STATE OF HAWAII CIRCUIT COURT OF THE SECOND CIRCUIT	**JUDGMENT** **CONVICTION AND PROBATION SENTENCE** **NOTICE OF ENTRY**	CASE NUMBER CR 10-1-0335(4)
STATE OF HAWAII vs. (Defendant) EDWARD S. K. VILLEGAS		

DEFENDANT'S PLEA: ☒ No Contest ☐ Guilty

ORIGINAL CHARGE(S):	CHARGE(S) TO WHICH DEFENDANT PLEAD:
CTS. 1-3: SEXUAL ASSAULT IN THE THIRD DEGREE	CTS. 1&2: SEXUAL ASSAULT IN THE THIRD DEGREE

DEFENDANT IS CONVICTED AND FOUND GUILTY OF
CTS. 1&2: SEXUAL ASSAULT IN THE THIRD DEGREE

JUDGMENT AND SENTENCE OF THE COURT: PROBATION

TERM: FIVE (5) YEARS, EACH COUNT, TO RUN CONCURRENTLY	FINE:

SPECIAL CONDITIONS:
☒ Jail
☒ Probation Service Fee - $150.00 to the Clerk of the Court
☒ Criminal Injuries Compensation Fee - Cts. 1&2: $105.00 each, for a total of $210.00 to the Clerk of the Court
☐ Community Service
☐ Restitution
☒ Other - Pay a monetary assessment of $500.00 or the actual cost of the DNA analysis, whichever is less, to the DNA registry special fund.

You must pay the Crime victim compensation fee/Probation services fee/DNA assessment at the rate of at least $50.00 per month, commencing within 30 days hereof. Payment shall be applied in the same order as they are listed in this paragraph. Any modifications in the manner of payment must be approved by the court.

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 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 Client Services 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.

DATE	JUDGE	SIGNATURE
April 19, 2011	RICHARD T. BISSEN, JR.	Richard T. Bissen

SECOND CIRCUIT COURT SEAL STATE OF HAWAII

FILED
APR 19 PM 2:44
RONALD N. Y. OTSUYA, CLERK
SECOND CIRCUIT COURT
STATE OF HAWAII

NOTICE OF ENTRY

THIS JUDGMENT HAS BEEN ENTERED AND COPIES MAILED OR DELIVERED TO ALL PARTIES.
Distribution: C. Minatodani, DPA; B. Lowenthal, Esq.; Deft. (via ACS); ACS; Fiscal; MPD; MCCC; County Clerk

DATE	CLERK
APR 19 2011	

I hereby certify that this is a full, true and correct copy of the Original.

Clerk, Second Circuit Court

STATE OF HAWAII CIRCUIT COURT OF THE SECOND CIRCUIT	**TERMS AND CONDITIONS OF PROBATION**	CASE NUMBER CR 10-1-0335(4)

TO EDWARD S. K. VILLEGAS:

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 SPECIAL TERMS AND CONDITIONS OF PROBATION.

NOTE: IF YOUR WHEREABOUTS BECOME UNKNOWN TO YOUR PROBATION OFFICER BECAUSE OF YOUR FAILURE TO KEEP HIM/HER 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 Hawai`i vs. EDWARD S. K. VELLEGAS
Cr. No. 10-1-0335(4)
ATTACHMENT TO TERMS AND CONDITIONS OF PROBATION

SPECIAL TERMS AND CONDITIONS

A. You must follow all reasonable instructions which are given to you by your probation officer.

B. You must 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. You must serve a term of imprisonment of **ONE HUNDRED EIGHTY (180) DAYS**, each count, to run concurrently, with credit for any time served, to be completed in consecutive weekends, from Fridays at 4:30 p.m. to Sundays at 4:30 p.m. Mittimus to issue - Friday, April 29, 2011 at 4:30 p.m.

D. You must work full time or attend educational/vocational training as approved by your probation officer throughout the period of probation.

E. You must provide buccal swab samples and print or hand impressions as required by the collecting agency's rules and regulations, and/or provide blood specimens as required by the collecting agency's rules and regulations for law enforcement identification analysis.

F. You must not possess, use, or consume any alcohol, unprescribed or illegal drug nor possess any drug-related paraphernalia.

G. You must 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.

H. You must submit to drug/alcohol assessment at your own expense as directed by your probation officer. If deemed necessary, you must obtain and maintain substance abuse treatment as directed by or at the discretion of your probation officer until clinically discharged with the concurrence of your probation officer. You shall be responsible for payment of such treatment.

I. You must reimburse the Judiciary for any assessment and/or treatment paid by the Judiciary as determined by Adult Client Services. Payment to be made to the Clerk of the Court.

J. You must 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.

K. As directed by your probation officer, you must obtain and maintain mental health treatment until clinically discharged or other services, including medication and/or tests as required by your treating mental health professional. You shall be responsible for payment for such treatment.

L. You must not contact or attempt to contact, directly or indirectly, the victim, Alyssa Kamai, or any other party significantly related to the victim, without the prior knowledge and written authorization of your probation officer.

M. You must sign a Waiver of Extradition.

N. As determined by your probation officer, participate in and complete service plan in relation to your Level of Service Inventory - Revised and other assessment results on emotion/personal issues, attitudes orientation, low self control, drugs and/or alcohol dependence, companions and family/marital relationships.

O. You must 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 payment formula.

P. You must 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.

Q. You must abide by any curfew, travel, and leisure time restrictions imposed by your probation officer.

R. You must refrain from hitchhiking and picking up hitchhikers.

S. You must 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.

T. You must obtain and maintain residence as approved by your probation officer.

U. You must provide photograph and/or fingerprints.

V. You must pay for and submit to electronic monitoring as deemed appropriate by your probation officer.