

STATE OF HAWAII  
DEPARTMENT OF THE ATTORNEY GENERAL



PRELIMINARY REPORT IN RESPONSE TO  
H.C.R. NO. 267, H.D. 1, ON THE PROGRESS  
MADE IN USING CHAPTER 846E,  
HAWAII REVISED STATUTES, TO RESTORE  
PUBLIC ACCESS TO REGISTRATION INFORMATION  
REGARDING DANGEROUS PERSONS  
CONVICTED OF CERTAIN OFFENSES  
AGAINST CHILDREN AND CERTAIN SEXUAL OFFENSES

SUBMITTED TO  
THE TWENTY-SECOND LEGISLATURE  
STATE OF HAWAII

PRELIMINARY REPORT IN RESPONSE TO H.C.R. NO. 267, H.D. 1,  
ON THE PROGRESS MADE IN USING CHAPTER 846E,  
HAWAII REVISED STATUTES, TO RESTORE PUBLIC ACCESS TO  
REGISTRATION INFORMATION REGARDING DANGEROUS PERSONS  
CONVICTED OF CERTAIN OFFENSES AGAINST CHILDREN  
AND CERTAIN SEXUAL OFFENSES

This preliminary report is submitted in response to H.C.R. No. 267, H.D. 1, entitled "House Concurrent Resolution Requesting the Attorney General to Report to the Legislature on the Progress Made by the Office of the Attorney General and the Prosecuting Attorneys from the Counties of the State of Hawaii in using Chapter 846E, Hawaii Revised Statutes, to Restore Public Access to Registration Information Regarding Dangerous Persons Convicted of Certain Offenses Against Children and Certain Sexual Offenses." A final report will be submitted twenty days prior to the convening of the Regular Session of 2005.

I. CRITERIA USED TO DECIDE WHICH OFFENDERS TO PURSUE FIRST

At last count there was a backlog of 1,943 offenders who were eligible to be sued for orders allowing public access to their registration information. While each prosecutor's office is free to establish its own criteria for prioritizing the backlog, it has been generally agreed that it is very important to make sure the backlog does not grow. Thus, one priority has been to stay current by

making sure that all newly convicted offenders are served with petitions as soon after conviction as possible.

Because no one set of criteria can accurately predict the dangerousness of a sex offender, the prosecutors' offices are free to prioritize the cases from the backlog on a case-by-case basis, including considerations such as the severity of the offense (class A felony, class B felony, or class C felony), the offender's other criminal convictions, and the date of the most recent sexual offense.

## II. RESOURCES DEDICATED TO PURSUING HEARINGS

Each prosecutor's office has designated a deputy prosecuting attorney to the assignment of: (1) drafting petitions for court orders to allow access to offenders records; (2) appearing in circuit court hearings for orders to allow public access to sex offender records; and (3) attending meetings related to these cases. When appropriate, deputy prosecutors with other primary assignments also perform the functions listed above. The Department of the Attorney General has assigned a deputy attorney general to coordinate the efforts of the prosecutors' offices, a staff member to coordinate the

placement of offenders on the web site, and a staff member to collect statistics.

The monthly meetings attended by the above-described personnel average approximately two to three hours. In addition to the hours spent at the meetings, each person devotes additional time to specific tasks related to obtaining orders allowing public access to sex offender information. The deputy prosecutor for the City and County of Honolulu works on this project full time (nominally 40 hours per week, but actually far more than that), a law clerk is assigned to work 15 hours per week on the project, and a paralegal works approximately 10 hours per week on the project. It is estimated that each of the neighbor island prosecutors spend, on average, approximately ten hours per week on this project. The Department of the Attorney General's three employees, on average, spend approximately five to twenty hours per week on this project.

### III. CHRONOLOGY OF STEPS TAKEN TO USE THE HEARING PROCESS

In 1994 Congress passed the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act* as part of the *Federal Violent Crime Control and Law Enforcement Act of 1994*. This law required states to

implement a sex offender and crimes against children registry. In 1996, *Megan's Law* amended the *Wetterling Act*. It required states to establish a community notification system to notify the police and the public when sex offenders were released. The *Pam Lychner Sexual Offender Tracking and Identification Act of 1996* amended the *Wetterling Act*. The *Lychner Act* requires lifetime registration for recidivists and offenders who commit certain aggravated sexual offenses.

In 1997, Hawaii passed its sex offender registration act, codified as chapter 846E of the Hawaii Revised Statutes, in order to protect the public and to comply with these three federal acts. In 1998, provisions contained in section 115 of the *General Provisions of Title I of the Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act* (CJSA) amended the requirements of the *Wetterling Act* to include heightened registration requirements for sexually violent offenders, registration of federal and military offenders, registration of nonresident workers and students, and participation in the National Sex Offender Registry (NSOR). In 2000, the *Campus Sex Crimes Prevention Act* amended the *Wetterling Act* to require offenders to report information regarding any enrollment or employment at an institution of higher

education. The *Campus Sex Crimes Prevention Act* also requires that the police department in the area of the educational institution be provided with this information.

On November 21, 2001, the Hawaii Supreme Court invalidated the notification provisions of Hawaii's sex offender registration law (chapter 846E, Hawaii Revised Statutes) in the case of State of Hawaii v. Eto Bani, 97 Haw. 285, 36 P.3d 1255 (2001). Approximately two months later, the Department of the Attorney General proposed a bill that addressed the Bani issue, and proposed other needed changes.

Because the language of the bill submitted by the Attorney General in 2002 was rewritten over the objection of the Attorney General in ways that made the notification provisions defective, the Attorney General submitted another bill for introduction in the 2003 regular session that corrected these defects and made other necessary changes to chapter 846E. The bill submitted by the Attorney General in the 2003 regular session included provisions to restore language that had been eliminated from the original version of the Attorney General's 2002 bill.

It is particularly important that the hearings be statutorily designated as being civil in nature. In the

absence of any statutory designation as civil or criminal, a court would be required to make its best effort to determine whether the hearings should be considered civil or criminal. If the court were to consider the hearings criminal in nature, the constitutional principles of double jeopardy and *ex post facto* would prevent public access to information regarding any of the more than 1,900 previously convicted sex offenders (a person cannot have additional criminal sanctions added after having been sentenced for the same behavior, nor can a person criminally sanctioned for a crime that occurred prior to the statute proscribing that behavior).

When faced with a statute silent on the issue of whether the hearings are criminal or civil, it is distinctly possible the courts could find the hearings to be criminal in nature and, as a result, public access would be banned for the 1,900 sex offenders already convicted. If Hawaii courts had ruled this way, then Hawaii would be clearly non-compliant with federal sex offender laws.

The needed amendments were enacted on June 30, 2003. Within two weeks a working group of representatives from the four county prosecutors' offices and from various divisions of the Department of the Attorney General began meeting in order to create a procedural framework for

drafting, filing, and serving petitions for orders to allow public access to information on sex offenders, pursuant to the newly enacted provisions of chapter 846E.

Less than two weeks after the enactment of an operable statute, the Department of the Attorney General and the four prosecuting attorneys' offices began meeting in order to create a procedural framework for drafting, filing, and serving petitions for orders to allow public access to information on sex offenders, pursuant to the newly enacted provisions of chapter 846E. Individual prosecutors' offices have also organized meetings that included other affected agencies and court personnel within the circuit of the prosecutors' jurisdiction.

On April 6, 2004, the first petition seeking a court order to allow public access to a sex offender's records was filed. On June 22, 2004, the Circuit Court of the First Circuit issued guidelines for processing petitions for public release of sex offender information. The first order allowing public access to a sex offender's information was filed on August 3, 2004. Subsequent orders were filed on August 4, 2004, August 6, 2004, August 13, 2004, and August 18, 2004. These orders are attached as Appendix "A."



#### IV. RESULTS OF EFFORTS TO USE THE HEARINGS PROCEDURE

As of August 30, 2004, petitions had been filed against 150 sex offenders in Hawaii. These 150 sex offenders have been convicted of a total of 332 crimes, due to the fact that some of the offenders have multiple convictions. Most of the offenders with multiple convictions were convicted of multiple crimes related to the same sexual assault incident. Of these 150 petitions, 92 were filed in the First Circuit, 19 in the Second Circuit, 36 in the Third Circuit, and 3 in the Fifth Circuit. The first petition was filed on April 6, 2004. The first hearing was completed on July 19, 2004. The date that Hawaii's web site listing sex offenders was reactivated was August 16, 2004. To date, the courts have held nine hearings statewide, and eight of these nine offenders are currently listed on the web site. The ninth offender will be listed in the very near future.

#### V. CATEGORIES

The requested categorization of sex offenders was attempted, but the categorization is not yet available, due to the need for additional time to compile the information from a computer database that stores the information in a manner that makes the particular categorization requested

difficult to retrieve. The requested categorizations will be included in the final report. The extent to which hearings have been brought and adjudicated to completion is summarized above, and is listed in detail in Appendix "B."

## **Appendix A**

SEP 28 2004

#CJDC

PETER B. CARLISLE 2209  
Prosecuting Attorney  
ROWENA A. SOMERVILLE 6645  
Deputy Prosecuting Attorney  
City and County of Honolulu  
Alii Place  
1060 Richard Street, 10th Floor  
Honolulu, Hawaii 96813  
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Attorneys for Petitioner

1ST CIRCUIT COURT  
STATE OF HAWAII  
FILED

2004 SEP 27 PM 2:59

R. HIGA  
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII,  
Petitioner.

v.

PHILLIP KUALA,  
Respondent.

S.P. NO. 04-1-0256  
(FC. CR. No. 90-0029 )

ORDER PERMITTING PUBLIC  
RELEASE OF SEX OFFENDER'S  
RELEVANT INFORMATION THAT IS  
NECESSARY TO PROTECT THE  
PUBLIC PURSUANT TO H.R.S. §846E-3

Hearing: September 17, 2004  
Time: 8:30 a.m.  
Judge: Karl K. Sakamoto

ORDER PERMITTING PUBLIC RELEASE OF SEX OFFENDER'S RELEVANT  
INFORMATION THAT IS NECESSARY TO PROTECT THE PUBLIC  
PURSUANT TO H.R.S. §846E-3

The State of Hawaii's Petition for an Order Permitting Public Release of Sex Offender's  
Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3, having  
come on for hearing on September 17, 2004, before the Honorable Karl K. Sakamoto, the State of  
Hawaii being represented by Deputy Prosecuting Attorney Rowena A. Somerville and Respondent  
Michael Shaw, being present and represented by Deputy Public Defender Ronette Kawakami, and

the Court having carefully considered the pleadings and evidence presented at said hearing, hereby finds as follows:

1. The Court has jurisdiction over this matter pursuant to Hawaii Revised Statutes (hereinafter "H.R.S.") Section 846E-3(d);
2. On August 23, 1991, Respondent was convicted of "sexually violent offense(s)" and or a "criminal offense against a victim who is a minor" as those terms are defined in H.R.S. §846E-1, to wit: Sexual Assault in the First Degree pursuant to H.R.S. Section 707-730(1)(b);
3. On August 23, 1991, Respondent was sentenced to twenty (20) years of incarceration;
4. Respondent is a "sex offender" who is required to register under chapter H.R.S. §846E;
5. On August 13, 2004, Respondent was served the Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3 and a hearing was set for September 17, 2004;
6. On September 8, 2004, Respondent filed a Response to the State of Hawaii's Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3;
7. On September 17, 2004, a hearing was held wherein the State of Hawaii proved by a preponderance of the evidence paragraphs (2), (3), and (4) above, thereby giving rise to the presumption that public release of relevant information regarding the sex offender is necessary to protect the public;
10. At the hearing on September 17, 2004, Respondent was given an opportunity to rebut said presumption and to show that he does not represent a threat to the community and that public release of relevant information is not necessary;

11. The Court found that Respondent does represent a threat to the community and that public release of relevant information regarding the sex offender is necessary to protect the public and therefore enters the following orders.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

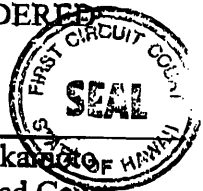
1. Relevant information concerning the sex offender pursuant to H.R.S. §846E-3 shall be publicly released in order to protect the public; and
2. The duration of public release of information shall be for a period of ten (10) years.

Dated at Honolulu, Hawaii: September 17, 2004.

APPROVED AND SO ORDERED

*Karl K. Sakamoto*

The Honorable Karl K. Sakamoto  
Judge of the Above-Entitled Court



APPROVED AS TO FORM:

**RONETTE M. KAWAKAMI**

Ronette Kawakami  
Deputy Public Defender  
Attorney for Respondent

HEJDC

C I F B K

The State of Hawaii's Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3, having come on for hearing on September 17, 2004, before the Honorable Marcia J. Waldorf, the State of

Hawaii being represented by Deputy Prosecuting Attorney Rowena A. Somerville, and Deputy Public Defender Edward K. Harada specially appearing for Respondent James K. Lahui who was not present, and the Court having carefully considered the pleadings and evidence presented at said hearing, and there being no objection, hereby finds as follows:

1. The Court has jurisdiction over this matter pursuant to Hawaii Revised Statutes (hereinafter "H.R.S.") Section 846E-3(d);
2. On December 16, 1994, Respondent was sentenced to five (5) counts of Sexual Assault in the Second Degree, and three (3) counts of Sexual Assault in the Third Degree, and Endangering the Welfare of a Minor;
3. Respondent was convicted of "sexually violent offense(s)" and/or a "criminal offense against a victim who is a minor" as those terms are defined in H.R.S. §846E-1, to wit: H.R.S. Sections 707-730(1)(b) and 707-732(1)(b);
4. Respondent is a "sex offender" who is required to register under H.R.S. chapter §846E;
5. On July 21, 2004, Petitioner filed a Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3 ;
6. On August 23, 2004, Respondent was served the Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3 ;
7. On September 15, 2004, Petitioner filed a Motion for Default Judgment and Order Granting Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3 (hereinafter "Motion for Default Judgment");



8. September 17, 2004, Petitioner's Motion for Default Judgment was granted;
9. Petitioner met its burden, by a preponderance of the evidence that Respondent is required to register under chapter H.R.S. §846E;
10. Respondent, through his default, did not overcome the Petitioner's presumption that public release of Respondent's relevant information is necessary to protect the public, and the court therefore enters the following orders,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. Relevant information concerning the sex offender pursuant to H.R.S. §846E shall be publicly released in order to protect the public; and
2. The duration of public release of information shall be for the LIFE of the sex offender.

Dated at Honolulu, Hawaii: September <sup>27</sup> 27, 2004.


APPROVED AND SO ORDERED:

MARCIA J. WALDORF

SEAL

The Honorable Marcia J. Waldeff  
Judge of the Above-Entitled Court

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Edward K. Harada  
Timothy Ho  
Deputy Public Defenders  
Attorney for Respondent

PROSECUTING ATTORNEY

PETER B. CARLISLE 2209  
 Prosecuting Attorney  
 ROWENA A. SOMERVILLE 6645  
 Deputy Prosecuting Attorney  
 City and County of Honolulu  
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 Attorneys for Petitioner

1ST CIRCUIT COURT  
 STATE OF HAWAII  
 FILED

2004 SEP 23 PM 2:20

M. LIVICA  
 CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII,

Petitioner.

v.

EMMANUEL B. SILVA,

Respondent.

S.P. NO. 04-1-0220  
 (Criminal No. 87-0175)

ORDER PERMITTING PUBLIC  
 RELEASE OF SEX OFFENDER'S  
 RELEVANT INFORMATION THAT IS  
 NECESSARY TO PROTECT THE  
 PUBLIC PURSUANT TO H.R.S. §846E-3

Hearing: September 13, 2004  
 Time: 11:00 a.m.  
 Judge: Steven S. Alm

ORDER PERMITTING PUBLIC RELEASE OF SEX OFFENDER'S RELEVANT  
 INFORMATION THAT IS NECESSARY TO PROTECT THE PUBLIC  
PURSUANT TO H.R.S. §846E-3

The State of Hawaii's Petition for an Order Permitting Public Release of Sex Offender's  
 Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3, having  
 come on for hearing on September 13, 2004, before the Honorable Steven S. Alm, the State of

Hawaii being represented by Deputy Prosecuting Attorney Rowena A. Somerville and Respondent Douglas Moore who was not present, and the Court having carefully considered the pleadings and evidence presented at said hearing, hereby finds as follows:

1. The Court has jurisdiction over this matter pursuant to Hawaii Revised Statutes (hereinafter "H.R.S.") Section 846E-3(d);
2. On July 10, 1987, Respondent pleaded guilty to two (2) counts of Sexual Assault in the First Degree, two (2) counts of Sexual Assault in the Fourth Degree, one (1) count of Kidnapping, and one (1) count of Burglary in the First Degree;
3. On September 15, 1987 Respondent was sentenced to eight (8) years of incarceration.
4. Respondent was convicted of "sexually violent offense(s)" as that term is defined in H.R.S. §846E-1, to wit: H.R.S. Sections 707-731(1)(a) and 707-733(1)(a);
5. On August 3, 2004, Diane O'Reilly, an Investigator with the Department of the Prosecuting Attorney, City and County of Honolulu personally served Respondent with the Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3(b).
6. On August 12, 2004, Deputy Prosecuting Attorney Rowena Somerville and Respondent appeared before the Honorable Richard K. Perkins for a status conference on the record;
7. Judge Perkins informed Respondent that he had to respond to the Petition within twenty (20) days after service and that he could have the assistance of an attorney;
8. Respondent failed to answer, plead, or otherwise defend against the Petition within twenty (20) days after service;
9. On August 30, 2004, Petitioner filed a notice of entry of default, and the clerk entered default against Respondent;

10. On September 2, 2004, Petitioner filed a Motion for Default Judgment and Order Granting Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3 (hereinafter "Motion for Default Judgment");

11. On September 13, 2004, the Honorable Steven S. Alm granted Petitioner's Motion for Default Judgment, thereby permitting the public release of Respondent's relevant information that is necessary to protect the public and therefore entering the following orders;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

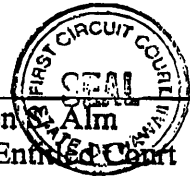
1. Relevant information concerning the sex offender pursuant to H.R.S. 846E shall be publicly released in order to protect the public; and
2. The duration of public release of information shall be for the LIFE of the sex offender.

Dated at Honolulu, Hawaii: September 14, 2004.

APPROVED AND SO ORDERED:

Steven S. Alm

The Honorable Steven S. Alm  
Judge of the Above-Entitled Court



APPROVED AS TO FORM:

Emmanuel B. Silva  
Respondent

FIRST CIRCUIT COURT  
STATE OF HAWAII  
FILED

**PETER B. CARLISLE 2209**  
**Prosecuting Attorney**  
**ROWENA A. SOMERVILLE 6645**  
**Deputy Prosecuting Attorney**  
**City and County of Honolulu**  
**Alii Place**  
**1060 Richard Street, 10th Floor**  
**Honolulu, Hawaii 96821**  
**Ph: 547-7400**  
**FAX: 527-6546**  
**Attorneys for Petitioner**

H. CHING  
CLERK

## STATE OF HAWAII

y.

Hearing: September 21, 2004  
Time: 8:30 a.m.  
Judge: Rhonda A. Nishimura

The State of Hawaii's Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3, having come on for hearing on September 21, 2004, before the Honorable Rhonda A. Nishimura, the State

of Hawaii being represented by Deputy Prosecuting Attorney Rowena A. Somerville, and Attorney Jeffrey Hawk appearing for Royce Nakagawa whose presence was waived, and the Court having carefully considered the pleadings and evidence presented at said hearing, hereby finds as follows:

1. The Court has jurisdiction over this matter pursuant to Hawaii Revised Statutes (hereinafter "H.R.S.") Section 846E-3(d);
2. On February 22, 1988, Respondent pleaded guilty to two (2) counts of Sexual Assault in the First Degree, and one (1) count of Kidnapping;
3. On March 30, 1988 Respondent was sentenced to twenty (20) years of incarceration in each count to run concurrently;
4. Respondent was convicted of "sexually violent offense(s)" as that term is defined in H.R.S. §846E-1, to wit: H.R.S. Section 707-731(1)(a);
5. On August 15, 2004, David Lee, an Investigator with the Department of the Prosecuting Attorney, City and County of Honolulu personally served Respondent with the Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3(b);
6. On August 19, 2004, Deputy Prosecuting Attorney Rowena Somerville and Attorney Jeffrey Hawk appeared before the Honorable Richard K. Perkins for a status conference;
7. Judge Perkins informed Mr. Hawk that Respondent had to respond to the Petition within twenty (20) days after service;
8. Respondent failed to answer, plead, or otherwise defend against the Petition within twenty (20) days after service;
9. On September 15, 2004, Petitioner filed a notice of entry of default, and the clerk entered default against Respondent;

10. On September 17, 2004, Petitioner filed a Motion for Default Judgment and Order Granting Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3 (hereinafter "Motion for Default Judgment");

11. On September 21, 2004, the Honorable Rhonda A. Nishimura granted Petitioner's Motion for Default Judgment, thereby permitting the public release of Respondent's relevant information that is necessary to protect the public and therefore entering the following orders;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. Relevant information concerning the sex offender pursuant to H.R.S. 846E shall be publicly released in order to protect the public; and
2. The duration of public release of information shall be for the LIFE of the sex offender.

Dated at Honolulu, Hawaii: September 21, 2004.

APPROVED AND SO ORDERED:

RHONDA A. NISHIMURA

SEAL

The Honorable Rhonda A. Nishimura  
Judge of the Above-Entitled Court

SEP 23 2004

APPROVED AS TO FORM:

  
JEFFREY HAWK  
Attorney for Respondent

The State of Hawaii's Petition for an Order Permitting Public Release of Sex Offender's  
Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3, having  
 come on for hearing on August 2, 2004, before the Honorable Michael A. Town, the State of Hawaii



being represented by Deputy Prosecuting Attorney Rowena A. Somerville and Respondent Douglas Moore being present and represented by Frank Fernandez, and the Court having carefully considered the pleadings and evidence presented at said hearing, hereby finds as follows:

1. The Court has jurisdiction over this matter pursuant to Hawaii Revised Statutes (hereinafter "H.R.S.") Section 846E-3(d);
2. On April 14, 2004, Respondent pleaded guilty as charged to two (2) counts of Sexual Assault in the Third Degree, one (1) count of Indecent Exposure, and two (2) counts of Sexual Assault in the First Degree;
3. Respondent was convicted of "sexually violent offense(s)" as that term is defined in H.R.S. §846E-1, to wit: H.R.S. Sections 707-731(1)(a) and 707-733(1)(a);
4. On July 2, 2004, Salustiano Bunye, and Investigator with the Department of the Prosecuting Attorney, City and County of Honolulu personally served Respondent with the Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3(b).
5. On July 8, Deputy Prosecuting Attorney Rowena Somerville, Respondent, and attorney, Frank Fernandez, upon receiving a copy of the Petition, made a special appearance before the Honorable Richard K. Perkins for a status conference on the record;
6. Judge Perkins informed Respondent that he had to respond to the Petition within twenty (20) days after service;
7. Respondent failed to answer, plead, or otherwise defend against the Petition within twenty (20) days after service;
8. On July 27, 2004, Petitioner filed a notice of entry of default, and the clerk entered default against Respondent;

9. On July 28, 2004, Petitioner filed a Motion for Default Judgment and Order Granting Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3 (hereinafter "Motion for Default Judgment");

10. On August 2, 2004, Respondent was sentenced to serve a term of imprisonment of eight (8) years;

11. On August 2, 2004, Petitioner's Motion for Default Judgment was granted, thereby permitting the public release of Respondent's relevant information that is necessary to protect the public and therefore entering the following orders;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. Relevant information concerning the sex offender pursuant to H.R.S. 846E shall be publicly released in order to protect the public; and
2. The duration of public release of information shall be for the LIFE of the sex offender.

Dated at Honolulu, Hawaii: August 3, 2004.

APPROVED AND SO ORDERED:

MICHAEL A. TOWN

The Honorable Michael A. Town  
Judge of the Above-Entitled Court



APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to be "Frank Fernandez", written over a horizontal line.

Frank Fernandez  
Attorney for Respondent Moore

The State of Hawaii's Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3, having come on for hearing on July 29, 2004, before the Honorable Karl K. Sakamoto, the State of Hawaii

being represented by Deputy Prosecuting Attorney Rowena A. Somerville and Respondent Jeff Quel being present and represented by Lane Y. Takahashi, and the Court having carefully considered the pleadings and evidence presented at said hearing, hereby finds as follows:

1. The Court has jurisdiction over this matter pursuant to Hawaii Revised Statutes (hereinafter "H.R.S.") Section 846E-3(d);
2. On April 8, 2004, the jury found Respondent guilty as charged, for Sexual Assault in the First Degree;
3. Respondent was convicted of "sexually violent offense(s)" as that term is defined in H.R.S. §846E-1, to wit: H.R.S. Sections 707-731(1)(a) and 707-733(1)(a);
4. On June 29, 2004, Respondent and his attorney, Lane Takahashi were served the Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3(b) and a hearing was set for July 29, 2004;
5. Judge Sakamoto informed Respondent that he had to respond to the Petition within twenty (20) days after service;
6. Respondent failed to answer, plead, or otherwise defend against the Petition within twenty (20) days after service;
7. On July 22, 2004, Petitioner filed a notice of entry of default, and the clerk entered default against Respondent;
8. On July 26, 2004, Petitioner filed a Motion for Default Judgment and Order Granting Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3 (hereinafter "Motion for Default Judgment");

9. On June 29, 2004, Respondent was sentenced as a "repeat offender" pursuant to H.R.S. Section 706-606.5;

10. On July 29, 2004, Petitioner's Motion for Default Judgment was granted, thereby permitting the public release of Respondent's relevant information that is necessary to protect the public and therefore entering the following orders;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. Relevant information concerning the sex offender pursuant to H.R.S. 846E shall be publicly released in order to protect the public; and
2. The duration of public release of information shall be for the life of the sex offender.

Dated at Honolulu, Hawaii: July 29, 2004.

APPROVED AND SO ORDERED:

*Karl K. Sakamoto*

The Honorable Karl K. Sakamoto  
Judge of the Above-Entitled Court

APPROVED AS TO FORM:

*[Signature]*

Lane Y. Takahashi  
Attorney for Respondent Quel

FIRST CIRCUIT COURT  
STATE OF HAWAII  
FILED

H. CHING  
CLERK

The State of Hawaii's Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3, having come on for hearing on August 12, 2004, before the Honorable Michael A. Town, the State of Hawaii being represented by Deputy Prosecuting Attorney Rowena A. Somerville and Respondent Michael Shaw, being present and represented by Deputy Public Defender Gary N. Oakes, and the

Court having carefully considered the pleadings and evidence presented at said hearing, hereby finds as follows:

1. The Court has jurisdiction over this matter pursuant to Hawaii Revised Statutes (hereinafter "H.R.S.") Section 846E-3(d);
2. On September 12, 2001, Respondent was convicted of "sexually violent offense(s)" as that term is defined in H.R.S. §846E-1, to wit: two (2) counts of H.R.S. Section 707-731(1)(b);
3. The victim was under the age of twelve (12) on the date of offense;
4. On April 26, 2002, Respondent was sentenced to five (5) years probation, with one (1) year of incarceration as to each count, to run concurrently;
5. On March 30, 2003, the State of Hawaii filed a Motion to Revoke Probation, based on Respondent's failure to report to his probation officer as directed, testing positive for THC, and failing to participate in and being terminated from the Hawaii Sex Offender Treatment Program;
6. On May 11, 2004, Respondent's probation was revoked and he was resentenced to five (5) years of incarceration;
7. On June 1, 2004, Respondent was served the Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3 and a hearing was set for August 12, 2004;
8. On July 28, 2004, Respondent filed a Response to the State of Hawaii's Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3;
9. On August 12, 2004, a hearing was held wherein the State of Hawaii proved by a preponderance of the evidence paragraphs (2), (3), (4), (5), and (6) above, thereby giving rise to the presumption that public release of relevant information regarding the sex offender is necessary to protect the public;

10. At the hearing on August 12, 2004, Respondent was given an opportunity to rebut said presumption and to show that he does not represent a threat to the community and that public release of relevant information is not necessary;

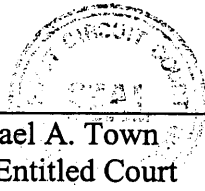
11. The Court found that Respondent does represent a threat to the community and that public release of relevant information regarding the sex offender is necessary to protect the public and therefore enters the following orders.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:


1. Relevant information concerning the sex offender pursuant to H.R.S. §846E-3 shall be publicly released in order to protect the public; and
2. The duration of public release of information shall be for the **life** of the sex offender.

Dated at Honolulu, Hawaii: August 12, 2004.

APPROVED AND SO ORDERED:

  
The Honorable Michael A. Town  
Judge of the Above-Entitled Court

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Gary N. Oakes  
Deputy Public Defender  
Attorney for Respondent Shaw



Post-it* Fax Note	7671	Date	8/16/04	# of pages	4
To	Alison	From	Anne		
Co./Dept.	HCTDC	Co.	Kauai Prob		
Phone #		Phone #	541-1738		
Fax #	587-3024	Fax #	241-1758		

MICHAEL  
PROSECUTING  
CRAIG A  
FIRST DEPUTY PROSECUTING ATTORNEY  
COUNTY OF KAUAI, STATE OF HAWAII  
3990 KAANA STREET, SUITE 210  
LIHUE, HAWAII 96766  
TELEPHONE: (808) 241-1888

DALE N. [unclear]  
Clerk

ATTORNEYS FOR THE STATE OF HAWAII

IN THE CIRCUIT COURT OF THE FIFTH CIRCUIT

STATE OF HAWAII

MICHAEL K. SOONG,

Petitioner,

v.

SAMUEL HEPA,

Respondent.

) S.P. NO. 04-1-0015

) FINDINGS OF FACT, CONCLUSIONS

) OF LAW AND ORDER GRANTING

) PETITION FOR AN ORDER

) PERMITTING PUBLIC RELEASE OF

) SEX OFFENDER'S RELEVANT

) INFORMATION THAT IS NECESSARY

) TO PROTECT THE PUBLIC PURSUANT

) TO H.R.S. §846E-3(B)

)

) HEARING DATE: JULY 20, 2004

) JUDGE: GEORGE M. MASUOKA

)

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER GRANTING  
PETITION FOR AN ORDER PERMITTING PUBLIC RELEASE OF SEX  
OFFENDER'S RELEVANT INFORMATION THAT IS NECESSARY TO  
PROTECT THE PUBLIC PURSUANT TO H.R.S. §846E-3(B)

Petitioner MICHAEL K. SOONG, in his official capacity  
as the Prosecuting Attorney of the County of Kauai, On  
behalf of the State of Hawaii, (hereinafter "Petitioner")  
having filed a Petition for an Order Permitting Public  
Release of Sex Offender's Relevant Information that is  
Necessary to Protect the Public Pursuant to H.R.S. §846E-  
3(b) on June 4, 2004, and said Petition having come for

RECEIVED

I do hereby certify that this is a full, true and  
correct copy of the original on file in this  
office.

Clerk, Circuit Court, Fifth Circuit

hearing before the Honorable Judge George M. Masuoka, Circuit Court Judge of the Fifth Circuit, State of Hawaii, on July 20, 2004, the Petitioner having been represented by Craig A. De Costa, First Deputy Prosecuting Attorney for the County of Kauai, and Respondent SAMUEL HEPA (hereinafter "Respondent") being present and represented by Deputy Public Defender John C. Calma, the Court having heard and received evidence, having taken judicial notice of the files and records herein, and being fully advised in the premises, make the following Findings of Fact, Conclusion of Law, and Order Granting Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public Pursuant to H.R.S. §846E-3(b):

#### FINDINGS OF FACT

1. A Complaint charging Respondent with three counts of Sexual Assault in the Third Degree in violation of Section 707-732(1)(b) of the Hawaii Revised Statutes was filed on May 2, 2003.

2. The Complaint charged Respondent with knowingly subjecting the victim, who at that time was less than 14 years old, to sexual contact three times on January 7, 2003.

3. The judgment convicting Respondent of Count 3 said (touching victim's vagina) on October 23, 2003 and Respondent was placed on probation with conditions that included four months incarceration.

4. Respondent was convicted of the offense less than one year ago.

5. Respondent continues to undergo Sex Offender Treatment and has not yet been clinically discharged.

#### CONCLUSION OF LAW

1. Respondent was convicted of said offense in the Fifth Circuit Court of the State of Hawaii, therefore this Court has jurisdiction to hear the Petition.

2. Considering the nature of the offense, that Respondent continues to undergo Sex Offender Treatment (has not been clinically discharged), and the recentness of the convictions, Respondent failed to overcome the presumption of dangerousness by a preponderance of the evidence and therefore Respondent is subject to Chapter 846E of the Hawaii Revised Statutes and is required to register as a sex offender. Section 846E-3(d) of the Hawaii Revised Statutes.

**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, IT IS HEREBY ORDERED AND DECREED that the Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public Pursuant to H.R.S. §846E-3(b) filed on June 4, 2004 is hereby granted.

IT IS FURTHER ORDERED that Respondent is required to register as a sex offender pursuant to H.R.S. §803E-3(b) and said registration period shall be for life.

DATED: Lihue, Kauai, Hawaii,                     

AUG 13 2004



GEORGE M. MASUOKA

GEORGE M. MASUOKA  
Judge Of The Above-Entitled Court

APPROVED AS TO FORM:

/S/JOHN C. CALMA

JOHN C. CALMA  
Attorney for Respondent

PETER B. CARLISLE 2209  
 Prosecuting Attorney  
 ROWENA A. SOMERVILLE 6645  
 Deputy Prosecuting Attorney  
 City and County of Honolulu  
 Alii Place  
 1060 Richard Street, 10th Floor  
 Honolulu, Hawaii 96813  
 Ph: 547-7400  
 FAX: 547-7513  
 Attorneys for Petitioner

1ST CIRCUIT COURT  
 STATE OF HAWAII  
 FILED

2004 AUG -3 AM 9:57

M. LIVICA  
 CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII,

Petitioner.

v.

MATIAS ULANGCA, JR.,

Respondent.

) S.P. NO. 04-1-0176  
 ) (Criminal No. 02-1-2524)

) ORDER PERMITTING PUBLIC  
 ) RELEASE OF SEX OFFENDER'S  
 ) RELEVANT INFORMATION THAT IS  
 ) NECESSARY TO PROTECT THE  
 ) PUBLIC PURSUANT TO H.R.S. §846E-  
 ) 3(B)

) Hearing: July 19, 2004  
 ) Time: 10:45 a.m.  
 ) Judge: Derrick H.M. Chan  
 )  
 )  
 )

ORDER PERMITTING PUBLIC RELEASE OF SEX OFFENDER'S RELEVANT  
 INFORMATION THAT IS NECESSARY TO PROTECT THE PUBLIC  
PURSUANT TO H.R.S. §846E-3(B)

The State of Hawaii's Petition for an Order Permitting Public Release of Sex Offender's  
 Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3(b), having  
 come on for hearing on July 19, 2004, before the Honorable Derrick H.M. Chan, the State of Hawaii  
 being represented by Deputy Prosecuting Attorney Rowena A. Somerville and Respondent Matias  
 Ulangca, Jr., being present and represented by Deputy Public Defender Jerry A. Villanueva, and the

Court having carefully considered the pleadings and evidence presented at said hearing, hereby finds as follows:

1. The Court has jurisdiction over this matter pursuant to Hawaii Revised Statutes (hereinafter "H.R.S.") Section 846E-3(d);
2. On March 17, 2004, Respondent was convicted of "sexually violent offense(s)" as that term is defined in H.R.S. §846E-1, to wit: H.R.S. Sections 707-731(1)(a) and 707-733(1)(a);
3. On March 17, 2004, Respondent was sentenced as a "repeat offender" pursuant to H.R.S. Section 706-606.5;
4. On May 27, 2004, Respondent was served the Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3(b) and a hearing was set for July 19, 2004;
5. On July 16, 2004, Respondent filed a Response to the State of Hawaii's Petition for an Order Permitting Public Release of Sex Offender's Relevant Information that is Necessary to Protect the Public pursuant to H.R.S. §846E-3(b);
6. On July 19, 2004, a hearing was held wherein the State of Hawaii proved by a preponderance of the evidence paragraphs (2) and (3) above, thereby giving rise to the presumption that public release of relevant information regarding the sex offender is necessary to protect the public;
7. At the hearing on July 19, 2004, Respondent was given an opportunity to rebut said presumption and to show that he does not represent a threat to the community and that public release of relevant information is not necessary;
8. The Court found that Respondent does represent a threat to the community and that public release of relevant information regarding the sex offender is necessary to protect the public and therefore enters the following orders.

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:**

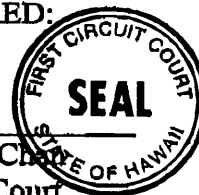
1. Relevant information concerning the sex offender pursuant to H.R.S. §846E-3(b) shall be publicly released in order to protect the public; and
2. The duration of public release of information shall be for the life of the sex offender.

Dated at Honolulu, Hawaii: July 26, 2004.

APPROVED AND SO ORDERED:

**DERRICK H.M. CHAN**

The Honorable Derrick H.M. Chan  
Judge of the Above-Entitled Court



APPROVED AS TO FORM:

**JERRY A. VILLANUEVA**

Jerry A. Villanueva  
Deputy Public Defender  
Attorney for Respondent Ulangca

## **Appendix B**



**Honolulu County**

SEX OFFENDER PETITIONS  
TRACKING LOG

	DEFENDANT	CR. NO.	SP. NO.	PET. S/O	PET. FILED	HRG DATE	JUDGE	Category of Convicted Offenses						Disposition					
								Violent A Felony	Violent B Felony	Violent C Felony	Misdemeanor Assault/Abuse	Pornography*	Kidnapping*	Prostitution*	Granted	Denied	Pending	Other	
								Rape 1 Under 16* Rape 1 (old) Rape 1 Force Rape 1 for-alt Sex Assault 1 (87) Sodomy 1 (old) Sodomy 1-Force Sodomy 1 No Force<14*	Child Abuse 1* Rape+ Rape 2 Under 16* Rape 2 (old) Rape 2 Force Rape 2 for-alt Sex Assault 2 (87)+ Sodomy+ Sodomy 2 (old) Sodomy 2-Force Sodomy 2 No Force<14*	Incest* Indecent Assault (PLH 1955) Rape 3+ Rape 3 (old)* Sex Abuse 1 For+ Sex Abuse 1 N/F+ Sex Abuse 2 H/F+ Sex Assault 3 (87)+ Sex Offense+ Sodomy 3+*	Sex Assault 4 (87)* Sex Abuse 2* Sex Abuse 2<16* Sex Assault 4 (87)+	From Child Abuse 1* From Child Abuse 2* From Child Abuse 3* Affirm to Prom Child Ab* Electro Enticement 1* Electro Enticement 2* Sex Exploit of Minor* Prom Porn for Minor*	Kidnapping* Unlawful Imprison*	Promoting Proest 1* Promoting Proest 2*					
1	PINEDA, JAMES BUDDY	85-0106							1			1							1
2	BARBER, THOMAS	93-1194							1										1
3	KALIEHU, KELLY HANAIEI	91-1055							1			4							1
4	JOHNSON, RODERICK	03-1-0664	04-1-0167	5/11/04	5/14/04	9/21/2004; 11:15	SAKAMOTO			1									1
5	DECAMBRA JR., JOHN	93-2880							3			2							1
6	KIM, PUNG	89-1944							1										1
7	WONG, GEORGE	03-1-2584	04-1-0175	5/14/04	5/20/04	9/13/04: 1:30	POLLOCK		3			3							1
8	ULANGCA JR., MATIAS	02-1-2524	04-1-0176	5/18/04	5/20/04	7/19/04: 10:45	CHAN			1			1				1		1
9	SHAW, MICHAEL	00-1-2311	04-1-0178	5/24/04	5/25/04	8/5/2004: 10:00	TOWN					2					1		1
10	KEALANAHELE, JR., EDWARD	04-1-1020	04-1-0202	6/17/04	6/17/04	9/8/04: 10:00	PERKINS			1			1						1
11	KEALANAHELE, JR., EDWARD	03-1-2463	04-1-0203	6/17/04	6/17/04	9/8/04: 10:00	PERKINS					2							1
12	TOLLEFSEN III, WILFRED H.	03-1-2381	04-1-0207	6/23/04	6/23/04	10/19/04: 10:00	SAKAMOTO		4			3		3					1
13	QUEL, JEFF P.	02-1-0546	04-1-0213	6/25/04	6/25/04	7/29/04: 8:45	SAKAMOTO		1										1
14	ASPERA, ALVIN JR.	99-0682	04-1-0214	6/25/04	6/25/04	10/13/04: 11:00	WILSON					1					1		1
15	LEMN, THOMAS	03-1-1130	04-1-0231	6/28/04	6/28/04	7/20/04: 11:15	SAKAMOTO		1										1
16	MOORE, DOUGLAS	03-1-1434	04-1-0222	6/29/04	6/29/04	8/2/04: 8:30	TOWN		2			2					1		1
17	FUNAKOSHI, WALTER JR.	03-1-1800	04-0223	6/29/04	6/29/04	8/18/04: 10:00	PERKINS		8			15					1		1
18	LOPEZ, RONNY JR.	03-1-1856				9/9/04: 8:30	TOWN		2			2		1					1
19	MIGUEL, BRIAN	03-1-236	04-1-0216	6/28/04	6/28/04	8/25/04: 10:00	WILSON					5							1
20	MANIBOG, KEONI	03-1-2761	04-1-0232	6/29/04	6/30/04	9/3/04: 9:15	CHAN			1									1
21	DALUMPINIS, ANACITO A.	04-1-0714	04-1-0230	6/29/04	6/29/04	8/31/04: 11:15	SAKAMOTO					2							1
22	BALALONG, BENJAMIN	87-0644							1										1
23	CRAYTON, HARREL SEAN	TX					PERKINS					2							1
24	BARBER, THOMAS	93-1194					PERKINS		1										1
25	CONCEICAO JR., CLEMENT L.	86-0919							2			1							1
26	KAO III, SAMUEL KONAHAUA	87-0201							3										1
27	GODOY, DOMINADOR	00-1-60353							2				1						1
28	NAKAGAWA, ROYCE	87-0626							3										1
29	HIGHSTREET, JUDE SR.	03-1-0603																	1
30	ANCHETA, WAYNE	03-1-1782					PERKINS		1		3								1
31	HIRATA, MICHAEL	03-1-0019	04-1-0244	7/6/04	7/6/04	8/15/04: 10:00	PERKINS			1							1		1
32	EARLL, KRISTOPHER	03-1-2326								1		5							1
33	KEAU, JOSHUA	04-1-0629	04-1-0234	7/1/04	7/1/04	9/13/04: 9:30	ALM				2		1		1				1
34	YOGI, JUSTIN	02-1-0019	04-1-0259	7/6/04	7/8/04	7/27/04: 9:00	CHAN			2									1
35	PARK, ALVIN	04-1-0021	04-1-0246	7/6/04	7/6/04	7/16/04: 8:30	LEE												1
36	MILLER, CHARLES	99-2253	04-1-0243	7/6/04	7/6/04	7/26/04: 10:00	CRANDALL		2										1
37	MILLER, CHARLES	01-1-0350	04-1-0242	7/6/04	7/6/04	7/26/04: 10:00	CRANDALL					1							1
38	REIGER, VERNON	00-1-52736	04-1-0255	7/7/04					1										1
39	STEWART, BRUCE C.	00-1-56557		7/7/04					2										1
40	REYES, BERNARDO	95-0302		7/7/04															1
41	KIKO, NOLAN JAMES	92-3138		7/7/04					3					2					1
42	REPOLIO, BRADY	96-1670		7/7/04								1		1					1
43	APELU, APELU	93-0393		7/7/04					1										1
44	KUALA, PHILLIP	F90-0029		7/7/04					1										1
45	BURKE, FRANCIS	02-1-2508	04-1-0248	7/7/04	7/7/04	7/30/04: 8:30	CHAN			3		8		1					1
46	PEREZ-ZAMBRANO, ARTURO	03-1-0865	04-1-0257	7/8/04	7/8/04	7/23/04: 8:30	TOWN					2							1
47	BROOKS, TONIO	F04-1-0013		7/8/04			ALM												1
48	JONES, ANTHONY	03-1-0917	04-1-0266			7/12/04	8/2/04: 9:00					7							1
49	MICHAELSON, BRADLEY	99-1045	04-1-0265			7/12/04	7/26/04: 8:30												1
50	NAITITI, SAMUEL	02-1-1183		7/12/04			DEL ROSARIO					1							1
51	AMOTAI, MAKUISA M.	04-1-0689		7/14/04	7/15/04	9/27/04: 8:30	TOWN					2							1
52	CUNNINGHAM, ALAN J.	89-1014		7/15/04					2			2							1
53	BROM, JASON J.	04-1-0781																	1

## SEX OFFENDER PETITIONS TRACKING LOG

[illegible]

**Maui County**

A		B		D	E	F	G	H	I	J	K	L	M	N	O	P	
1		(*) Victim must be less than 18 yrs & perpetrator 19 yrs or older.		Category of Convicted Offenses													
2		(*) The offense had to have been "sexually violent" as defined under §846E-1.		Violent A Felony	Violent B Felony	Violent C Felony	Misdemeanor Assault/Abuse	Pornography*	Kidnapping*	Prostitution*	Sentence Date	Month/Yr Civil Petition Filed	Disposition				
3		Identifying Information: Last Name, First Initial		Rape 1 Under 16* Rape 1 (old) Rape 1 Force Rape 1 for-att Sex Assault 1 (87) Sodomy 1 (old) Sodomy 1-Force Sodomy 1 No Force<14*	Child Abuse 1* Rape+ Rape 2 Under 16* Rape 2 (old) Rape 2 Force Rape 2 for-att Sex Assault 2 (87)+ Sodomy+ Sodomy 2 (old) Sodomy 2-Force Sodomy 2 No Force<14*	Incest* Indecent Assault (RLH 1955)* Rape 3+ Rape 3 (old)* Sex Abuse 1 For+ Sex Abuse 1 N/F+ Sex Abuse 2 H/P+ Sex Assault 3 (87)+ Sex Offense+ Sodomy 3*+	Sex Assault 4 (87)* Sex Abuse 2* Sex Abuse 2<16* Sex Assault 4 (87)+	Prom Child Abuse 1* Prom Child Abuse 2* Prom Child Abuse 3* Affirm to Prom Child Ab* Electro Enticement 1* Electro Enticement 2* Sex Exploit of Minor* Prom Pom for Minor*	Kidnapping* Unlawful Imprison*	Promoting Prosti 1* Promoting Prosti 2*			Granted	Denied	Pending	Other	
4	1	Bishitashon, R.					2				10/15/97	4-Jul				1	
5	2	Bularon, J.				3					9/30/94	4-Jul				1	
6	3	Ching, E.			2		2				8/22/90	4-May				1	
7	4	Fernandez, D.				1					1/5/99	4-Jul				1	
8	5	Hatcher, E.					3				8/1/03	4-May				1	
9	6	Kaia, J.					5				7/24/96	4-Jul				1	
10	7	Lavanay, J.				2	3				2/5/97	4-Jul				1	
11	8	Lono, G.			2						11/18/92	4-Jul				1	
12	9	Manegdeg, A.				2	1				1/11/94	4-Jul				1	
13	10	Masayuki, M.					8	1			6/14/01	4-May				1	
14	11	Nalundasan, Jr.					3				11/6/96	4-Jul				1	
15	12	Pacheco, H.			1	2					6/21/91	4-Jul				1	
16	13	Quininones, S.				4	1				11/19/97	4-Jul				1	
17	14	Rosado, J.					4				6/26/97	4-Jul				1	
18	15	Texeira, L.					2				5/7/98	4-Jul				1	
19	16	Traxler, R.					3				2/22/99	4-Jul				1	
20	17	Tuzon, L.				4					9/29/93	4-Jul				1	
21	18	Villon, J.					1				6/30/99	4-May				1	
22	19	Yadao, F.					2				4/28/98	4-Jul				1	
23	20	Total			5	18	40	1	0	0	0			0	0	19	0
24	21																
25	22																
26	23																
27	24																
28	25																
29	26																
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43	40																
44	41																

**Hawaii County**

		CATEGORY OF CONVICTED OFFENSES							DISPOSITION			
									G-granted			
									D-denied			
									P-pending			
									O-other			
					MISDEMEANOR	SENTENCE	DATE					
					ASSAULT/ABUSE	DATE	FILED					
NAME	VIOLENT A FELONY	VIOLENT B FELONY	VIOLENT C FELONY					G	D	P	O	
Fronza, Tranquilino	1			3		10/20/03	3/31/04	1				
Grusing, Adam			1			1/20/04	4/6/04				1	
Carter, Milton	1		2	1		9/24/03	4/21/04				1	
Apisaloma, Pierre	2					5/13/04	5/26/04				1	
Green, Wolfgang	2					4/30/93	7/27/04				1	
Quintos, Lawrence			6			2/26/01	7/27/04				1	
Hui, Campbell			4			1/15/02	7/27/04				1	
Vida, David			1			11/6/01	7/27/04				1	
Medeiros, Sidney				1		3/8/02	7/27/04				1	
Enovejas, Joselito	1					4/22/02	7/27/04				1	
Cabatbat, Roy	1		2			10/23/97	7/28/04				1	
Velasco, George			1			5/22/02	8/13/04				1	
Aiu, Charles	2					5/31/01	8/3/04				1	
Guthier, Shannon	1					2/28/94	8/4/04				1	
Silva, Mark			1			3/22/02	8/5/04				1	
Palma, Rogelio			3			5/19/98	8/13/04				1	
Pacheco, Steven				1		4/25/96	8/13/04				1	
Aki, Seon				1		3/12/03	8/13/04				1	
Lorenzo, William			1			9/26/01	8/13/04				1	
Song, Robert	1		1			7/15/99	8/13/04				1	
Joaquin, Kevin				1		1/23/03	8/13/04				1	
Estabilio, Jon				1		5/9/96	8/13/04				1	
Britton, Hans				1		12/4/96	8/13/04				1	
Taylor, David	1					2/11/97	8/17/04				1	
Cypriano, Walter			1	1		4/9/96	8/17/04				1	
Rivera, Manuel			1			10/2/96	10/2/96				1	
Swanson, Joseph			1			7/21/04	8/17/04				1	
Cardoza, John			1			4/9/96	8/17/04				1	
Williams, James				1		7/13/04	8/17/04				1	
Bidad, Leonard			1			10/15/97	8/19/04				1	
Robledo, Conrad			2			4/22/86	8/24/04				1	

Akau, Solomon				1			11/2/01	8/13/04				1	
Akimseu, Everett				2			2/12/02	8/26/04				1	
Fiti, Waily			1				9/24/01	8/26/04				1	
Gilreath, Wesley		2					9/22/98	7/27/04				1	
MacNeil, John			2				9/23/02	7/27/04				1	
<b>Total</b>		<b>15</b>	<b>33</b>	<b>15</b>	<b>0</b>					<b>1</b>	<b>0</b>	<b>35</b>	



**Kauai County**

[illegible]