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- Prosecutor 808 241-1758
- Defense Attorney
 - Public Defender 808 274-3422
 - Private Attorney _____
- Adult Probation 808 482-2652
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- Kahi Mohala 808 677-2810
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- Other _____

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

STATE OF HAWAII,) **CR. No.** _____

) **FC-CR.** _____

) **REP. NO(S):** _____

) [List offenses or attach complaint, information or

) indictment]

)

vs.)

) **PROBATION OFFICER'S FINDINGS OF**

_____,) **NON-COMPLIANCE AND**

) **ORDER OF TEMPORARY**

Defendant.) **HOSPITALIZATION AND TRANSPORT**

) **OF DEFENDANT**

) **[704-413(1)HRS]**

)

) **Hearing Date:** _____

_____) **JUDGE:** _____

**PROBATION OFFICER'S FINDINGS OF NON-COMPLIANCE AND
ORDER OF TEMPORARY HOSPITALIZATION AND TRANSPORT OF DEFENDANT**

The undersigned, a probation officer of the Adult Client Probation Services Branch of the Fifth Judicial Circuit, hereby finds as follows:

1. That the undersigned Probation Officer is assigned to supervise the Defendant in the above-entitled case.
2. That the Defendant was granted conditional release under terms and conditions pursuant to HRS Section 704-411 in the above-entitled case.
3. That probable cause exists to believe that the Defendant has violated the terms and conditions of conditional release in the above-entitled case because:

The undersigned Probation Officer received a report from Defendant's treating mental health professional that Defendant is not complying with the conditions of release or that there is other evidence that hospitalization is appropriate.

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/care home or other residence as directed by the case manager/mental health provider and/or probation officer

Other: _____

4. That the immediate hospitalization of the Defendant for a period not to exceed seventy-two hours is appropriate pursuant to HRS 704-413(1).

1. That the Defendant shall be immediately hospitalized at _____

2. That representatives of the Sheriffs Division or Public Safety designate shall effectuate the initial transport of Defendant to _____

_____.

3. That the period of Defendant's hospitalization at _____
_____ shall not exceed 72 hours (as computed pursuant to HRS Section 1-29).

4. That a hearing pursuant to HRS Section 704-411(1) and (3) shall be held on _____ at _____ .m., in the above-entitled Court, to determine the appropriateness of further hospitalization.
5. That representatives of the Sheriff's Division or Public Safety designate shall effectuate the 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 or waived.

DATED: _____, Hawaii, _____.

Probation Officer
Adult Client Probation Services Branch

APPROVED AND SO ORDERED on _____:

Judge