



DIRECT CARE & TREATMENT – FORENSIC SERVICES

August 30, 2021

The Honorable Lisa K. Janzen
Judge of the Fourth Judicial District Court – Hennepin County
Hennepin County Government Center
300 South 6th Street
Minneapolis, MN 55487

RE: *State v. Marvel Barnes*, Rule 20.01, subd. 7 competency evaluation
Court Files: 27-CR-21-722; 27-CR-21-6229; 27-CR-21-8856

Dear Judge Janzen,

I am the Court Liaison for DHS Direct Care and Treatment- Forensic Services, and I write regarding the pending competency evaluation for the Defendant in the above-referenced cases. Defendant was found incompetent to participate in his defense under Minnesota Rule of Criminal Procedure 20.01 on April 13, 2021, and they were subsequently civilly committed. Minnesota Rule of Criminal Procedure 20.01, subd. 7, provides in part that the head of the institution to which a defendant is committed must report to the court periodically, not less than six months, on the defendant's mental condition with an opinion as to competency to proceed.

The DHS Forensic Evaluation Department, on behalf of DHS and the head of the institution to which Defendant is committed, will be conducting the subd. 7 competency evaluation in this matter. Dr. Jennifer Harrison is assigned to conduct this evaluation. In order to provide a comprehensive evaluation, Dr. Harrison will need to review records relating to clinical treatment Defendant has received or is receiving. State and federal data privacy laws do not allow Dr. Harrison access to treatment records absent a court order. Defendant's treatment records are relevant to Dr. Harrison's review and evaluation and will assist her in providing a more comprehensive opinion regarding Defendant's current mental condition and competency status.

For these reasons, I respectfully request that the attached proposed order for the release of medical records be signed and returned to me to allow the disclosure of treatment records to my office. Additionally, we request this language be included in all orders finding incompetence moving forward, as this would save time and resources for future subd. 7 competency evaluations completed by Forensic Services. Thank you for your consideration of this request.

Sincerely,

Amanda Burg, Court Liaison
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Copies: Hennepin County Court Administration
Prosecuting Attorney
Criminal Defense Attorney



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