STATE OF HAWAII CIRCUIT COURT OF THE THIRD CIRCUIT	JUDGMENT OF CONVICTION AND PROBATION SENTENCE	CASE NUMBER: Cr. No. 10-1-419
STATE VS. (DEFENDANT) **JAYSON ALATAN**	DATE OF HEARING: April 12, 2011	REPORT NUMBER(S): C08003399/SH
Defense Counsel: Stanton Oshiro, Esq.		
DEFENDANT'S PLEA: GUILTY	TRIAL: CHANGE OF PLEA	
ORIGINAL CHARGE(S): SEXUAL ASSAULT IN THE SECOND DEGREE (§707-731(1)(a), H.R.S.)	CHARGE(S) TO WHICH DEFENDANT PLED: SEXUAL ASSAULT IN THE SECOND DEGREE (§707-731(1)(a), H.R.S.)	
DEFENDANT IS CONVICTED AND FOUND GUILTY OF: SEXUAL ASSAULT IN THE SECOND DEGREE (§707-731(1)(a), H.R.S.)	PHOTOGRAPH (If Available)	FINGERPRINT (If Available)

FINAL JUDGMENT AND SENTENCE OF THE COURT:

CRIME VICTIM COMPENSATION FEE: $205.00

PROBATION SERVICES FEE: $150.00

DNA MONETARY ASSESSMENT: $500.00 or the actual cost, whichever is less, to the DNA Registry Special Fund

PROBATION:
FIVE (5) YEARS

SEE ATTACHMENT (TERMS AND CONDITIONS OF PROBATION)

I hereby certify that this is a full, true and correct copy of the original on file in this office.
Clerk, Third Circuit Court, State of Hawaii

DATE APR 14 2011 nunc pro tunc to April 12, 2011	JUDGE GLENN S. HARA SIGNATURE
NOTICE OF ENTRY	
THIS JUDGMENT HAS BEEN ENTERED AND COPIES MAILED OR DELIVERED TO ALL	
DATE APR 14 2011	CLERK J. KAWAKAMI

FILED
2011 APR 14 PM 3:19
L. GLASCOW, CLERK
THIRD CIRCUIT COURT
STATE OF HAWAII

[ ] ORIGINAL FILE [x] DPA [x] DEFENSE-Stanton Oshiro, Esq. [x] PROBATION- 2 [x]POLICE [ ] HCJDC [x] PUBLIC SAFETY [ ] HPA [x] FISCAL

STATE OF HAWAI CIRCUIT COURT OF THE THIRD CIRCUIT	TERMS AND CONDITIONS OF PROBATION	CASE NUMBER: Cr. No. 10-1-419

TO: DEFENDANT, JAYSON ALATAN

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 Probation Division
   777 Kilauea Avenue
   Hilo, HI 96720
   (808) 961-7600;

3. You shall not leave the island of Hawai'i 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 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	

SPECIAL TERMS AND CONDITIONS OF PROBATION:

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 ONE (1) YEAR, with credit for time served.
3. Pay a Crime Victim's Compensation Fund Fee in the amount of $ 205.00.
4. Pay a Probation Services Fee in the amount of $ 150.00.
5. Pay a monetary assessment of $500 or the actual cost of the DNA analysis, whichever is less, to the DNA registry special fund. The provisions in this case relating to payment of DNA fee assessment and provisions of DNA samples are not meant to duplicate these requirements once fulfilled in this or any other case unless explicitly provided otherwise by law or order of court.
6. Pay all fees and fines within ninety (90) days of sentencing.
7. 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.
8. 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.
9. Not contact or attempt to contact, directly or indirectly, the victim, or any other party significantly related to the victim. This does not include contact through your attorney or probation officer for legal or civil matters or for fulfillment of other required conditions of probation.
10. Sign Waiver of Confidentiality form(s) to allow your probation officer to monitor your compliance with mental health treatment and any other treatment required by the terms and conditions of your probation and your probation officer or the court.
11. Appear for all scheduled hearings and/or comply with the notice to appear issued by the court or your probation officer.
12. 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.
13. Sign the terms and conditions of probation. Upon signing the terms and conditions of probation, conditions of bail, shall be canceled and any cash bail posed returned to the person posting bail.
14. 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

SPECIAL TERMS AND CONDITIONS OF PROBATION:

treatment with a Judiciary contracted therapist with payment to be made in accordance with the Adult Probation payment formula.

15. 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.
16. Abide by any curfew, travel and leisure time restrictions imposed by your probation officer.
17. Refrain from hitchhiking and picking up hitchhikers.
18. 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.
19. Remain away from schools, playgrounds, theaters or other locations where unsupervised minors congregate.
20. Obtain and maintain a residence as approved by your probation officer.
21. Pay for and submit to polygraph examinations at your own expense as directed by your sex offender therapist and your probation officer.
22. Submit to pleythysmograph examinations at your own expense in accordance with your ability to pay and as directed by your sex offender therapist and your probation officer.
23. 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.
24. Report to the Hawaii County Police Department and submit a blood sample for DNA testing.
25. Register as a sex offender with the Chief of Police of the Hawaii County Police Department.
26. Inform your employer of the offense as required by sex offender treatment and as directed by your probation officer.
27. Contact the Adult Probation Department at Hale Kaulike Room A-30, 777 Kilauea Avenue, no later than TWO (2) business days of sentencing to schedule your first appointment with a probation officer.