

IN THE _____ COURT OF THE FIFTH CIRCUIT
STATE OF HAWAI'I

STATE OF HAWAI'I)	CASE NO.
)	REPORT NO.
vs.)	
)	
)	BENCH WARRANT
,)	(Non-compliance HRS § 704-413(4))
)	
Defendant.)	

BENCH WARRANT (HRS § 704-413(4))

THE STATE OF HAWAI'I:

TO THE CHIEF OF POLICE OF THE COUNTY OF KAUAI, HIS/HER ASSISTANT, OR ANY POLICE OFFICER IN THE STATE OF HAWAI'I, OR ANY OTHER OFFICER AUTHORIZED BY LAW TO SERVE THIS BENCH WARRANT:

YOU ARE HEREBY COMMANDED to take physical custody of Defendant above-named, forthwith, pursuant to Section 704-413, Hawai'i Revised Statutes, as amended, and have him/her brought before this Court in Lihue, Hawai'i, located at the Kauai Judiciary Complex, 3970 Kaana Street, Lihue, Hawaii.

YOU ARE FURTHER COMMANDED, upon securing the physical custody of the Defendant, to notify this Court or its Clerk by telephone or in person as to the custody status of Defendant so that the Court may schedule an immediate hearing concerning the revocation of Defendant's Conditional Release.

YOU ARE FURTHER COMMANDED to segregate Defendant from the general prison or jail population and to the extent practical provide Defendant with appropriate mental health evaluations while Defendant is being held in custody by the Department of Public Safety or any county police department or any law enforcement agency during the period of time prior to Defendant's transfer to the custody of the Director of Health of the State of Hawai'i, as required by Clark, et al. V. State of Hawai'i, et al., Civil No. CV 99-0085 DAE/BMK (U.S. DCt – District of Hawai'i) filed Nov. 16, 2000.

YOU ARE FURTHER COMMANDED not to hold Defendant in a facility controlled by the Hawai'i Department of Public Safety ("DPS Facility") for a period of time longer than the time needed to identify the person, determine his/her legal status, and determine whether the person will be charged with a crime, and in no case for a period that exceeds forty-eight (48) hours, except that transfer of custody from facilities on

islands other than Oahu may exceed the forty-eight (48) hour period, so long as transport is made by the first available flight.” Clark, et al. V. State of Hawai`i, et al.

YOU ARE FURTHER COMMANDED, upon taking physical custody of the Defendant, to immediately contact the Department of Health’s Crisis Line of Hawaii (telephone 1-800-753-6879) and provide transport of Defendant to the facility designated by the Department of Health for his/her custody and/or care following his physical detention.

Bail is to be set after a hearing on the matter of Defendant’s physical detention.

Dated: Lihue, Hawai`i, _____.

Judge