ORIGINAL

STATE OF HAWAI'I
CIRCUIT COURT OF THE
SECOND CIRCUIT

JUDGMENT
CONVICTION AND SENTENCE
☐ Young Adult Defendant
NOTICE OF ENTRY

CASE NUMBER(S)
CR. NO. 13-1-0412(1)

25

STATE OF HAWAI'I VS (DEFENDANT)
CHARLES EDWARD COWANS

POLICE REPORT NUMBER(S)

DEFENDANT'S PLEA:
☐ GUILTY
☐ NOT GUILTY
☒ NO CONTEST

☐ JURY VERDICT
☒ JUDGE FINDINGS

ORIGINAL CHARGE(S)
COUNTS ONE & THREE: SEXUAL ASSAULT IN THE FIRST DEGREE
COUNT TWO: KIDNAPPING
COUNT FOUR: ATTEMPTED ASSAULT IN THE FIRST DEGREE

CHARGE(S) TO WHICH DEFENDANT PLEAD
COUNTS ONE & THREE: SEXUAL ASSAULT IN THE FIRST DEGREE
COUNT TWO: KIDNAPPING

DEFENDANT IS CONVICTED AND FOUND GUILTY OF
COUNTS ONE & THREE: SEXUAL ASSAULT IN THE FIRST DEGREE
COUNT TWO: KIDNAPPING

FINAL JUDGMENT AND SENTENCE OF THE COURT

☐ FINE: **$**
☐ RESTITUTION .
☒ INCARCERATION FOR:

COUNT ONE: TWENTY (20) years, DPS-with a Mandatory Minimum term of 13 years & 4 months.

COUNT TWO: TWENTY (20) years, DPS-with a Mandatory Minimum term of 13 years & 4 months.

COUNT THREE: TWENTY (20) years, DPS-with a Mandatory Minimum term of 13 years & 4 months.

with all counts and Mandatory Minimum's to run consecutively.

☒ MITTIMUS TO ISSUE IMMEDIATELY.
☐ MITTIMUS TO STAYED UNTIL .
☒ OTHER:

A. Pay the Crime Victim Compensation as follows:
Count One: $305.00
Count Two: $305.00
Count Three: $305.00

B. Pay the Crime Victim Compensation fee at the rate of 25% of your gross earnings while incarcerated; thereafter, at the rate of at least $30.00 per month, with credit for time served.

☒ The Defendant entered the plea(s) indicated. It is adjudged that the Defendant has been convicted of and is guilty of the offense stated above, committed in the manner and form set forth in the charge.

☐ The court finds that the Defendant comes within the classification of a young adult defendant under HRS Section 667 and that in lieu of any other sentence of imprisonment authorized by law, defendant should be sentenced to a special indeterminate term of imprisonment. The court is of the opinion that such special term is adequate for defendant's correction and rehabilitation and will not jeopardize the protection of the public.

THE JUDGMENT AND SENTENCE OF THIS COURT IS AS STATED HEREIN.

DATE SIGNED	JUDGE	SIGNATURE
4/17/15	RHONDA I. L. LOO	

NOTICE OF ENTRY

THIS JUDGMENT HAS BEEN ENTERED AND COPIES MAILED OR DELIVERED TO ALL PARTIES.
Distribution: K. Whitworth, DPA; W. McGrath, Esq; Defendant c/o MCCC; MCCC; HPA; MPD; ACS; Issaak Ooumy, Clerk

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

Clerk, Second Circuit Court

DATE	CLERK
APR 17 2015	

SECOND CIRCUIT COURT SEAL STATE OF HAWAII

RES K. MAEDA, CLERK SECOND CIRCUIT COURT STATE OF HAWAII

FILED
2015 APR 17 PM 12:20

STATE OF HAWAI'I CIRCUIT COURT OF THE SECOND CIRCUIT	**MITTIMUS** **WARRANT OF COMMITMENT TO JAIL**	CASE NUMBER(S) **CR. NO. 13-1-0412(1)**

STATE OF HAWAI'I VS (DEFENDANT)

CHARLES EDWARD COWANS

POLICE REPORT NUMBER(S)

OFFENSE OF WHICH DEFENDANT WAS ADJUDGED GUILTY

COUNTS ONE & THREE: SEXUAL ASSAULT IN THE FIRST DEGREE
COUNT TWO: KIDNAPPING

THE STATE OF HAWAI'I

TO: The Sheriff of the State of Hawai'i, or Deputy or to any police officer authorized by law:

The defendant has been adjudged guilty in this court of the offense indicated.

This court imposed the sentence upon the defendant which is stated in the attached judgment/order.

YOU ARE HEREBY ORDERED to take the defendant into your custody for the purpose of causing the sentence to be executed.

THIS MITTIMUS IS EFFECTIVE IMMEDIATELY.

NAME OF JUDGE ISSUING SENTENCE

RHONDA I.L. LOO

SECOND CIRCUIT COURT SEAL STATE OF HAWAII

DATE MITTIMUS ISSUED	CLERK	SIGNATURE
4/17/15	**M. OBREGON**	**/s/ M. Obregon (seal)**

DISTRIBUTION:

- ☒ ORIGINAL FILE
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- ☒ POLICE DEPARTMENT
- ☒ ACSB
- ☒ HAWAII PAROLE
- ☐ HASP (IF MILITARY)
- ☐ SHERIFF
- ☒ DEFENSE COUNSEL

FILED
2015 APR 17 PM 12: 21
K. MAEDA, CLERK
SECOND CIRCUIT COURT
STATE OF HAWAII

ABSTRACT OF JUDGMENT – PRISON COMMITMENT

FORM DSL 290

0089

☒ SUPERIOR ☐ MUNICIPAL ☐ JUSTICE } COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

BRANCH OR JUDICIAL DISTRICT:

COURT (ID) S 3 7 0 0 0 0

FILED
KENNETH E. MARTONE
Clerk of the Superior Court
JAN 8 1999
By: M. BUTCHER, Deputy

PEOPLE OF THE STATE OF CALIFORNIA versus
DEFENDANT: CHARLES EDWARD COWANS
AKA:

☒ PRESENT ☐ NOT PRESENT

SCD 136897 - A
- B
- C
- D
- E

COMMITMENT TO STATE PRISON
ABSTRACT OF JUDGMENT

AMENDED ABSTRACT ☐

DATE OF HEARING (MO) (DAY) (YR)	DEPT NO	JUDGE	CLERK
01-06-99	24	F. CASTRO	M. BUTCHER

REPORTER	COUNSEL FOR PEOPLE	COUNSEL FOR DEFENDANT	PROBATION NO. OR PROBATION OFFICER
J. PETERSON	D. LAMBORN	T. MACUGA	A-802730

1. DEFENDANT WAS CONVICTED OF THE COMMISSION OF THE FOLLOWING FELONIES (OR ALTERNATE FELONY/MISDEMEANORS):
☐ ADDITIONAL COUNTS ARE LISTED ON ATTACHMENT _____ (NUMBER OF PAGES)

COUNT	CODE	SECTION NUMBER	CRIME	DATE OF CONVICTION (MO DAY YEAR)	CONVICTED BY (JURY COURT PLEA)	SENTENCE RELATION (TERM IS MVRT CONSECUTIVE CONCURRENT CONCURRENT SUSPENDED FULL TERM CONCURRENT CONSECUTIVE ENHANCEMENT)	PRINCIPAL OR CONSECUTIVE TIME IMPOSED (YEARS MONTHS)
2	PC	664/261(a)(2)	ATT FORC RAPE	98 10 28 98	X	M PRINCIPAL	#6 -
1	PC	211**	ROBBERY, 2nd deg	98 09 15 98	X	M X	2 -

2. ENHANCEMENTS charged and found true TIED TO SPECIFIC COUNTS (refers to the § 12022-series including WEAPONS, INJURY, LARGE AMOUNTS OF CONTROLLED SUBSTANCES, BAIL STATUS, ETC.
For each count list enhancements horizontally. Enter time imposed for each "S" for stayed or stricken. DO NOT LIST "B" enhancements charged but not found true or stricken under § 1385.
Add up time for enhancements on each line and enter as total in right-hand column.

Count	Enhancement	Yrs or "S"	Enhancement	Yrs or "S"	Enhancement	Yrs or "S"	Enhancement	Yrs or "S"	Enhancement	Yrs or "S"	Total
1	PC12022(b)(1) 4mo										4 -
2	PC12022.3(a) 4yrs										4 -

3. ENHANCEMENTS charged and found true FOR PRIOR CONVICTIONS OR PRIOR PRISON TERMS (e.g., only § 667-series) and OTHER.
List all enhancements based on prior convictions or prior prison terms charged and found true. If 2 or more under the same sec. no., repeat it for each enhancement (e.g., if 2 alternative prior prison terms under § 667.5(b) at § 667.5(b) 2 times). Enter time imposed for each or "S" for stayed or stricken. DO NOT LIST enhancements charged but not found true or stricken under § 1385. Add time for these enhancements and enter total in right-hand column. Also enter here any other enhancement not provided for in space 2.

Enhancement	Yrs or "S"	Enhancement	Yrs or "S"	Enhancement	Yrs or "S"	Enhancement	Yrs or "S"	Enhancement	Yrs or "S"	Total
PC667(a)(1) 5										5 -
Enhancement	Yrs or "S"	Enhancement	Yrs or "S"	Enhancement	Yrs or "S"	Enhancement	Yrs or "S"	Enhancement	Yrs or "S"	Total

4. INCOMPLETED SENTENCE(S) CONSECUTIVE

COUNTY	CASE NUMBER	CREDIT FOR TIME SERVED

5. OTHER ORDERS *TERM PURSUANT TO PC667(e)(1)/1170.12(c)(1)
R/F $3400 PER PC 1202.4(b) F/W PER PC 2085.5
R/F $3400 PER PC 1202.45 SUSPENDED UNLESS PAROLE IS REVOKED. CDOC TO USE BEST EFFORTS TO PROVIDE COUNSELING FOR DEFENDANT.

6. TOTAL TIME IMPOSED ON ALL ATTACHMENT PAGES (FORM DSL 290-A)
7. TIME STAYED TO COMPLY WITH 5-YEAR OR 10-YEAR LIMIT ON SUBORDINATE TERMS (DOUBLE-BASE term, enhancements, etc.) (Do not include preliminary stays of term for enhancements.)
8. TOTAL TERM IMPOSED: 17 4

9. EXECUTION OF SENTENCE IMPOSED
A ☒ AT INITIAL SENTENCING HEARING B ☐ AT RESENTENCING PURSUANT TO DECISION ON APPEAL C ☐ AFTER REVOCATION OF PROBATION D ☐ AT RESENTENCING PURSUANT TO RECALL OF COMMITMENT (PC § 1170(d)) E ☐ OTHER

10. DATE OF SENTENCE PRONOUNCED (MO) (DAY) (YR): 01-06-99
CREDIT FOR TIME SPENT IN CUSTODY: TOTAL DAYS 354 (INCLUDING): ACTUAL LOCAL TIME 236; LOCAL CONDUCT CREDITS 118; STATE INSTITUTIONS ☐ DMH ☐ CDC

11. DEFENDANT IS REMANDED TO THE CUSTODY OF THE SHERIFF, TO BE DELIVERED
☒ FORTHWITH ☐ AFTER 48 HOURS, EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS
INTO THE CUSTODY OF THE DIRECTOR OF CORRECTIONS AT THE RECEPTION-GUIDANCE CENTER LOCATED AT
☐ CALIF. INSTITUTION FOR WOMEN – FRONTERA ☐ CALIF. MEDICAL FACILITY – VACAVILLE ☐ CALIF. INSTITUTION FOR MEN – CHINO ☐ DEUEL VOC. INST.
☐ SAN QUENTIN
☒ OTHER (SPECIFY): R.J. DONOVAN

CLERK OF THE COURT

I hereby certify the foregoing to be a correct abstract of the judgment made in this action.

DEPUTY'S SIGNATURE M.G. BUTCHER DATE 01-08-99

This form is prescribed under Penal Code § 1213.5 to satisfy the requirements of § 1213 for determinate sentences. Attachments may be used but must be referred to in this document.

ABSTRACT OF JUDGMENT – PRISON COMMITMENT
FORM DSL 290

Pen. C. 1213.5

Form Adopted by the Judicial Council of California Effective April 1, 1992

DISTRIBUTION: PINK COPY – COURT FILE YELLOW COPY – DEPARTMENT OF CORRECTIONS

STATE OF HAWAII CIRCUIT COURT OF THE SECOND CIRCUIT	**JUDGMENT** **GUILTY CONVICTION AND PROBATION SENTENCE** NOTICE OF ENTRY	CASE NUMBER CR. 91-0274(2)

STATE OF HAWAII VS (DEFENDANT)

CHARLES E. COWAN

POLICE REPORT NUMBER

DEFENDANT'S PLEA

☐ GUILTY ☐ NOT GUILTY ☒ NO CONTEST ☐ JURY VERDICT ☒ JUDGE FINDINGS

ORIGINAL CHARGE	CHARGE TO WHICH DEFENDANT PLEAD
Ct. 1-Kidnapping Ct. 2-Attempted Murder in the Second Degree	Ct. 1-Kidnapping Ct. 2-Attempted Assault in the First Degree

DEFENDANT IS CONVICTED AND FOUND GUILTY OF

COUNT ONE: KIDNAPPING
COUNT TWO: ATTEMPTED ASSAULT IN THE FIRST DEGREE

JUDGMENT AND SENTENCE OF THE COURT: PROBATION

TERM	FINE
FIVE (5) YEARS	N/A

SPECIAL CONDITIONS:

☐ RESTITUTION

☒ JAIL

☒ COMMUNITY SERVICE

OTHER

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

Clerk, Second Judicial Circuit

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 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.

SECOND CIRCUIT COURT SEAL State of Hawaii

DATE ~~XXXXX~~	JUDGE	SIGNATURE
04/02/92	RICHARD R. KOMO	

NOTICE OF ENTRY

THIS JUDGMENT HAS BEEN ENTERED AND COPIES MAILED OR DELIVERED TO ALL PARTIES.
D. Tengan; D. Sereno; APD; Deft thru APD; MPD; MCCC; MISC

DATE	CLERK
APR - 3 1992	

SECOND CIRCUIT COURT
STATE OF HAWAII
FILED
APR -3 PM 1:19
J. KAYA
CLERK

DISTRIBUTION: ☐ ORIG. FILE, ☐ PROS., ☐ DEF., ☐ APD (3 CY), ☐ POLICE, ☐ DIVISION, ☐ JAIL (IF NEC.)

FORM NO. 000106 2/94

STATE OF HAWAII CIRCUIT COURT OF THE SECOND CIRCUIT	TERMS AND CONDITIONS OF PROBATION	CASE NUMBER CR. 91-0274(2)

TO: DEFENDANT

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 attachment.

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)

DISTRIBUTION ☐ ORIG FILE, ☐ PROS, ☐ DEF, ☐ APD (3 CY), ☐ POLICE, ☐ DIVISION, ☐ JAIL (IF NEC)

FORM NO 000107 1/87

CR. NO. 91-0274(2)
STATE OF HAWAII VS. CHARLES COWAN
SPECIAL CONDITIONS

1. You are hereby committed to the Department of Public Safety for placement within one of its facilities for a period of ONE (1) YEAR, mittimus to issue forthwith, credit for time served;

2. You are not to make or attempt to make contact, directly or indirectly with the victim, [redacted]

3. You are to perform 200 hours of community service, 100 hours per count, at a rate of not less than 20 hours per month commencing November 15, 1992 and to be completed within one year;

4. You are to refrain from the use of alcohol and/or illicit/unprescribed drugs;

5. You are to submit to drug and/or alcohol testing at your own expense as directed by the Adult Probation Division with the provision that a positive finding and/or a failure to provide a specimen within two hours may be considered prima facie evidence of probation violation;

6. You are not to own/possess/have in your control any type of firearm and/or ammunition;

7. You are to obtain gainful employment upon release from custody.

TERMS TO RUN CONCURRENT.

[redacted]