ORIGINAL

STATE OF HAWAII CIRCUIT COURT OF THE THIRD CIRCUIT	JUDGMENT GUILTY CONVICTION AND PROBATION SENTENCE NOTICE OF ENTRY	CASE NUMBER CR 98-213K

STATE OF HAWAII VS (DEFENDANT)

EUGENIO EUGENE PABRE aka "GINO"

POLICE REPORT NUMBER

F-68386/KN

DEFENDANT'S PLEA (1/11/99)

☐ GUILTY ☐ NOT GUILTY ☒ NO CONTEST

☐ JURY VERDICT ☒ JUDGE FINDINGS

ORIGINAL CHARGE

I and II - Sexual Assault in the Third Degree

CHARGE TO WHICH DEFENDANT PLEAD

I & II - Sexual Assault in the Third Degree, in violation of Section 707-732(1)(b), HRS, as amended

(Per Amended Complaint)

DEFENDANT IS CONVICTED AND FOUND GUILTY OF

Same Charges to Which Defendant Plead

JUDGMENT AND SENTENCE OF THE COURT: PROBATION

TERM Five (5) Years

FINE

SPECIAL CONDITIONS:

☒ RESTITUTION

☒ JAIL

☐ COMMUNITY SERVICE

☒ OTHER (See attached Terms and Conditions of Probation)

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.

DATE SIGNED	JUDGE	SIGNATURE
2/24/99	Ronald Ibarra	

THIRD CIRCUIT COURT
STATE OF HAWAII
FILED
99 FEB 24 PM 4:16
LINDALANI K. HOCK CHEW
CLERK

NOTICE OF ENTRY

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

DATE	CLERK
FEB 24 1999	Marjorie L. Murphy

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ORIGINAL

STATE OF HAWAII CIRCUIT COURT OF THE THIRD CIRCU T	TERMS AND CONDITIONS OF PROBATION	CASE NUMBER CR 98-213K

TO: DEFENDANT EUGENIO EUGENE PABRE aka "GINO"

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 obey all law and follow all lawful and reasonable instructions which are given to you by your probation officer.
2. You must report as directed by your probation officer.
3. You must report any change of address or change of employment within 48 hours.
4. You must not leave the island of Hawaii at any time without first obtaining permission from your probation officer.
5. You must permit your probation officer to visit your home and place of employment at all reasonable times.
6. Your further SPECIAL conditions of probation are as follows:

(See attached)

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.**

The foregoing terms and conditions of probation have been explained to me and I fully understand them and 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
3-10-99 S.P.	Eugenio Pabre	INTERPRETED BY (PROBATION OFFICER)

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Further Special Conditions - Continued

A. You shall be committed to the custody of the Director of the Department of Public Safety for incarceration for a period of one (1) year with all but six (6) months suspended. Of the six (6) months, sixty (60) days must be served consecutively. The remaining time may be served on an intermittent basis but must be served within thirty-six (36) months of February 24, 1999. Mittimus to issue March 1, 1999 at 12:00 p.m.

B. Upon release from incarceration, you must enroll in the Sex Offender Services Program and remain in this program until successful discharge. You shall be subject to polygraph/plethysmograph testing at your own expense. You shall waive all confidentiality between your therapist and the Adult Probation Department.

C. Upon completion of incarceration, you shall obtain full-time, verifiable employment and not change your employment without specific authorization of your probation officer.

D. You shall have no direct or indirect contact with the victim or any member of her immediate family.

E. You shall have no direct or indirect contact with any female under the age of eighteen (18) without permission of your therapist and probation officer. You shall not frequent any softball games or area where juvenile team sports are played unless accompanied by an adult. You shall not serve as a coach of any sort of which any juvenile is a member.

F. You shall register as a sex offender within twenty-four (24) hours of February 24, 1999 with the Hawaii County Police Department and shall be subject to DNA blood samples pursuant to law.

G. You shall reimburse the victim's mother for any monies paid toward victim counseling until completion of said treatment. Your probation officer shall monitor the amount of restitution and advise you of when to begin making monthly payments.

H. You shall refrain from the purchase or possession of any adult/child pornography. This includes adult movies whether on theater/video or tv, books and magazines and/or any computer related pornography.

I. You shall not frequent any establishments where unsupervised minor females congregate. This includes movie theaters, arcades, carnivals and sports events. However, you may attend movies theaters provided you are accompanied by an adult.

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J. You shall pay a fine of $200.00 to the Criminal Injuries Compensation Commission within one (1) year of February 24, 1999.

K. You shall write a letter of apology to the victim within ten (10) days of February 24, 1999 and shall provide the letter to your probation officer.

Terms and Conditions to run concurrent as to each Count.

Date 3-10 1999

I have received a copy of the Court's Document

Eugene Pabre

Probationer