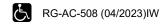
Sheriff Div. Probation HISC HCCC	sel & Corrections [fax: (808) 832-18 [Hilo fax: (808) 933-8836; Kor [Hilo fax: (808) 961-7676; Kor [Hilo fax: (808) 933-8826; Kor [fax: (808) 933-0447] [fax: (808) 453-6995]	na fax: (808) 322-8788] na fax: (808) 443-2188]				
		_ COURT OF THE THIRD CIRCUIT DIVISION TATE OF HAWAI'I				
STATE OF	HAWAI'I	CASE NO				
VS		ORDER REVOKING CONDITIONAL RELEASE AFTER TEMPORARY HOSPITALIZATION HEARING, COMMITTING DEFENDANT TO THE CUSTODY OF THE DIRECTOR OF				
	Defendant.	HEALTH, AND ORDER FOR TRANSPORT				
		[§704-413(4)]				
		Hearing Date Date: Time:				
		Next Hearing Date: Time:				

ORDER REVOKING CONDITIONAL RELEASE AFTER TEMPORARY
HOSPITALIZATION HEARING, COMMITTING DEFENDANT TO THE CUSTODY OF
THE DIRECTOR OF HEALTH, AND ORDER FOR TRANSPORT

JUDGE: _____



Prosecutor

The n	natter of Defendant's hospitalization under an Order for Temporary
Hospitalizati	on issued pursuant to Section 704-413(1), Hawaiʻi Revised Statutes
("HRS"), can	ne on for hearing on at m.
	ant □ physically present □ present by video. Defendant's counsel,
	, and the State of Hawaiʻi, represented by Deputy
	Attorney,, were also present.
	Court, having considered the evidence and testimony presented, and the
record and f	ile in this case, finds by a preponderance of the evidence as follows:
	Defendant has not fulfilled the Conditions of Release;
	For the safety of Defendant or others, Defendant's conditional release
	should be revoked; and/or
	Defendant is not a proper subject for conditional release and should be
	committed to the custody of the Director of Health to be placed in an
	appropriate institution for detention, care, and treatment.
IT IS	THEREFORE HEREBY ORDERED that:
1.	Defendant's conditional release is hereby revoked;
2.	Pursuant to HRS Section 704-413(4), Defendant is committed forthwith to
the custody	and care of the Director of Health for placement in an appropriate institution
for detention	, care, and treatment ("DOH Facility"), subject only to discharge or release
in accordance	ce with the procedures set forth in HRS Section 704-412.
3. Fro	om the date and time of the issuance of this Court's oral order of
commitment	on at m., until Defendant's
transfer to a	DOH Facility, Defendant shall remain in the custody of the Department of
Public Safety	y at the Hawaiʻi Community Correctional Center for no more than <u>forty-eight</u>
(48) hours p	ending admission and placement in an appropriate DOH Facility for
detention, ca	are, and treatment.
4.	When Defendant is admitted to an institution deemed appropriate by the

Director of Health, representatives of the Sheriff's Division or Department of Public

Safety designate shall effect the immediate transfer and transport of Defendant from the Hawai'i Community Correctional Center to the DOH Facility.

- 5. The Adult Client Services Branch shall provide the DOH Facility with copies of all of Defendant's medical and mental health records in the possession of the probation office, to be used only for the purposes of detention, care, and treatment of the Defendant. If Defendant is admitted to Hawai'i State Hospital, the records shall be kept confidential pursuant to Hawai'i State Hospital Policy and Procedure no. 04.0556, concerning the maintenance, transmission, and interchange of written, verbal, and/or electronically recorded protected health information and pursuant to applicable state and federal laws. If Defendant is admitted to another institution, the records shall be kept confidential pursuant to that institution's policy and procedure concerning maintenance, transmission, and interchange of written, verbal, and/or electronically recorded protected health information and pursuant to applicable state and federal law.
- 6. The treating physician for Defendant at the DOH Facility, or the treating physician's authorized designates, may administer medication prescribed for Defendant; provided, however, that no medication shall be administered to Defendant involuntarily, without further order of the Court.
- 7. The Clerk of the Court shall provide a copy of the report(s) prepared by the examiner(s) appointed pursuant to HRS Section 704-404 to the Department of Health, along with a copy of this Order of commitment. The report(s) shall be kept confidential pursuant to Rule 9 of the Hawai'i Court Records Rules and applicable state and federal law, and shall not be disclosed to any other person or agency.
- 8. The Defendant's treating physician shall provide a release placement plan to the Court prior to the discharge of Defendant from the custody of the Director of Health, or, if Defendant's condition has not stabilized, a report describing the same and the Defendant's prognosis. Prior to the next scheduled review hearing, the placement plan or report required by this paragraph shall be filed with the Clerk of the Court for distribution to the prosecuting attorney, Defendant's counsel, and the probation office via the Judiciary Electronic Filing System.

9.	Defendant is	ordered	to appear	at al	I review	hearings	set by the	nis Court
the first of wl	hich is set for _				a	ıt	m.	

ORDER FOR TRANSPORT TO DEPARTMENT OF HEALTH FACILITY

IT IS FURTHER ORDERED that:

transpo	Representatives of the Sheriff's Division or the Department of Public Safety shall ort the Defendant from the Court of the Third Circuit, State of the (name of DOH
).The transportation of Defendant shall occur within the following time period:
	☐ (In-custody): Within <u>forty-eight (48)</u> hours following the Court's oral order on at m. committing Defendant to the
	care and custody of the Director of Health pursuant to HRS Section 704-413(4).
t (☐ (Out-of-Custody): Defendant shall be taken into custody forthwith by representatives of the Sheriff's Division or Department of Public Safety, and transport of Defendant shall occur within forty-eight (48) hours following the Court's oral order on at m. committing Defendant to the care and custody of the Director of Health pursuant to HRS Section 704-413(4).
	□ (Out-of-Custody): Other
	ORDER FOR TRANSPORT TO COURT
İ	IT IS FURTHER ORDERED that:
	Representatives of the Sheriff's Division or the Department of Public Safety shall ort the Defendant from
to the _	Court of the Third Circuit, State of Hawai'i, for a further hearing at m., and shall remain with the
Defend	ant until the conclusion of the hearing, at which time Defendant may or may not sported back to the facility deemed appropriate by the Director of Health ("DOH
ĺ	In the event that Defendant's treating physician determines that transport to the

next hearing would present a risk of danger to Defendant or to others, or if the

Defendant chooses to waive their physical presence at the hearing, Defendant's presence at the hearing may be by way of video-conferencing.

Representatives of the Sheriff's Division or the Department of Public Safety shall transport the Defendant from the DOH Facility, and back to said facility, for any further hearings, as ordered by this Court.

DATED:	, Hawaiʻi,
	JUDGE OF THE ABOVE-ENTITLED COURT
APPROVED AS TO FORM on	:
Deputy Prosecuting Attorney	Defense Counsel
Print Name	Print Name



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.