shall be coordinated by your probation officer. In the event that you are unable to complete the sex offender treatment with intermittent incarceration, you shall serve the twenty-four (24) months consecutive.
3. Perform THREE HUNDRED (300) HOURS of community service for the offense of Sexual Assault in the First Degree, TWO HUNDRED (200) HOURS for the offense of Sexual Assault in the Second Degree, ONE HUNDRED (100) HOURS for the offense of Attempted Sexual Assault in the Third Degree and ONE HUNDRED (100) HOURS for each count of Sexual Assault in the Third Degree for a total of NINE HUNDRED (900) HOURS to be served consecutively. You shall complete a minimum fifty (50) hours per year. However, all hours must be completed prior to the expiration of your probation term.
4. Obtain a mental health assessment as directed by your probation officer,

at your own expense, in accordance with your ability to pay, and follow any recommendations for treatment to clinical discharge. You shall obtain the assessment within thirty (30) days from release from your first mittimus.

5. Pay a Crime Victim's Compensation Fund Fee in the amount of \$300.00 for the offense of Sexual Assault in the First Degree, \$200.00 for the offense of Sexual Assault in the Second Degree, \$105.00 for the offense of Attempted Sexual Assault in the Third Degree and \$105.00 for each count of Sexual Assault in the Third Degree for a total of \$920.00.
6. Pay a Probation Services Fee in the amount of \$150.00.
7. Make minimum monthly payments in the amount of \$25.00 beginning sixty (60) days after release from your first mittimus. The fees shall be paid in full prior to the expiration of your probation term. (NOTE: Payments shall be applied in the same order as they are listed.)
8. Obtain/maintain legal, verifiable, full-time work or enroll in an educational and/or vocational training program as approved by your probation officer for the duration of your probation.
9. Not own, use, 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.
10. Not contact or attempt to contact, directly or indirectly, the victim(s):
or any other party significantly related to the victim
with the exception of his wife, and do not attend any
family events or activities that include . (NOTE: This
does not include contact through your lawyer or probation officer for legal
or civil matters or for fulfillment of other required conditions of probation.)
11. Not threaten, annoy, alarm, harm or harass or any
other party significantly related to her.
12. Sign Waiver of Confidentiality form(s) to allow your probation officer to
monitor your compliance with drug/alcohol treatment, mental health

treatment and any other treatment required by the terms and conditions of your probation and your probation officer or the Court.

13. Write a letter of apology to victim(s): _____ pursuant to recommendation of your sex offender treatment counselor and your probation officer who will determine if it is appropriate and forward it to the victim.
14. Appear for all scheduled hearings and/or comply with the notice to appear issued by the Court or your probation officer.
15. Participate with your probation officer in the development and fulfillment of case plan(s) as it relates to assessment results.
16. Not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the Court.
17. Successfully participate in the Hawaii Sex Offender Treatment Program (HSOTP) with the provision that you obtain and maintain sex offender treatment, at your own expense, and in accordance with your ability to pay as determined by HSOTP, to clinical discharge. If HSOTP deems you to be 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.
18. Refrain from purchasing, possessing, or accessing via the Internet or other electronic database, pornography, or any other 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.
19. Abide by any curfew, travel and leisure time restrictions imposed by your probation officer.
20. Refrain from hitchhiking and picking up hitchhikers.
21. 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. Your probation officer will give you leeway regarding your own children.

22. Refrain from accessing or utilizing any internet or web-based social websites where children are known to communicate and socialize.
23. Remain away from schools, playgrounds, theaters or any other locations where unsupervised minors congregate.
24. Obtain and maintain a residence as approved by your probation officer.
25. Pay for and submit to polygraph examinations at your own expense as directed by your sex offender therapist and your probation officer.
26. Submit to pleythysmograph and polygraph examinations every six months at your own expense in accordance with your ability to pay and as directed by your sex offender therapist and your probation officer.
27. Obtain a psychosexual evaluation at your own expense in accordance with your ability to pay and as directed by your sex offender therapist and your probation officer. (NOTE: The Sex Offense Specific Evaluation by Joseph Giovannoni qualifies for this condition).
28. Report to the Hawaii County Police Department and submit a blood sample for DNA testing within thirty (30) days after release from your first mittimus.
29. Register as a sex offender with the Chief of Police of the Hawaii County Police Department. (NOTE: According to the Sex Offender Registry the you registered as a sex offender at the Kona Police Station).
30. Inform your employer of the offense as required by sex offender treatment and as directed by your probation officer.
31. If you are currently attending church, inform your minister/priest of the offense and refrain from participating in or attending functions that involve female minors.
32. Sign the terms and conditions of probation. Upon verification that the terms and conditions of probation have been executed, bail conditions shall be cancelled.
33. Sign a Waiver of Extradition.
34. Contact the Adult Probation Department at 443-2191 not later than **2:00 p.m. today**, to schedule your first appointment with a probation officer.