

IN THE _____ COURT OF THE THIRD CIRCUIT
_____ DIVISION
STATE OF HAWAI'I

STATE OF HAWAI'I

vs.

_____,
Defendant.

CASE NO. _____

BENCH WARRANT

[§704-413(4)]

[Non-Compliance with Conditional Release]

JUDGE: _____

BENCH WARRANT (HRS §704-413(4))

THE STATE OF HAWAI'I:

TO THE CHIEF OF POLICE OF THE COUNTY OF HAWAI'I, 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 the above-named
Defendant, forthwith, pursuant to Section 704-413(4), Hawai'i Revised Statutes, as
amended, and have the Defendant brought before this Court in:

- Hilo, Hawai'i, located at the Hale Kaulike Courthouse, 777 Kilauea Avenue
- Kailua-Kona, Hawai'i, located at the Keahuolū Courthouse 74-5451 Kamaka'eha Avenue

YOU ARE FURTHER COMMANDED, upon securing the physical custody of the Defendant, to notify this Court or its Clerk by telephone or in person so that the Court may schedule an immediate hearing concerning the Revocation of Defendant's Conditional Release and/or Order for Temporary Hospitalization.

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, 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. D.Ct. – 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 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 O'ahu may exceed the forty-eight (48) hour period, so long as transport is made by the first available flight. See id.

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

DATED: _____, Hawai'i, _____.

JUDGE OF THE ABOVE-ENTITLED COURT



If you need an accommodation for a disability when participating in a court program, service, or activity, please contact the ADA Coordinator as far in advance as possible to allow time to provide an accommodation. Call the ADA Coordinator at 808-961-7629, Fax 808-961-7577 or send an e-mail to adarequest@courts.hawaii.gov. The ADA Coordinator will try to provide, but cannot guarantee, the requested auxiliary aid, service, or accommodation.