

FAX Distribution to:

- ☒ Prosecutor 808 241-1758
☒ Defense Attorney
 ☐ Public Defender 808 274-3422
 ☐ Private Attorney _____
☐ State Designate 808 832-1855
☐ 2nd Examiner Dr. _____
☐ 3rd Examiner Dr. _____
☒ KCMHC Forensics 808 241-3133
☒ AMHD Forensics 808 777-6169
☒ Sheriff Division 808 482-2389
☐ KPD Cellblock 808 241-1645
☐ KCCC 808 241-3059
☐ OCCC 808 832-1412
☒ HSH Forensics 808 236-8716
☐ Kahi Mohala 808 677-2810
☐ Other _____
☐ Other _____

**IN THE _____ COURT OF THE FIFTH CIRCUIT
STATE OF HAWAII**

STATE OF HAWAII,

vs.

Defendant.

) **CR. No.** _____
) **FC-CR.** _____
) **REP. NO(S):** _____
)
)
) **CASE MANAGER'S FINDINGS OF**
) **NON-COMPLIANCE WITH RELEASE**
) **ON CONDITIONS, ORDER OF**
) **TEMPORARY HOSPITALIZATION,**
) **ORDER FOR TRANSPORT**
) **[§704-406, HRS]**
)
) **Hearing Date:** _____
) **JUDGE:** _____

**CASE MANAGER'S FINDINGS OF NON-COMPLIANCE WITH
RELEASE ON CONDITIONS, ORDER OF TEMPORARY
HOSPITALIZATION, ORDER FOR TRANSPORT OF DEFENDANT**

The undersigned, a Case Manager of the Department of Health Adult Mental Health Division, hereby finds as follows:

1. The undersigned Case Manager is assigned to supervise the Defendant in the above-entitled case.
2. The Defendant was found unfit to proceed and released on conditions pursuant to HRS Section 704-406(1) in the above-entitled case.
3. Probable cause exists to believe that the Defendant has violated the terms and conditions of the Release Conditions in the above-entitled case:

☐ The undersigned Case Manager received a report from Defendant's treating mental health professional and/or the Kauai Intake Service Center that Defendant is not complying with the terms and conditions of the Release Conditions and/or the Defendant's fitness restoration program.

☐ Defendant failed to continue obtaining mental health care and treatment

☐ Defendant failed to follow the prescribed treatment plan

☐ Defendant failed to take all prescribed medications

☐ Defendant failed to reside in the group home, care home or other residence as directed by the case manager and/or mental health provider

☐ Other: _____

4. The immediate hospitalization of the Defendant for a period not to exceed seventy-two (72) hours is appropriate, and the undersigned Case Manager therefore requests that this Court order the following:

1. That the Defendant shall be immediately hospitalized at _____

_____.

2. That representatives of the Department of Law Enforcement, Sheriff's Division shall effectuate the initial transport of Defendant to _____

_____.

3. That the period of Defendant's hospitalization at _____ shall not exceed seventy-two (72) hours without a hearing and/or stipulation by Defendant.

4. That a hearing shall be held on _____ at _____.m., in the above-entitled Court, to determine the appropriateness of further hospitalization.
5. That representatives of the Department of Law Enforcement, Sheriff's Division shall transport of Defendant to and from _____ and the above-entitled Court for any hearings as ordered by this Court.
6. In the event that Defendant's treating physician determines that transport to the hearing set on _____ would present a risk of danger to Defendant or to others, or if the Defendant chooses to waive his/her physical presence at the hearing, Defendant's presence at the hearing may be by way of Video-Conferencing.

DATED: _____, Hawaii, _____.

Case Manager
Dept. of Health Adult Mental Health Division

APPROVED AND SO ORDERED, based upon review of the above findings and the record and file in this case, and good cause appearing therefor,

Date: _____

Judge