

**STATE OF MINNESOTA
COUNTY OF HENNEPIN****DISTRICT COURT
FOURTH JUDICIAL DISTRICT**

State of Minnesota,

Court File No. : 27-CR-23-1886

Plaintiff,

vs.

**EXHIBT O
FINDINGS AND COURT
ORDERS**

Matthew David Guertin,

Defendant.

Judicial Officer: Sarah Hudelston

TO: THE HONORABLE SARAH HUDLESTON, JUDGE OF DISTRICT COURT;
MARY F. MORIARTY, HENNEPIN COUNTY ATTORNEY; AND
MAWERDI HAMID, ASSISTANT HENNEPIN COUNTY ATTORNEY

**SYNTHETIC JUDICIAL SYSTEM EXPOSED
AI-DRIVEN DOCKET SIMULATIONS AND PSYCHIATRIC
DISPOSAL WITHIN THE 4TH JUDICIAL DISTRICT COURT**

STATE OF MINNESOTA
COUNTY OF HENNEPINDISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,

Plaintiff,

vs.

Ramadan Hakim Campbell,

Defendant.

**FINDINGS OF FACT,
	)	CONCLUSIONS OF LAW
AND ORDER REGARDING
	)	COMPETENCY**

	)	MNCIS No: 27-CR-18-18396;

This matter came before the undersigned Judge on September 7, 2021. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Defendant, who was out of custody, was represented by Susan Herlofsky, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file 27-CR-18-18396 with Possess Ammo (Felony) and Fifth Degree Controlled Substance Crime (Felony) arising from an incident alleged to have occurred on 7/20/18. On 8/21/18, Judge Fred Karasov found probable cause to believe that the offenses were committed and that Defendant committed them.
2. Defendant was born on 3/6/85.
3. On 6/23/21, Judge Lisa Janzen ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.

4. Dr. Dawn Peuschold, Ph.D., L.P., Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Dawn Peuschold, Ph.D., L.P., Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Freeman, Assistant Hennepin County Attorney – Criminal Division;

Vaughn Frazher, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting

civil commitment to the Hennepin County Attorney's Office – Adult Services Division (“HCAO-ASD”) within five (5) days of receiving this Order.

5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically

dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is March 8, 2022. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Vaughn Frazher, Assistant Hennepin County Public Defender;
 - c. Christopher Freeman, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: September 7, 2021

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

Feb 01, 2022

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-18-2728, 27-CR-19-
Jacob Mamar Johnson,	)	28883, 27-CR-21-4207, 27-CR-21-13795, 27-
	)	CR-21-4954, 27-CR-21-410
Defendant.)	

This matter came before the undersigned Judge on February 1, 2022. Kacy Wothe and Albania Concepcion, Assistant Hennepin County Attorneys, represent the plaintiff. Heidi Johnston, Assistant Minneapolis City Attorney, represents the City of Minneapolis. Defendant appeared in custody and is represented by Holly Frame, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 12/18/1988), was charged in MNCIS file 27-CR-18-2728 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 3/16/2017; in MNCIS file 27-CR-19-28883 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 9/6/2019; in MNCIS file 27-CR-21-4207 with Damage to Property-1st Degree (Felony) arising from an incident alleged to have occurred on 1/21/2021; in MNCIS file 27-CR-21-13795 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 7/22/2021; in MNCIS file 27-CR-21-4954 with Carry BB Gun/Rifle/Shotgun/ASLT WPN -Public (Gross Misdemeanor) arising from an incident alleged to have occurred on 3/10/2021; in MNCIS

file 27-CR-21-410 with Possessing injection equipment (Misdemeanor) arising from an incident alleged to have occurred on 11/13/2020 . On 12/17/2021, Judge Norris found probable cause to believe that the offenses were committed, and that Defendant committed them.

2. On 12/17/2021, Judge Norris ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Bruce Renken, Ph.D., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Bruce Renken, Ph.D., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Kacy Wothe & Albania Concepcion, Assistant Hennepin County Attorney
– Criminal Division;

Heidi Johnston, Assistant Minneapolis City Attorney;

Holly Frame, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority

for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the

Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant’s treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.

13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant’s next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant’s competence to proceed is **8/2/2022 at 1:30 pm**. One week prior to that date, reports regarding Defendant’s competency and mental status shall be e-filed and e-served to:
15. Defendant’s competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Holly Frame, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney’s Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email

to the Prepetition Screening Program of Hennepin County's Human Services
and Public Health Department.

BY THE COURT:

DATED: 2/1/2022



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,

Plaintiff,

vs.

Terrell Johnson,

Defendant.

FINDINGS OF FACT,
	)	CONCLUSIONS OF LAW
AND ORDER REGARDING
	)	COMPETENCY

MNCIS No: 27-CR-19-12466, 27-CR-19-19606, 27-CR-20-8926, 27-CR-20-20037, 27-CR-21-19552, 27-CR-21-23233, 27-CR-22-1165, 27-CR-20-23781, 27-CR-20-23605, 27-CR-22-390, 27-CR-21-21578, 27-CR-22-187, 27-CR-21-7553, 27-CR-21-12369, 27-CR-21-14359, 27-CR-21-3139, 27-CR-21-21436, 27-CR-21-19332, 27-CR-21-21046

This matter came before the undersigned Judge on March 8, 2022.

Warsame Galaydh, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Heidi Johnston, Minneapolis City Attorney, represents the City of Minneapolis. Jennifer Spalding, represents the City of Crystal. Jennifer Cross, represents the City of Bloomington. Melanie Persellin, represents the City of New Hope. Amanda Grossman, represents the City of Brooklyn Park. Defendant appeared out of custody and was represented by Rachel Kowarsky, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file 27-CR-19-12466 with Drugs-3rd Degree (Felony) arising from an incident alleged to have occurred on 5/28/2019; in MNCIS file 27-CR-19-19606 with Drugs-3rd Degree (Felony) arising from an incident alleged to have occurred on 8/12/2019; in MNCIS file 27-CR-20-8926 with Drugs-5th Degree (Felony) arising from an incident alleged to have

occurred on 4/2/2020; in MNCIS file 27-CR-20-20037 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 4/6/2019; in MNCIS file 27-CR-21-19552 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 7/12/2021; in MNCIS file 27-CR-21-23233 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 12/17/2021; in MNCIS file 27-CR-22-1165 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 10/9/2021; in MNCIS file 27-CR-20-23781 with Driving After Cancellation (Gross Misdemeanor) arising from an incident alleged to have occurred on 11/7/2020; in MNCIS file 27-CR-20-23605 with Driving After Cancellation (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/27/2020; in MNCIS file 27-CR-22-390 with Indecent Exposure (Gross Misdemeanor) arising from an incident alleged to have occurred on 8/14/2021; in MNCIS file 27-CR-21-21578 with Trespass in Critical Public Service Facilities, Pipeline (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/29/2021; in MNCIS file 27-CR-22-1187 with Trespass on Critical Public Service Facilities, Pipeline (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/16/2021; in MNCIS file 27-CR-21-7553 with Indecent Exposure (Misdemeanor) arising from an incident alleged to have occurred on 4/14/2021; in MNCIS file 27-CR-21-12369 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 7/2/2021; in MNCIS file 27-CR-21-14359 with Assault-5th Degree (Misdemeanor arising from an incident alleged to have occurred on 8/2/2021; in MNCIS file 27-CR-21-3139 with 5th Degree Assault (Misdemeanor) arising from an incident alleged to have occurred on 12/24/2020; in MNCIS file 27-CR-21-21436 with Trespassing (Misdemeanor) arising from an incident alleged to have occurred on 11/2/2021; in MNCIS file 27-CR-21-19332 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 10/14/2021; in MNCIS file 27-CR-21-21046 with

Trespass (Misdemeanor) arising from an incident alleged to have occurred on 11/13/2021 . On 1/18/2022, Judge Julie Allyn found probable cause to believe that the offenses were committed, and that Defendant committed them.

2. Defendant was born on 8/28/1979.
3. On 1/19/2022, Judge Allyn ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Warsame Galaydh, Assistant Hennepin County Attorney – Criminal
Division;

Rachel Kowarski, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority

for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **September 6, 2022, at 1:30 pm**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Rachel Kowarski, Assistant Hennepin County Public Defender;
 - c. Warsame Galaydh, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: 3/8/2022

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District



MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-19-12466, 27-CR-19-
Terrell Johnson,	)	19606, 27-CR-20-8926, 27-CR-20-20037, 27-
	)	CR-21-19552, 27-CR-21-23233, 27-CR-22-
Defendant.	)	1165, 27-CR-20-23781, 27-CR-20-23605, 27-
)	CR-22-390, 27-CR-21-21578, 27-CR-22-187,
)	27-CR-21-7553, 27-CR-21-12369, 27-CR-21-
)	14359, 27-CR-21-3139, 27-CR-21-21436, 27-
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Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file 27-CR-19-12466 with Drugs-3rd Degree (Felony) arising from an incident alleged to have occurred on 5/28/2019; in MNCIS file 27-CR-19-19606 with Drugs-3rd Degree (Felony) arising from an incident alleged to have occurred on 8/12/2019; in MNCIS file 27-CR-20-8926 with Drugs-5th Degree (Felony) arising from an incident alleged to have

occurred on 4/2/2020; in MNCIS file 27-CR-20-20037 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 4/6/2019; in MNCIS file 27-CR-21-19552 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 7/12/2021; in MNCIS file 27-CR-21-23233 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 12/17/2021; in MNCIS file 27-CR-22-1165 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 10/9/2021; in MNCIS file 27-CR-20-23781 with Driving After Cancellation (Gross Misdemeanor) arising from an incident alleged to have occurred on 11/7/2020; in MNCIS file 27-CR-20-23605 with Driving After Cancellation (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/27/2020; in MNCIS file 27-CR-22-390 with Indecent Exposure (Gross Misdemeanor) arising from an incident alleged to have occurred on 8/14/2021; in MNCIS file 27-CR-21-21578 with Trespass in Critical Public Service Facilities, Pipeline (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/29/2021; in MNCIS file 27-CR-22-1187 with Trespass on Critical Public Service Facilities, Pipeline (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/16/2021; in MNCIS file 27-CR-21-7553 with Indecent Exposure (Misdemeanor) arising from an incident alleged to have occurred on 4/14/2021; in MNCIS file 27-CR-21-12369 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 7/2/2021; in MNCIS file 27-CR-21-14359 with Assault-5th Degree (Misdemeanor arising from an incident alleged to have occurred on 8/2/2021; in MNCIS file 27-CR-21-3139 with 5th Degree Assault (Misdemeanor) arising from an incident alleged to have occurred on 12/24/2020; in MNCIS file 27-CR-21-21436 with Trespassing (Misdemeanor) arising from an incident alleged to have occurred on 11/2/2021; in MNCIS file 27-CR-21-19332 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 10/14/2021; in MNCIS file 27-CR-21-21046 with

Trespass (Misdemeanor) arising from an incident alleged to have occurred on 11/13/2021 . On 1/18/2022, Judge Julie Allyn found probable cause to believe that the offenses were committed, and that Defendant committed them.

2. Defendant was born on 8/28/1979.
3. On 1/19/2022, Judge Allyn ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Warsame Galaydh, Assistant Hennepin County Attorney – Criminal
Division;

Rachel Kowarski, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority

for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **September 6, 2022, at 1:30 pm**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Rachel Kowarski, Assistant Hennepin County Public Defender;
 - c. Warsame Galaydh, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: 3/8/2022

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District



MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,

Plaintiff,

vs.

Eyuael Gonfa Kebede

Defendant.

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER REGARDING
COMPETENCY

MNCIS No: **27-CR-19-901; 27-CR-20-13495**

This matter came before the undersigned Judge on August 2, 2022. Heidi Johnston represented the City of Minneapolis. Defendant appeared out of custody and was represented by Greg Renden, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was convicted in MNCIS File No. **27-CR-19-901** DWI (Gross Misdemeanors) and charged in MNCIS File No. **27-CR-20-13495** with two counts of DWI (Gross Misdemeanor); Careless Driving (Misdemeanor); Driving After Revocation (Misdemeanor) arising from an incident alleged to have occurred on 4/25/2020. On 5/09/2022, Judge Margaret Daly found probable cause to believe that the offenses were committed and that Defendant committed them.
2. Defendant was born on 5/18/1994.
3. On 5/09/2022, Judge Margaret Daly ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.

4. Dr. Katheryn Cranbrook, Psy.D., L.P., A.B.P.P., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Katheryn Cranbrook, Psy.D., L.P., A.B.P.P., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The prosecutor has 30 days from filing of this Order to file a Notice of Intent to Prosecute the gross misdemeanor charge(s). The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Heidi Johnston, Minneapolis City Attorney – Criminal Division;

Greg Renden, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting

civil commitment to the Hennepin County Attorney's Office – Adult Services Division (“HCAO-ASD”) within five (5) days of receiving this Order.

5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically

dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **January 31, 2023**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Greg Renden, Assistant Hennepin County Public Defender;
 - c. Heidi Johnston, City of Minneapolis – Criminal Division;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: August 2, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-20-27550;
Rodrick Jerome Carpenter,	)	27-CR-20-12499; 27-CR-21-5904
)	
Defendant.)	

This matter came before the undersigned Judge on April 6, 2021. Christopher Nippoldt, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Megan Schouvieller represented the City of Minneapolis. Jennifer Cross represented the City of Bloomington. Defendant, who was out of custody, was represented by Briana Perry, Assistant Hennepin County Public Defender. All parties agreed to waive their appearances.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file 27-CR-20-27550 with Threats of Violence (Felony) and Carry/Possess Pistol without Permit – Public Place (Gross Misdemeanor) arising from an incident alleged to have occurred on 12/26/20; in MNCIS file 27-CR-20-12499 with DWI (Gross Misdemeanor), DWI (Misdemeanor), Reckless Driving (Misdemeanor), Careless Driving (Misdemeanor), and Traffic Collision (Misdemeanor) arising from an incident alleged to have occurred on 5/21/20; and in MNCIS file 27-CR-21-5904 with Fifth Degree Controlled Substance Crime (Gross Misdemeanor) arising from an incident alleged to have occurred on 1/7/21. On 2/4/21, Judge Lois

Conroy found probable cause to believe that the felony offense was committed and that Defendant committed it.

2. Defendant was born on 6/20/1992.
3. On 2/4/21, Judge Lois Conroy ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Catherine Carlson, Psy.D., LP, Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Catherine Carlson, Psy.D., LP, Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The prosecutor has 30 days from filing of this Order to file a Notice of Intent to Prosecute the gross misdemeanor charge(s). The misdemeanor charge(s) must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Nippoldt, Assistant Hennepin County Attorney – Criminal Division;

Heidi Johnston, Minneapolis City Attorney;

Jennifer Cross, Bloomington City Attorney;

Briana Perry, Assistant Hennepin County Public Defender;

Marecca Vertin, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential

community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is October 5, 2021. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Briana Perry, Assistant Hennepin County Public Defender;
 - c. Marecca Vertin, Assistant Hennepin County Public Defender;
 - d. Christopher Nippoldt, Assistant Hennepin County Attorney;
 - e. Heidi Johnston, Minneapolis City Attorney;
 - f. Jennifer Cross, Bloomington City Attorney;
 - g. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];

- h. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County’s Human Services and Public Health Department.

DATED: March 6, 2021

BY THE COURT:

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-20-27550;
Rodrick Jerome Carpenter, II,	)	27-CR-22-15358; 27-CR-22-7626;
	)	27-CR-21-5904; 27-CR-22-10253;
Defendant.	)	27-CR-20-12499; 27-CR-22-14541

This matter came before the undersigned Judge on August 16, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the State on the Felony matters. Heidi Johnston represented the City of Minneapolis. Jennifer Cross represented the City of Bloomington. Defendant appeared in custody and was represented by Susan Herlofsky, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 6/20/1992), was charged in MNCIS file **27-CR-20-27550** with Threats of Violence (Felony) and Carry/Possess Pistol without a Permit (Gross Misdemeanor) arising from an incident alleged to have occurred on 12/26/2020; in MNCIS file **27-CR-22-15358** with 1st Degree Burglary (Felony), and Theft (Felony) arising from an incident alleged to have occurred on 8/03/2022; in MNCIS file **27-CR-22-7626** with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 4/19/2022; in MNCIS file **27-CR-21-5904** with 5th Degree Drug Possession (Gross Misdemeanor) arising from an incident alleged to have occurred on

1/07/2021; in MNCIS file **27-CR-22-10235** with Obstruct/Interfere with Operation of Transit Vehicle (Misdemeanor), and Carrying Weapon/Fascimile Firearms (Misdemeanor) arising from an incident alleged to have occurred on 5/30/2022; in MNCIS file **27-CR-20-12499** with DWI - Refusal to Submit to Chemical Test (Gross Misdemeanor), DWI (Misdemeanor), Reckless Driving (Misdemeanor), Careless Driving (Misdemeanor), and Traffic Collision, Driver Involved Fails to Stop (Misdemeanor), all arising from an incident alleged to have occurred on 5/21/2020; in MNCIS file **27-CR-22-14541** with 4th Degree Assault (Gross Misdemeanor) and Flee Peace Officer by Means Other Than a Motor Vehicle (Misdemeanor), all arising from an incident alleged to have occurred on 7/23/2022. On 2/4/2021, Judge Lois Conroy found probable cause to believe that the offenses were committed and that Defendant committed them.

2. On 7/8/2021, Judge Lisa Janzen ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The prosecutor has 30 days from filing of this Order to file a Notice of Intent to Prosecute the gross

misdemeanor charge(s). The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Nippoldt, Assistant Hennepin County Attorney;
Heidi Johnston, Minneapolis City Attorney – Criminal Division;
Jennifer Cross, Bloomington City Attorney – Criminal Division;
James Horvath, Assistant Hennepin County Public Defender
3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.

7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.
13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is James Horvath, Assistant Hennepin County Public Defender

February 14, 2023. One week prior to that date, reports regarding

Defendant's competency and mental status shall be e-filed and e-served to:

15. Defendant's competency and mental status shall be e-filed and e-served to:

- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
- b. James Horvath, Assistant Hennepin County Public Defender;
- c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
- d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: August 16, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-20-26577
Rasheed Richardson, a/k/a Lamar)	
Johnson,)	
Defendant.)	

This matter came before the undersigned Judge on 1/4/2022. Christopher Freeman, Assistant Hennepin County Attorney, represents the plaintiff. Defendant appeared in custody and is represented by Tanya Bishop, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 3/1/1976), was charged in MNCIS file 27-CR-20-26577 with Stalking (Felony) arising from an incident alleged to have occurred on 3/25/2020. On 10/29/2021, Judge Koch found probable cause to believe that the offense was committed, and that Defendant committed it.
2. On 10/29/2021, Judge Koch ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. John R. Anderson, Ph.D., LP, Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.

4. Dr. John R. Anderson, Ph.D., LP, Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Freeman, Assistant Hennepin County Attorney – Criminal Division;

Tanya Bishop, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney’s Office – Adult Services Division (“HCAO-ASD”) within five (5) days of receiving this Order.

5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin

County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.


10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.
13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure

custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.

14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **7/5/2022 at 1:30 pm**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Tanya Bishop, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: 1/4/2022

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

Filed in District Court
State of Minnesota
Nov 8, 2022

State of Minnesota

District Court

County of Hennepin

Fourth Judicial District

State of Minnesota,
Plaintiff,Judge Lisa K. Janzen
Case Type: Criminal**ORDER**

v.

Rasheed Richardson,
Defendant.

Case No. 27-CR-20-26577

FINDINGS OF FACT

1. Defendant (date of birth 03/01/1976) was charged with Stalking (Felony), First Degree Damage to Property (Felony), and six counts of Possess Ammo (Felony) arising from an incident alleged to have occurred on 03/25/20. On 10/29/21, Judge Koch found probable cause to believe that the felony charges were committed and that Defendant committed them for Rule 20 purposes.
2. On 04/19/22, Judge Janzen ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Turner, Ph.D., LP, ABPP, for Direct Care and Treatment – Forensic Services, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Turner, Ph.D., LP, ABPP, for Direct Care and Treatment – Forensic Services, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.
5. On 07/12/22, Judge Lisa Janzen found Defendant incompetent to stand trial and ordered the criminal proceedings in this matter be suspended until Defendant is restored to competency to proceed.

6. On 08/24/22, Judge Browne of Hennepin County District Court issued an Order for Continued Commitment in MNCIS Case No. 27-MH-PR-22-59; the Defendant remained civilly committed to the Commissioner of Human Services.
7. On 04/27/22, the Defendant was admitted to AMRTC.
8. On 10/26/22 a Notification of Reduction in Custody was filed into this criminal case, noting a Provisional Discharge to RS Eden to go into effect on or after 11/7/22 as the Defendant was determined to no longer require in-patient level of care as of 10/26/22.
9. Defendant remains incompetent and the criminal case remains suspended pursuant to Minn.R.Crim.P. 20.01, Subd. 6(b).
10. If the Criminal Court Judge denied the request to provisionally discharge the defendant to RS Eden, the defendant would be released to the jail on the previously ordered bail.
11. The Hennepin County Jail does not provide competency restoration treatment or therapy and is not able to administer *Jarvis* orders.
12. If the defendant was provisionally discharged to the jail, the court would have to make the impossible decision as to whether to keep the incompetent defendant in the jail not receiving treatment with a suspended criminal case, or, to release the defendant to the street.
13. Given the options, Judge Janzen approved the request to provisionally discharge Defendant and bail was amended.

ANALYSIS

There is no case directly on point in Minnesota as to whether an incompetent defendant, whose criminal case has been suspended, can be held in the jail awaiting restoration to competency while not receiving competency restoration treatment at said jail. In dealing with similar issues, courts around the country have held that “incompetent criminal defendants – as pretrial detainees – have a liberty interest in being free from incarceration absent a criminal conviction.” *Goodman v. Utah Department*

of *Human Services*, 180 F.Supp.3d 998, 1009 (D. Utah 2016); that the “Constitutional questions pertaining to the pretrial confinement of incompetent criminal defendants are analyzed under the due process clause of the Fourteenth Amendment.” *State v. Hand*, 429 P.3d 502 (Wash. 2018); and that the relevant question is whether the nature and duration of said detention, “is reasonably related to the purpose for which he was committed.” *Id.* (citing *Jackson v. Indiana*, 406 U.S. 715, 738, 92 S.Ct. 1845, 32 L.Ed.2d 435 (1972)).

In *Jackson*, the court held that:

a person charged by a State with a criminal offense who is committed solely on account of his incapacity to proceed to trial cannot be held more than the reasonable period of time necessary to determine whether there is a substantial probability that he will attain that capacity in the foreseeable future. If it is determined that this is not the case, then the State must either institute the customary civil commitment proceeding that would be required to commit indefinitely any other citizen, or release the defendant. Furthermore, even if it is determined that the defendant probably soon will be able to stand trial, his continued commitment must be justified by progress toward that goal.

406 U.S. 715, 738, 92 S.Ct. 1845, 32 L.Ed.2d 435 (1972). Similarly, in *United States v. Jackson*, 306 F.Supp. 4 (N.D.Cal. 1969), the court held that the accused, who was incompetent to stand trial because of serious mental illness, that was not likely to be cured in foreseeable future, and who had already spent over a year and a half in federal hospital must be discharged from federal custody and responsibility for accused should transfer to state. The underlying tone in all of these decisions is the general understanding as stated in *Cook v. Ciccone*, 312 F.Supp. 822 (W.D.Mo. 1970), that “Such consideration is dictated by the inherent unfairness and substantial injustice in keeping an unconvicted person in federal custody to await trial where it is plainly evident his mental condition will not permit trial within a reasonable period of time.” 312 F.Supp. at 824.

ORDER

1. Defendant is released in the criminal case under the conditions set forth in the in the amended conditional release order.
2. Defendant is ordered to cooperate with his civil commitment including following all treatment recommendations and appearing at all court appearances in the civil and criminal cases.
3. DHS shall continue to submit a written reports addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.

BY THE COURT:

DATED: November 8, 2022



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-20-23521;
Caspar Huy Vuong,	)	27-CR-16-19862; 27-CR-20-6873;
	)	27-CR-20-13769; 27-CR-20-14540;
Defendant.	)	27-CR-20-17004; 27-CR-20-24580;
	)	27-CR-21-11921; 27-CR-21-12897;
	)	27-CR-20-26432

This matter came before the undersigned Judge on December 13, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Derek Archambault, Robbinsdale City Attorney, waived his appearance. Richfield City Attorney waived his appearance. Jennifer Cross, Bloomington City Attorney, waived her appearance. Defendant appeared in custody and was represented by Kevin Gray, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 03/21/1985), was charged in MNCIS file **27-CR-20-23521** with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on November 2, 2020; in MNCIS file **27-16-19862** with Disorderly Conduct (Misdemeanor) arising from an incident alleged to have occurred on July 27, 2016; in MNCIS file **27-CR-20-6873** with Give Peace Officer False Name/Birthdate/ID Card (Misdemeanor) arising from an incident alleged to have occurred on March 15, 2020; in MNCIS file **27-CR-20-13769** with Trespass (Misdemeanor) arising from an incident alleged to have occurred on

June 13, 2020; in MNCIS file **27-CR-20-14540** with Indecent Exposure (Misdemeanor) arising from an incident alleged to have occurred on June 28, 2020; in MNCIS file **27-CR-20-17004** with Trespass (Misdemeanor) arising from an incident alleged to have occurred on August 4, 2020; in MNCIS file **27-CR-20-24580** with Trespass (Misdemeanor) arising from an incident alleged to have occurred on November 10, 2020; in MNCIS file **27-CR-21-11921** with Trespass (Misdemeanor) arising from an incident alleged to have occurred on June 28, 2021; in MNCIS file **27-CR-21-12897** with Indecent Exposure (Misdemeanor) arising from an incident alleged to have occurred on July 11, 2021; in MNCIS file **27-CR-20-26432** with Give Peace Officer False Name/DOB/ID (Misdemeanor) and with Indecent Exposure (Misdemeanor) arising from an incident alleged to have occurred on December 10, 2020. On November 9, 2022, Judge Nicole A. Engisch found probable cause to believe that the offenses were committed, and that Defendant committed them.

2. On November 9, 2022, Judge Nicole A. Engisch ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Sonia Reardon, Ph.D, LP, Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Sonia Reardon, Ph.D, LP, Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Mark Allseits, Assistant Hennepin County Attorney – Criminal Division;
Martin Costello, Richfield City Attorney – Criminal Division;
Derek Archambault, Robbinsdale City Attorney – Criminal Division;
Jennifer Cross, Bloomington City Attorney – Criminal Division
Kevin Gray, Assistant Hennepin County Public Defender
3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney’s Office – Adult Services Division (“HCAO-ASD”) within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney’s Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.

7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.
13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to

proceed is **June 13, 2023**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:

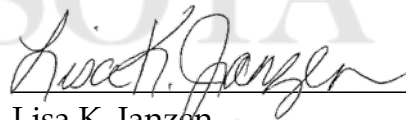
15. Defendant's competency and mental status shall be e-filed and e-served to:

- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
- b. Kevin Gray, Assistant Hennepin County Public Defender;
- c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
- d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: December 13, 2022



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
 COUNTY OF HENNEPIN

DISTRICT COURT
 FOURTH JUDICIAL DISTRICT
 CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-20-23239;
Jaleisha Lanay Taylor,)	
)	
Defendant.)	

This matter came before the undersigned Judge on December 15, 2020. Christopher Filipski, Assistant Hennepin County Attorney, represented the plaintiff on the felony and waived his appearance. Defendant, who was out of custody, waived her appearance and was represented by Paula Brummel, Assistant Hennepin County Public Defender, who waived her appearance.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file 27-CR-20-23239 with Second Degree Assault (Felony), Third Degree Assault (Felony), and Fifth Degree Assault (Felony) arising from an incident alleged to have occurred on 10/15/2020. On 11/2/2020, Judge Jay Quam found probable cause to believe that the offenses were committed and that Defendant committed them.
2. Defendant was born on 3/18/1993.
3. On 11/2/2020, Judge Jay Quam ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.

4. Dr. Jill Rogstad, Ph.D., LP, Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Jill Rogstad, Ph.D., LP, Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Filipski, Assistant Hennepin County Attorney – Criminal Division;

Paula Brummel, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting

civil commitment to the Hennepin County Attorney's Office – Adult Services Division (“HCAO-ASD”) within five (5) days of receiving this Order.

5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically

dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is June 15, 2021. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Paula Brummel, Assistant Hennepin County Public Defender;
 - c. Christopher Filipski, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: December 15, 2020

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

Sep 21, 2021

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-20-23239
Jaleisha Lanay Taylor,)	
)	
Defendant.)	

This matter came before the undersigned Judge on September 21, 2021. Christopher Filipski, Assistant Hennepin County Attorney, represented the plaintiff. Defendant, who was in custody, was represented by Shira Burton, Assistant Hennepin County Public Defender. Parties agreed to waive their appearances.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 3/18/93), was charged in MNCIS file 27-CR-20-23239 with Second Degree Assault (Felony), Third Degree Assault (Felony), and Fifth Degree Assault (Felony) arising from an incident alleged to have occurred on 10/15/20. On 8/17/21, Judge Carolina Lamas found probable cause to believe that the offense was committed and that Defendant committed it.
2. On 8/17/21, Judge Carolina Lamas ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.

3. Dr. Chris Bowerman, Ph.D., L.P., Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Chris Bowerman, Ph.D., L.P., Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Filipski, Assistant Hennepin County Attorney – Criminal Division;

Shira Burton, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting

civil commitment to the Hennepin County Attorney's Office – Adult Services Division (“HCAO-ASD”) within five (5) days of receiving this Order.

5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically

dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.

13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is March 22, 2022. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
- Fourth Judicial District Court – 4thCriminalRule20 email list;
 - Shira Burton, Assistant Hennepin County Public Defender;
 - Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: September 21, 2021

gina m brandt

Gina M. Brandt
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-20-23239; 27-CR-20-
Ja'Leisha Lanay Taylor,	)	22646; 27-CR-22-216; 27-CR-22-5238
)	
Defendant.)	

This matter came before the undersigned Judge on May 3, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the State of Minnesota. Heidi Johnston represented the City of Minneapolis. Derek Archambault represented the City of Robbinsdale. Rolf Sponheim represented the City of Minnetonka. Defendant appeared in custody and was represented by Shira Burton, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 03/18/1993), was charged in MNCIS file **27-CR-20-23239** with 2nd Degree Assault (Felony), 3rd Degree Assault (Felony), and 5th Degree Assault (Felony), arising from an incident alleged to have occurred on 10/15/2022. On 08/17/2021, Judge Carolina Lamas found probable cause to believe that the offenses were committed and that Defendant committed them. Defendant was also charged in MNCIS file **27-CR-20-22646** with Harrassment (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/21/2020. Defendant was also charged in MNCIS file **27-CR-22-216** with two counts of Traffic DWI (Misdemeanors), Traffic Regulation -

Proof of Insurance (Misdemeanor), and Traffic – Driving After Revocation (Misdemeanor) arising from an incident alleged to have occurred on 1/20/2021. Defendant was also charged in MNCIS file **27-CR-22-5238** with Trespass (Misdemeanor), Transit Crime – Smoke/Carry Lighted Paraphernalia (Misdemeanor), and Possession of Drug Paraphernalia (Misdemeanor), arising from an incident alleged to have occurred on 3/21/2022.

2. On 1/12/2022, Judge Lisa Janzen ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Stephanie Bruss. Psy.D., L.P., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Stephanie Bruss. Psy.D., L.P., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.

2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Filipski, Assistant Hennepin County Attorney – Criminal Division;

Shira Burton, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential

community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed

change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant’s treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.

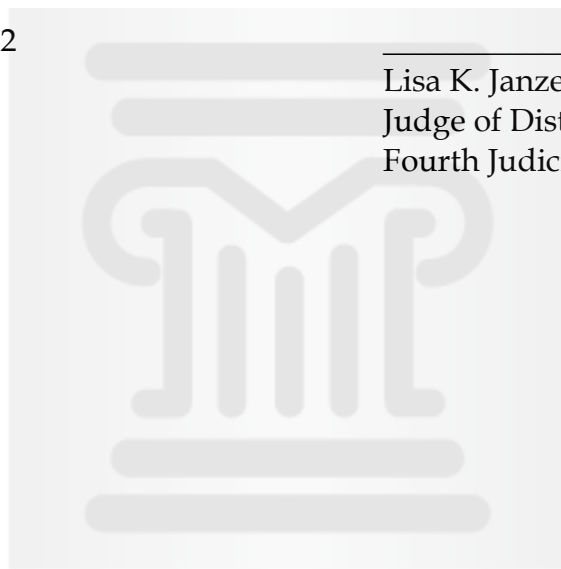
13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant’s next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant’s competence to proceed is **November 1, 2022**. One week prior to that date, reports regarding Defendant’s competency and mental status shall be e-filed and e-served to:
15. Defendant’s competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Shira Burton, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney’s Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email

to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: May 3, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District



MINNESOTA
JUDICIAL
BRANCH

Oct 06, 2021

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-20-20788;
Lawrence Joseph Durheim,	)	27-CR-21-4577
)	
Defendant.)	

This matter came before the undersigned Judge on October 6, 2021. Jacob Fischmann, Assistant Hennepin County Attorney, represented the plaintiff. Derek Archambault represented the City of Robbinsdale. Defendant, who was in custody, was represented by Shira Burton, Assistant Hennepin County Public Defender. Parties agreed to waive their appearances.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 8/21/70), was charged in MNCIS file 27-CR-20-20788 with Domestic Assault (Felony) and two counts of Domestic Assault (Misdemeanor) arising from an incident alleged to have occurred on 9/12/20; and in MNCIS file 27-CR-21-4577 with Violate Domestic Abuse No Contact Order (Misdemeanor) arising from an incident alleged to have occurred on 3/7/21. On 9/8/21, Judge Carolina Lamas found probable cause to believe that the offenses were committed and that Defendant committed them.
2. On 9/8/21, Judge Carolina Lamas ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.

3. Dr. Kimberly Turner, Ph.D., L.P., Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Kimberly Turner, Ph.D., L.P., Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charge(s) must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Jacob Fischmann, Assistant Hennepin County Attorney – Criminal
Division;

Derek Archambault, Robbinsdale City Attorney;

Shira Burton, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.

4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.

9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of

release consistent with the proposed change in status in the civil commitment matter.

13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is April 5, 2022. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Shira Burton, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: October 6, 2021

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-19-12466, 27-CR-19-
Terrell Johnson,	)	19606, 27-CR-20-8926, 27-CR-20-20037, 27-
	)	CR-21-19552, 27-CR-21-23233, 27-CR-22-
Defendant.	)	1165, 27-CR-20-23781, 27-CR-20-23605, 27-
	)	CR-22-390, 27-CR-21-21578, 27-CR-22-187,
	)	27-CR-21-7553, 27-CR-21-12369, 27-CR-21-
	)	14359, 27-CR-21-3139, 27-CR-21-21436, 27-
	)	CR-21-19332, 27-CR-21-21046

This matter came before the undersigned Judge on March 8, 2022.

Warsame Galaydh, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Heidi Johnston, Minneapolis City Attorney, represents the City of Minneapolis. Jennifer Spalding, represents the City of Crystal. Jennifer Cross, represents the City of Bloomington. Melanie Persellin, represents the City of New Hope. Amanda Grossman, represents the City of Brooklyn Park. Defendant appeared out of custody and was represented by Rachel Kowarsky, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file 27-CR-19-12466 with Drugs-3rd Degree (Felony) arising from an incident alleged to have occurred on 5/28/2019; in MNCIS file 27-CR-19-19606 with Drugs-3rd Degree (Felony) arising from an incident alleged to have occurred on 8/12/2019; in MNCIS file 27-CR-20-8926 with Drugs-5th Degree (Felony) arising from an incident alleged to have

occurred on 4/2/2020; in MNCIS file 27-CR-20-20037 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 4/6/2019; in MNCIS file 27-CR-21-19552 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 7/12/2021; in MNCIS file 27-CR-21-23233 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 12/17/2021; in MNCIS file 27-CR-22-1165 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 10/9/2021; in MNCIS file 27-CR-20-23781 with Driving After Cancellation (Gross Misdemeanor) arising from an incident alleged to have occurred on 11/7/2020; in MNCIS file 27-CR-20-23605 with Driving After Cancellation (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/27/2020; in MNCIS file 27-CR-22-390 with Indecent Exposure (Gross Misdemeanor) arising from an incident alleged to have occurred on 8/14/2021; in MNCIS file 27-CR-21-21578 with Trespass in Critical Public Service Facilities, Pipeline (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/29/2021; in MNCIS file 27-CR-22-1187 with Trespass on Critical Public Service Facilities, Pipeline (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/16/2021; in MNCIS file 27-CR-21-7553 with Indecent Exposure (Misdemeanor) arising from an incident alleged to have occurred on 4/14/2021; in MNCIS file 27-CR-21-12369 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 7/2/2021; in MNCIS file 27-CR-21-14359 with Assault-5th Degree (Misdemeanor) arising from an incident alleged to have occurred on 8/2/2021; in MNCIS file 27-CR-21-3139 with 5th Degree Assault (Misdemeanor) arising from an incident alleged to have occurred on 12/24/2020; in MNCIS file 27-CR-21-21436 with Trespassing (Misdemeanor) arising from an incident alleged to have occurred on 11/2/2021; in MNCIS file 27-CR-21-19332 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 10/14/2021; in MNCIS file 27-CR-21-21046 with

Trespass (Misdemeanor) arising from an incident alleged to have occurred on 11/13/2021 . On 1/18/2022, Judge Julie Allyn found probable cause to believe that the offenses were committed, and that Defendant committed them.

2. Defendant was born on 8/28/1979.
3. On 1/19/2022, Judge Allyn ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Warsame Galaydh, Assistant Hennepin County Attorney – Criminal
Division;

Rachel Kowarski, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority

for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **September 6, 2022, at 1:30 pm**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Rachel Kowarski, Assistant Hennepin County Public Defender;
 - c. Warsame Galaydh, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: 3/8/2022

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District



MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-19-3410;
Abdirahman Ismail Farah,	)	27-CR-19-22898; 27-CR-20-9699;
	)	27-CR-20-18933; 27-CR-20-19196;
Defendant.	)	27-CR-20-19631; 27-CR-20-19797;
	)	27-CR-21-4844; 27-VB-19-114414

This matter came before the undersigned Judge on May 18, 2021. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff. Heidi Johnston represented the City of Minneapolis. Defendant, who was in custody, was represented by Matthew Elsen, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 01/01/1998), was charged in MNCIS file 27-CR-19-3410 with Trespass (Misdemeanor) and Fourth Degree Damage to Property (Misdemeanor) arising from an incident alleged to have occurred on 1/31/19; in MNCIS file 27-CR-19-22898 with Tamper with Motor Vehicle (Misdemeanor) arising from an incident alleged to have occurred on 9/16/19; in MNCIS file 27-CR-20-9699 with Theft (Felony) arising from an incident alleged to have occurred on 9/9/19; in MNCIS file 27-CR-20-18933 with Financial Transaction Card Fraud (Felony) arising from an incident alleged to have occurred on 12/23/19; in MNCIS file 27-CR-20-19196 with Theft (Gross Misdemeanor), Theft (Misdemeanor), Tamper with Motor Vehicle (Misdemeanor), and Tamper with Motor Vehicle (Misdemeanor) arising from

an incident alleged to have occurred on 9/2/20; in MNCIS file 27-CR-20-19631 with Fleeing a Peace Officer in a Motor Vehicle (Felony), Receiving Stolen Property (Felony), and Fleeing a Peace Officer by a means other than a Motor Vehicle (Misdemeanor); in MNCIS file 27-CR-20-19797 with Simple Robbery (Felony) arising from an incident alleged to have occurred on 8/29/20; in MNCIS file 27-CR-21-4844 with Fleeing a Peace Officer by a means other than a Motor Vehicle (Misdemeanor) arising from an incident alleged to have occurred on 3/9/21; and in MNCIS file 27-VB-19-114414 with Smoking in prohibited areas (Misdemeanor) arising from an incident alleged to have occurred on 4/1/19. On 4/20/21, Judge Daniel Moreno found probable cause to believe that the offenses were committed and that Defendant committed them.

2. On 4/10/21, Judge Daniel Moreno ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Maren Conway, Psy.D., LP, Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Maren Conway, Psy.D., LP, Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charge(s) must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Grant Gunderson, Assistant Hennepin County Attorney – Criminal Division;

Daniel Provencher, Assistant Hennepin County Attorney – Criminal Division;

John-Mark Halstead, Assistant Hennepin County Attorney – Criminal Division;

Heidi Johnston, Minneapolis City Attorney;

Matthew Elsen, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.

6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.
13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to

proceed is November 16, 2021. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:

15. Defendant's competency and mental status shall be e-filed and e-served to:

- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
- b. Matthew Elsen, Assistant Hennepin County Public Defender;
- c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
- d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: May 18, 2021

BY THE COURT:



Gina M. Brandt
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,

Plaintiff,

vs.

Eyuael Gonfa Kebede

Defendant.

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER REGARDING
COMPETENCY

MNCIS No: **27-CR-19-901; 27-CR-20-13495**

This matter came before the undersigned Judge on August 2, 2022. Heidi Johnston represented the City of Minneapolis. Defendant appeared out of custody and was represented by Greg Renden, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was convicted in MNCIS File No. **27-CR-19-901** DWI (Gross Misdemeanors) and charged in MNCIS File No. **27-CR-20-13495** with two counts of DWI (Gross Misdemeanor); Careless Driving (Misdemeanor); Driving After Revocation (Misdemeanor) arising from an incident alleged to have occurred on 4/25/2020. On 5/09/2022, Judge Margaret Daly found probable cause to believe that the offenses were committed and that Defendant committed them.
2. Defendant was born on 5/18/1994.
3. On 5/09/2022, Judge Margaret Daly ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.

4. Dr. Katheryn Cranbrook, Psy.D., L.P., A.B.P.P., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Katheryn Cranbrook, Psy.D., L.P., A.B.P.P., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The prosecutor has 30 days from filing of this Order to file a Notice of Intent to Prosecute the gross misdemeanor charge(s). The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Heidi Johnston, Minneapolis City Attorney – Criminal Division;

Greg Renden, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting

civil commitment to the Hennepin County Attorney's Office – Adult Services Division (“HCAO-ASD”) within five (5) days of receiving this Order.

5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically

dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **January 31, 2023**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Greg Renden, Assistant Hennepin County Public Defender;
 - c. Heidi Johnston, City of Minneapolis – Criminal Division;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: August 2, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-19-12466, 27-CR-19-
Terrell Johnson,	)	19606, 27-CR-20-8926, 27-CR-20-20037, 27-
	)	CR-21-19552, 27-CR-21-23233, 27-CR-22-
Defendant.	)	1165, 27-CR-20-23781, 27-CR-20-23605, 27-
	)	CR-22-390, 27-CR-21-21578, 27-CR-22-187,
	)	27-CR-21-7553, 27-CR-21-12369, 27-CR-21-
	)	14359, 27-CR-21-3139, 27-CR-21-21436, 27-
	)	CR-21-19332, 27-CR-21-21046

This matter came before the undersigned Judge on March 8, 2022.

Warsame Galaydh, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Heidi Johnston, Minneapolis City Attorney, represents the City of Minneapolis. Jennifer Spalding, represents the City of Crystal. Jennifer Cross, represents the City of Bloomington. Melanie Persellin, represents the City of New Hope. Amanda Grossman, represents the City of Brooklyn Park. Defendant appeared out of custody and was represented by Rachel Kowarsky, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file 27-CR-19-12466 with Drugs-3rd Degree (Felony) arising from an incident alleged to have occurred on 5/28/2019; in MNCIS file 27-CR-19-19606 with Drugs-3rd Degree (Felony) arising from an incident alleged to have occurred on 8/12/2019; in MNCIS file 27-CR-20-8926 with Drugs-5th Degree (Felony) arising from an incident alleged to have

occurred on 4/2/2020; in MNCIS file 27-CR-20-20037 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 4/6/2019; in MNCIS file 27-CR-21-19552 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 7/12/2021; in MNCIS file 27-CR-21-23233 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 12/17/2021; in MNCIS file 27-CR-22-1165 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 10/9/2021; in MNCIS file 27-CR-20-23781 with Driving After Cancellation (Gross Misdemeanor) arising from an incident alleged to have occurred on 11/7/2020; in MNCIS file 27-CR-20-23605 with Driving After Cancellation (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/27/2020; in MNCIS file 27-CR-22-390 with Indecent Exposure (Gross Misdemeanor) arising from an incident alleged to have occurred on 8/14/2021; in MNCIS file 27-CR-21-21578 with Trespass in Critical Public Service Facilities, Pipeline (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/29/2021; in MNCIS file 27-CR-22-1187 with Trespass on Critical Public Service Facilities, Pipeline (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/16/2021; in MNCIS file 27-CR-21-7553 with Indecent Exposure (Misdemeanor) arising from an incident alleged to have occurred on 4/14/2021; in MNCIS file 27-CR-21-12369 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 7/2/2021; in MNCIS file 27-CR-21-14359 with Assault-5th Degree (Misdemeanor arising from an incident alleged to have occurred on 8/2/2021; in MNCIS file 27-CR-21-3139 with 5th Degree Assault (Misdemeanor) arising from an incident alleged to have occurred on 12/24/2020; in MNCIS file 27-CR-21-21436 with Trespassing (Misdemeanor) arising from an incident alleged to have occurred on 11/2/2021; in MNCIS file 27-CR-21-19332 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 10/14/2021; in MNCIS file 27-CR-21-21046 with

Trespass (Misdemeanor) arising from an incident alleged to have occurred on 11/13/2021 . On 1/18/2022, Judge Julie Allyn found probable cause to believe that the offenses were committed, and that Defendant committed them.

2. Defendant was born on 8/28/1979.
3. On 1/19/2022, Judge Allyn ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Warsame Galaydh, Assistant Hennepin County Attorney – Criminal
Division;

Rachel Kowarski, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority

for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **September 6, 2022, at 1:30 pm**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Rachel Kowarski, Assistant Hennepin County Public Defender;
 - c. Warsame Galaydh, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: 3/8/2022

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District



MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-933;
Dwayne Anthony Bledsoe,	)	27-CR-21-17963; 27-CR-20-7092;
	)	27-CR-19-20734; 27-CR-21-19786
Defendant.)	

This matter came before the undersigned Judge on December 6, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff the felony. Heidi Johnston represented the City of Minneapolis. Defendant appeared in custody and was represented by Tiffany Spoor, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 11/03/1979), was charged in MNCIS file **27-CR-21-933** with Simple Robbery (Felony) arising from an incident alleged to have occurred on January 13, 2021; in MNCIS file **27-CR-21-17963** with Violation of Domestic Abuse No Contact Order (Gross Misdemeanor) arising from an incident alleged to have occurred on September 24, 2021; in MNCIS file **27-CR-20-7092** with Violation of Domestic Abuse No Contact Order (Gross Misdemeanor) and with Damage to Property-4th Degree (Misdemeanor) arising from an incident alleged to have occurred on February 1, 2020; in MNCIS file **27-CR-19-20734** with Assault-5th Degree (Misdemeanor) and with Fleeing a Peace Officer (Misdemeanor) arising from an incident alleged to

have occurred on August 25, 2019; in MNCIS file **27-CR-21-19786** with Trespass (Misdemeanor) arising from an incident alleged to have occurred on October 23, 2021. On February 10, 2021, Judge Paul Scoggin found probable cause to believe that the offenses were committed, and that Defendant committed them.

2. On November 2, 2022, Judge Kerry Meyer ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Maren Conway, Psy.D., LP, Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Maren Conway, Psy.D., LP, Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The prosecutor has 30 days from filing of this Order to file a Notice of Intent to Prosecute the gross misdemeanor charges. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.

2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Erin Stephens, Assistant Hennepin County Attorney – Criminal Division;

Heidi Johnston, Minneapolis City Attorney – Criminal Division;

Tiffany Spoor, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential

community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed

change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant’s treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.

13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant’s next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant’s competence to proceed is **June 6, 2023**. One week prior to that date, reports regarding Defendant’s competency and mental status shall be e-filed and e-served to:
15. Defendant’s competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Tiffany Spoor, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney’s Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email

to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: December 6, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District



MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-20-6517;
Rex Allen Basswood, Jr.,	)	27-CR-20-26723; 27-CR-21-1101;
	)	27-CR-21-2864; 27-CR-20-23224;
Defendant.	)	27-CR-20-27077; 27-CR-20-23479;
	)	27-CR-20-26197; 27-CR-20-27150;
	)	27-CR-21-3066; 27-CR-21-4110;
	)	27-CR-21-5315; 27-CR-21-9436

This matter came before the undersigned Judge on August 24, 2021. Justin Richardson, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Heidi Johnston represented the City of Minneapolis. Jennifer Cross represented the City of Bloomington. Defendant, who was out of custody, was represented by Chelsea Knutson, Assistant Hennepin County Public Defender. Parties waived their appearances.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file 27-CR-20-6517 with Theft (Felony) arising from an incident alleged to have occurred on 2/6/20; in MNCIS file 27-CR-20-26723 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 12/15/20; in MNCIS file 27-CR-21-1101 with Fourth Degree Damage to Property (Misdemeanor) and Possession of Drug Paraphernalia (Misdemeanor) arising from an incident alleged to have occurred on 1/18/21; in MNCIS file 27-CR-21-2864 with Indecent Exposure (Misdemeanor) arising from an incident alleged to have occurred on 2/11/21;

in MNCIS file 27-CR-20-23224 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 10/24/20; in MNCIS file 27-CR-20-27077 with Fifth Degree Assault (Misdemeanor) arising from an incident alleged to have occurred on 12/14/20; in MNCIS file 27-CR-20-23479 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 11/3/20; in MNCIS file 27-CR-20-26197 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 12/7/20; in MNCIS file 27-CR-20-27150 with Indecent Exposure (Misdemeanor) arising from an incident alleged to have occurred on 12/22/20; in MNCIS file 27-CR-21-3066 with Theft (Misdemeanor) and Trespass (Misdemeanor) arising from an incident alleged to have occurred on 2/15/21; in MNCIS file 27-CR-21-4110 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 3/1/21; in MNCIS file 27-CR-21-5315 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 3/17/21; and in MNCIS file 27-CR-21-9436 with Theft (Misdemeanor) and Trespass (Misdemeanor) arising from an incident alleged to have occurred on 5/18/21. On 5/13/21, Judge Sarah West found probable cause to believe that the offenses were committed and that Defendant committed them.

2. Defendant was born on 7/19/89.
3. On 5/13/21, Judge Sarah West ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Sonia Reardon, Ph.D., L.P., Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Sonia Reardon, Ph.D., L.P., Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the

ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charge(s) must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Justin Richardson, Assistant Hennepin County Attorney – Criminal
Division;

Heidi Johnston, Minneapolis City Attorney;

Jennifer Cross, Bloomington City Attorney;

Chelsea Knutson, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.

5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is February 22, 2022. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Chelsea Knutson, Assistant Hennepin County Public Defender;
 - c. Justin Richardson, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: August 24, 2021

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-20-6517;
Rex Basswood,	)	27-CR-21-23131; 27-CR-22-8351;
	)	27-CR-22-13568;
Defendant.)	

This matter came before the undersigned Judge on September 6, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Jennifer Cross, Bloomington City Attorney, waived her appearance. Heidi Johnston represented the City of Minneapolis. Defendant appeared out of custody and was represented by Chelsea Knuston, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file 27-CR-20-6517 with Theft (Felony) arising from an incident alleged to have occurred on 02/06/20; in MNCIS file 27-CR-21-23131 with Theft (Felony) arising from an incident alleged to have occurred on 12/14/21; in MNCIS file 27-CR-22-8351 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 05/02/22; and in MNCIS file 27-CR-22-13568 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 07/12/22. On 05/13/21, Judge Sarah West found probable cause to believe that the offenses were committed and that Defendant committed them.

2. Defendant was born on 07/19/89.
3. On 06/21/22, Judge Hilary Caligiuri ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Sonia Reardon, Ph.D., LP, Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Sonia Reardon, Ph.D., LP, Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charge(s) must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Michael Radmer, Assistant Hennepin County Attorney;

Daniel Provencher, Assistant Hennepin County Attorney;

Chelsea Knutson, Assistant Hennepin County Public Defender;

Jennifer Cross, Bloomington City Attorney;

Heidi Johnston, Minneapolis City Attorney

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

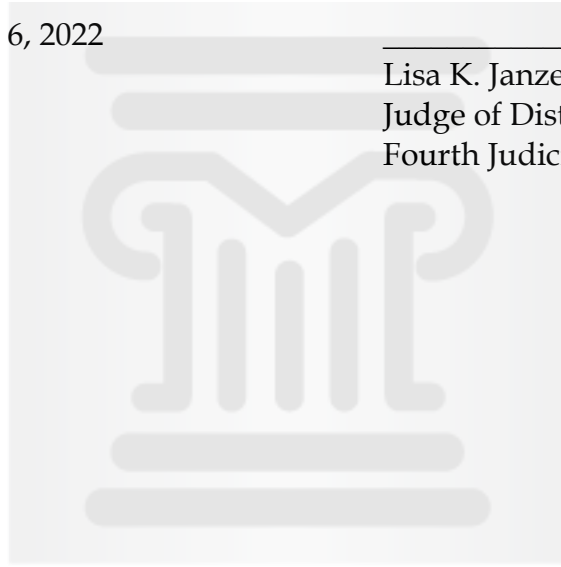
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is March 7, 2023. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Chelsea Knutson, Assistant Hennepin County Public Defender;
 - c. Michael Radmer, Assistant Hennepin County Attorney;
 - d. Daniel Provencher, Assistant Hennepin County Attorney;
 - e. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - f. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email

to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: September 6, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District



MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

State of Minnesota

Plaintiff,

**ORDER REGARDING GENERAL
FINDINGS FOR STIPULATED
EVIDENCE TRIAL**

vs.

Carmen Bendu Greaves,

File No. **27-CR-21-23628**

Defendant.

Judge Daniel C. Moreno

On February 28, 2022, this matter was assigned to the Honorable Judge Daniel C. Moreno from the Master Trial Calendar. That day, Carmen Bendu Greaves (“Defendant” herein) waived her right to a jury trial and the parties agreed to proceed with a stipulated evidence trial pursuant to Minn. R. Crim. P. 26.01, Subd. 3. The parties provided the Court with twenty-one exhibits and written closing arguments by March 11, 2022. The Court took this matter under advisement.

Based upon all the files, records, and written arguments of counsel, and the Court being fully advised in the premises,

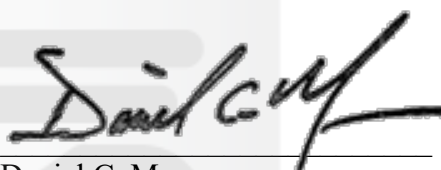
IT IS HEREBY ORDERED THAT:

1. Defendant is found GUILTY of Count I, Burglary in the First Degree, in violation of Minn. Stat. § 609.582.1(a);
2. Defendant is found GUILTY of Count II, Felony OFP Violation, in violation of Minn. Stat. § 518B.01.14(d)(1);
3. Defendant is found GUILTY of Count III, Felony DANCO violation, in violation of Minn. Stat. § 629.75.2(d);

4. The Court will issue a memorandum detailing its findings of the essential facts in accordance with Minn. R. Crim. P. 26.01, Subd. 2(b).

Dated: March 22, 2022

BY THE COURT:


Daniel C. Moreno
Judge of District Court

MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-19723;
Brittany Latesha Crutchfield,	)	27-CR-21-23456; 27-CR-22-15550;
	)	27-CR-22-2107; 27-CR-22-2766;
Defendant.	)	27-CR-22-4639; 27-CR-22-12973;
	)	27-CR-22-14901

This matter came before the undersigned Judge on August 16, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff on the Felony matters. Greg Holly represented the City of Richfield. David Ross represent the City of Brooklyn Center. Heidi Johnston represented the City of Minneapolis. Defendant appeared in custody and was represented by Alicia Granse, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 03/06/1988), was charged in MNCIS file **27-CR-21-19723** with 3rd Degree Burglary (Felony) and Fleeing a Police Officer by Means Other than Motor Vehicle (Misdemeanor) arising from an incident alleged to have occurred on 10/21/2021; in MNCIS file **27-CR-21-23456** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/19/2021; in MNCIS file **27-CR-22-15550** with 3rd Degree Burglary (Felony), Fleeing a Police Officer by Means Other Than a Motor Vehicle (Misdemeanor), and Theft (Misdemeanor) arising from an incident alleged to have occurred on 8/05/2022; in MNCIS file **27-CR-22-2107** with

Theft (Misdemeanor) arising from an incident alleged to have occurred on 2/02/2022; in MNCIS file **27-CR-22-2766** with Theft (Misdemeanor) arising from an incident alleged to have occurred on 2/13/2022; in MNCIS file **27-CR-22-4639** with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 3/13/2022; in MNCIS file **27-CR-22-12973** with Theft (Misdemeanor) arising from an incident alleged to have occurred on 6/24/2022; in MNCIS file **27-CR-22-14901** with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 7/29/2022. On 7/11/2022, Judge Anna Andow found probable cause to believe that the offense were committed and that Defendant committed them.

2. On 7/28/2022, Judge Anna Andow ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Lauren A. Herbert, Psy.D., L.P., Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Lauren A. Herbert, Psy.D., L.P., Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court

retains authority over the criminal case, including but not limited to, bail or conditions of release.

2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Freeman, Assistant Hennepin County Attorney;

Greg Holly, Richfield City Attorney – Criminal Division;

David Ross, Brooklyn City Attorney – Criminal Division;

Heidi Johnston, Minneapolis City Attorney – Criminal Division;

Alicia Granse, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained

by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil

commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.

13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **February 14, 2023**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Alicia Granse, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];

- d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County’s Human Services and Public Health Department.

BY THE COURT:

DATED: August 16, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-19-12466, 27-CR-19-
Terrell Johnson,	)	19606, 27-CR-20-8926, 27-CR-20-20037, 27-
	)	CR-21-19552, 27-CR-21-23233, 27-CR-22-
Defendant.	)	1165, 27-CR-20-23781, 27-CR-20-23605, 27-
	)	CR-22-390, 27-CR-21-21578, 27-CR-22-187,
	)	27-CR-21-7553, 27-CR-21-12369, 27-CR-21-
	)	14359, 27-CR-21-3139, 27-CR-21-21436, 27-
	)	CR-21-19332, 27-CR-21-21046

This matter came before the undersigned Judge on March 8, 2022. Warsame Galaydh, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Heidi Johnston, Minneapolis City Attorney, represents the City of Minneapolis. Jennifer Spalding, represents the City of Crystal. Jennifer Cross, represents the City of Bloomington. Melanie Persellin, represents the City of New Hope. Amanda Grossman, represents the City of Brooklyn Park. Defendant appeared out of custody and was represented by Rachel Kowarsky, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file 27-CR-19-12466 with Drugs-3rd Degree (Felony) arising from an incident alleged to have occurred on 5/28/2019; in MNCIS file 27-CR-19-19606 with Drugs-3rd Degree (Felony) arising from an incident alleged to have occurred on 8/12/2019; in MNCIS file 27-CR-20-8926 with Drugs-5th Degree (Felony) arising from an incident alleged to have

occurred on 4/2/2020; in MNCIS file 27-CR-20-20037 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 4/6/2019; in MNCIS file 27-CR-21-19552 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 7/12/2021; in MNCIS file 27-CR-21-23233 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 12/17/2021; in MNCIS file 27-CR-22-1165 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 10/9/2021; in MNCIS file 27-CR-20-23781 with Driving After Cancellation (Gross Misdemeanor) arising from an incident alleged to have occurred on 11/7/2020; in MNCIS file 27-CR-20-23605 with Driving After Cancellation (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/27/2020; in MNCIS file 27-CR-22-390 with Indecent Exposure (Gross Misdemeanor) arising from an incident alleged to have occurred on 8/14/2021; in MNCIS file 27-CR-21-21578 with Trespass in Critical Public Service Facilities, Pipeline (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/29/2021; in MNCIS file 27-CR-22-1187 with Trespass on Critical Public Service Facilities, Pipeline (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/16/2021; in MNCIS file 27-CR-21-7553 with Indecent Exposure (Misdemeanor) arising from an incident alleged to have occurred on 4/14/2021; in MNCIS file 27-CR-21-12369 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 7/2/2021; in MNCIS file 27-CR-21-14359 with Assault-5th Degree (Misdemeanor) arising from an incident alleged to have occurred on 8/2/2021; in MNCIS file 27-CR-21-3139 with 5th Degree Assault (Misdemeanor) arising from an incident alleged to have occurred on 12/24/2020; in MNCIS file 27-CR-21-21436 with Trespassing (Misdemeanor) arising from an incident alleged to have occurred on 11/2/2021; in MNCIS file 27-CR-21-19332 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 10/14/2021; in MNCIS file 27-CR-21-21046 with

Trespass (Misdemeanor) arising from an incident alleged to have occurred on 11/13/2021 . On 1/18/2022, Judge Julie Allyn found probable cause to believe that the offenses were committed, and that Defendant committed them.

2. Defendant was born on 8/28/1979.
3. On 1/19/2022, Judge Allyn ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Warsame Galaydh, Assistant Hennepin County Attorney – Criminal
Division;

Rachel Kowarski, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority

for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **September 6, 2022, at 1:30 pm**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Rachel Kowarski, Assistant Hennepin County Public Defender;
 - c. Warsame Galaydh, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: 3/8/2022

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District



MINNESOTA
JUDICIAL
BRANCH

Sep 13, 2022

STATE OF MINNESOTA
COUNTY OF HENNEPINDISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-1980;
Gordan Eugene Sharp,	)	27-CR-21-20072; 27-CR-21-4433;
	)	27-CR-21-7909; 27-CR-21-20988;
Defendant.	)	27-CR-21-21355; 27-CR-21-23188;
	)	27-CR-21-23215; 27-CR-22-4087

This matter came before the undersigned Judge on September 13, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the State of Minnesota on the Felony matters. Jennifer Cross, Bloomington City Attorney, waived her appearance. Heidi Johnston represented the City of Minneapolis. Defendant appeared in custody and was represented by Chase Myhran, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 5/13/1988), was charged in MNCIS file **27-CR-21-1980** with Theft (Felony) arising from an incident alleged to have occurred on 1/27/2021; in MNCIS file **27-CR-21-20072** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 10/01/2021; in MNCIS file **27-CR-21-4433** with Theft (Misdemeanor) arising from an incident alleged to have occurred on 03/04/2021; in MNCIS file **27-CR-21-7909** with Theft (Gross Misdemeanor) arising from an incident alleged to have occurred on 3/27/2021; in MNCIS file **27-CR-21-20988** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 11/09/2021; in MNCIS

file **27-CR-21-21355** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 11/16/2021; in MNCIS file **27-CR-21-23188** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/11/2021; in MNCIS file **27-CR-21-23215** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/16/2021; in MNCIS file **27-CR-22-4087** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/09/2021. On 8/09/2022, Judge Gina Brandt found probable cause to believe that the offenses were committed and that Defendant committed them.

2. On 8/09/2022, Judge Gina Brandt ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Josie Skala, M.D., of the University of Minnesota's Department of Psychiatry, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Josie Skala, M.D., of the University of Minnesota's Department of Psychiatry, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The prosecutor has 30 days from filing of this Order to file a Notice of Intent to Prosecute the gross misdemeanor charge(s). The misdemeanor charge must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Dawn O'Rourke, Assistant Hennepin County Attorney;

Jennifer Cross, Bloomington City Attorney – Criminal Division;

Heidi Johnston, Minneapolis City Attorney – Criminal Division;

Chase Myhran, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has

provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

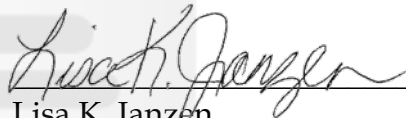
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.

12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.
13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **March 14, 2023**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Chase Myhran, Assistant Hennepin County Public Defender;

- c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: September 13, 2023



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

Sep 13, 2022

STATE OF MINNESOTA
COUNTY OF HENNEPINDISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-1980;
Gordan Eugene Sharp,	)	27-CR-21-20072; 27-CR-21-4433;
	)	27-CR-21-7909; 27-CR-21-20988;
Defendant.	)	27-CR-21-21355; 27-CR-21-23188;
	)	27-CR-21-23215; 27-CR-22-4087

This matter came before the undersigned Judge on September 13, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the State of Minnesota on the Felony matters. Jennifer Cross, Bloomington City Attorney, waived her appearance. Heidi Johnston represented the City of Minneapolis. Defendant appeared in custody and was represented by Chase Myhran, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 5/13/1988), was charged in MNCIS file **27-CR-21-1980** with Theft (Felony) arising from an incident alleged to have occurred on 1/27/2021; in MNCIS file **27-CR-21-20072** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 10/01/2021; in MNCIS file **27-CR-21-4433** with Theft (Misdemeanor) arising from an incident alleged to have occurred on 03/04/2021; in MNCIS file **27-CR-21-7909** with Theft (Gross Misdemeanor) arising from an incident alleged to have occurred on 3/27/2021; in MNCIS file **27-CR-21-20988** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 11/09/2021; in MNCIS

file **27-CR-21-21355** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 11/16/2021; in MNCIS file **27-CR-21-23188** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/11/2021; in MNCIS file **27-CR-21-23215** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/16/2021; in MNCIS file **27-CR-22-4087** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/09/2021. On 8/09/2022, Judge Gina Brandt found probable cause to believe that the offenses were committed and that Defendant committed them.

2. On 8/09/2022, Judge Gina Brandt ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Josie Skala, M.D., of the University of Minnesota's Department of Psychiatry, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Josie Skala, M.D., of the University of Minnesota's Department of Psychiatry, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The prosecutor has 30 days from filing of this Order to file a Notice of Intent to Prosecute the gross misdemeanor charge(s). The misdemeanor charge must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Dawn O'Rourke, Assistant Hennepin County Attorney;

Jennifer Cross, Bloomington City Attorney – Criminal Division;

Heidi Johnston, Minneapolis City Attorney – Criminal Division;

Chase Myhran, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has

provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

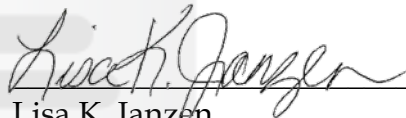
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.

12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.
13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **March 14, 2023**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Chase Myhran, Assistant Hennepin County Public Defender;

- c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: September 13, 2023



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-20-6517;
Rex Basswood,	)	27-CR-21-23131; 27-CR-22-8351;
	)	27-CR-22-13568;
Defendant.)	

This matter came before the undersigned Judge on September 6, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Jennifer Cross, Bloomington City Attorney, waived her appearance. Heidi Johnston represented the City of Minneapolis. Defendant appeared out of custody and was represented by Chelsea Knuston, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file 27-CR-20-6517 with Theft (Felony) arising from an incident alleged to have occurred on 02/06/20; in MNCIS file 27-CR-21-23131 with Theft (Felony) arising from an incident alleged to have occurred on 12/14/21; in MNCIS file 27-CR-22-8351 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 05/02/22; and in MNCIS file 27-CR-22-13568 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 07/12/22. On 05/13/21, Judge Sarah West found probable cause to believe that the offenses were committed and that Defendant committed them.

2. Defendant was born on 07/19/89.
3. On 06/21/22, Judge Hilary Caligiuri ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Sonia Reardon, Ph.D., LP, Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Sonia Reardon, Ph.D., LP, Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charge(s) must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Michael Radmer, Assistant Hennepin County Attorney;

Daniel Provencher, Assistant Hennepin County Attorney;

Chelsea Knutson, Assistant Hennepin County Public Defender;

Jennifer Cross, Bloomington City Attorney;

Heidi Johnston, Minneapolis City Attorney

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division (“HCAO-ASD”) within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

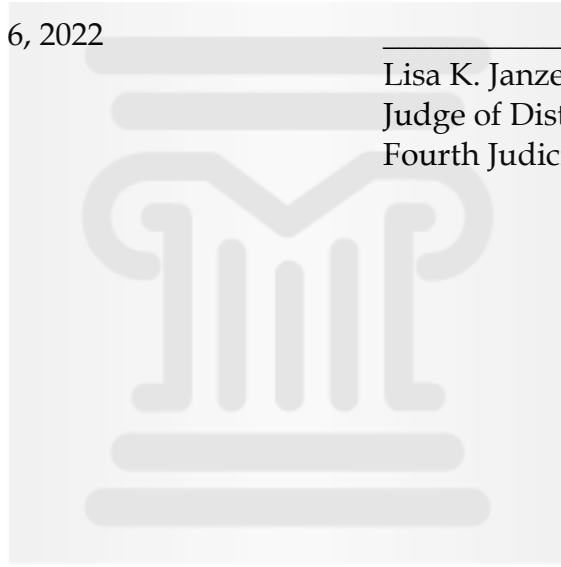
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is March 7, 2023. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Chelsea Knutson, Assistant Hennepin County Public Defender;
 - c. Michael Radmer, Assistant Hennepin County Attorney;
 - d. Daniel Provencher, Assistant Hennepin County Attorney;
 - e. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - f. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email

to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: September 6, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District



MINNESOTA
JUDICIAL
BRANCH

Sep 13, 2022

STATE OF MINNESOTA
COUNTY OF HENNEPINDISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-1980;
Gordan Eugene Sharp,	)	27-CR-21-20072; 27-CR-21-4433;
	)	27-CR-21-7909; 27-CR-21-20988;
Defendant.	)	27-CR-21-21355; 27-CR-21-23188;
	)	27-CR-21-23215; 27-CR-22-4087

This matter came before the undersigned Judge on September 13, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the State of Minnesota on the Felony matters. Jennifer Cross, Bloomington City Attorney, waived her appearance. Heidi Johnston represented the City of Minneapolis. Defendant appeared in custody and was represented by Chase Myhran, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 5/13/1988), was charged in MNCIS file **27-CR-21-1980** with Theft (Felony) arising from an incident alleged to have occurred on 1/27/2021; in MNCIS file **27-CR-21-20072** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 10/01/2021; in MNCIS file **27-CR-21-4433** with Theft (Misdemeanor) arising from an incident alleged to have occurred on 03/04/2021; in MNCIS file **27-CR-21-7909** with Theft (Gross Misdemeanor) arising from an incident alleged to have occurred on 3/27/2021; in MNCIS file **27-CR-21-20988** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 11/09/2021; in MNCIS

file **27-CR-21-21355** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 11/16/2021; in MNCIS file **27-CR-21-23188** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/11/2021; in MNCIS file **27-CR-21-23215** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/16/2021; in MNCIS file **27-CR-22-4087** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/09/2021. On 8/09/2022, Judge Gina Brandt found probable cause to believe that the offenses were committed and that Defendant committed them.

2. On 8/09/2022, Judge Gina Brandt ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Josie Skala, M.D., of the University of Minnesota's Department of Psychiatry, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Josie Skala, M.D., of the University of Minnesota's Department of Psychiatry, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The prosecutor has 30 days from filing of this Order to file a Notice of Intent to Prosecute the gross misdemeanor charge(s). The misdemeanor charge must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Dawn O'Rourke, Assistant Hennepin County Attorney;

Jennifer Cross, Bloomington City Attorney – Criminal Division;

Heidi Johnston, Minneapolis City Attorney – Criminal Division;

Chase Myhran, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has

provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

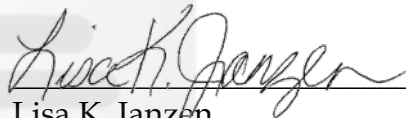
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.

12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.
13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **March 14, 2023**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Chase Myhran, Assistant Hennepin County Public Defender;

- c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: September 13, 2023



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-1980;
Gordan Eugene Sharp,	)	27-CR-21-20072; 27-CR-21-4433;
	)	27-CR-21-7909; 27-CR-21-20988;
Defendant.	)	27-CR-21-21355; 27-CR-21-23188;
	)	27-CR-21-23215; 27-CR-22-4087

This matter came before the undersigned Judge on September 13, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the State of Minnesota on the Felony matters. Jennifer Cross, Bloomington City Attorney, waived her appearance. Heidi Johnston represented the City of Minneapolis. Defendant appeared in custody and was represented by Chase Myhran, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 5/13/1988), was charged in MNCIS file **27-CR-21-1980** with Theft (Felony) arising from an incident alleged to have occurred on 1/27/2021; in MNCIS file **27-CR-21-20072** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 10/01/2021; in MNCIS file **27-CR-21-4433** with Theft (Misdemeanor) arising from an incident alleged to have occurred on 03/04/2021; in MNCIS file **27-CR-21-7909** with Theft (Gross Misdemeanor) arising from an incident alleged to have occurred on 3/27/2021; in MNCIS file **27-CR-21-20988** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 11/09/2021; in MNCIS

file **27-CR-21-21355** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 11/16/2021; in MNCIS file **27-CR-21-23188** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/11/2021; in MNCIS file **27-CR-21-23215** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/16/2021; in MNCIS file **27-CR-22-4087** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/09/2021. On 8/09/2022, Judge Gina Brandt found probable cause to believe that the offenses were committed and that Defendant committed them.

2. On 8/09/2022, Judge Gina Brandt ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Josie Skala, M.D., of the University of Minnesota's Department of Psychiatry, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Josie Skala, M.D., of the University of Minnesota's Department of Psychiatry, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The prosecutor has 30 days from filing of this Order to file a Notice of Intent to Prosecute the gross misdemeanor charge(s). The misdemeanor charge must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Dawn O'Rourke, Assistant Hennepin County Attorney;

Jennifer Cross, Bloomington City Attorney – Criminal Division;

Heidi Johnston, Minneapolis City Attorney – Criminal Division;

Chase Myhran, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has

provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

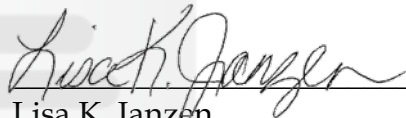
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.

12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.
13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **March 14, 2023**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Chase Myhran, Assistant Hennepin County Public Defender;

- c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: September 13, 2023



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-20637
Daniel Lamar Ford,)	
)	
Defendant.)	

This matter came before the undersigned Judge on November 23, 2021.
Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff.
Defendant appeared in custody and was represented by Christina Moriarty,
Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court
makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 08/28/91), was charged in MNCIS file 27-CR-21-20637 with Fifth Degree Assault (Felony) arising from an incident alleged to have occurred on 09/04/21. On 11/08/21, Judge Tamara Garcia found probable cause to believe that the offense was committed and that Defendant committed it.
2. On 11/08/21, Judge Tamara Garcia ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Brie Pileggi-Valleen, Psy.D., LP, Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant,

and filed a written report with this Court in files 27-CR-20-14068, 27-CR-20-18844, and 27-CR-20-256.

4. Dr. Brie Pileggi-Valleen, Psy.D., LP, Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Stephen Moeller, Assistant Hennepin County Attorney – Criminal
Division;

Robyn Gordon, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting

civil commitment to the Hennepin County Attorney's Office – Adult Services Division (“HCAO-ASD”) within five (5) days of receiving this Order.

5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically

dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.

13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant’s next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant’s competence to proceed is April 19, 2022. One week prior to that date, reports regarding Defendant’s competency and mental status shall be e-filed and e-served to:
15. Defendant’s competency and mental status shall be e-filed and e-served to:
- Fourth Judicial District Court – 4thCriminalRule20 email list;
 - Robyn Gordon, Assistant Hennepin County Public Defender;
 - Assistant Hennepin County Attorney’s Office – Adult Services Division [if a commitment is ordered];
 - The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County’s Human Services and Public Health Department.

BY THE COURT:

DATED: November 23, 2021

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-20529, 27-CR-22-
Isaac Lee Kelley,	)	7953; 27-CR-22-5532, 27-CR-20-22956, 27-
	)	CR-21-21982
Defendant.)	

This matter came before the undersigned Judge on May 17, 2022. Dawn O'Rourke, Assistant Hennepin County Attorney, represents the plaintiff. Jennifer Cross, Assistant Bloomington City Attorney, represents the City of Bloomington. Defendant appeared in custody and was represented by Susan Herlofsky, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 3/7/1981), was charged in MNCIS file 27-CR-21-20529 with Drugs-5th Degree-Possession (Felony) arising from an incident alleged to have occurred on 11/2/2021; in MNCIS file 27-CR-22-7953 with Drugs-3rd Degree-Sale (Felony) arising from an incident alleged to have occurred on 7/4/2021; in MNCIS file 27-CR-22-5532 with Possess Ammo/Any Firearm-Conviction or Adjudicated (Felony) arising from an incident alleged to have occurred on 3/23/22; in MNCIS file 27-CR-20-22956 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 10/27/2020; in MNCIS file 27-CR-21-21982 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 11/29/2021. On

1/14/2022, Judge Thomas found probable cause to believe that the offenses were committed and that Defendant committed them.

2. On 4/19/2022, Judge Janzen ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Kimberly Turner, Ph.D., L.P., ABPP, Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Kimberly Turner, Ph.D., L.P., ABPP, Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Dawn O'Rourke, Assistant Hennepin County Attorney – Criminal
Division;

Jennifer Cross, Assistant Bloomington City Attorney;

James Horvath, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division (“HCAO-ASD”) within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

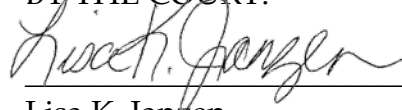
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the

following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.

13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **11/15/2022 at 1:30 pm**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. James Horvath, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: 5/17/2022

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District



MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-1980;
Gordan Eugene Sharp,	)	27-CR-21-20072; 27-CR-21-4433;
	)	27-CR-21-7909; 27-CR-21-20988;
Defendant.	)	27-CR-21-21355; 27-CR-21-23188;
	)	27-CR-21-23215; 27-CR-22-4087

This matter came before the undersigned Judge on September 13, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the State of Minnesota on the Felony matters. Jennifer Cross, Bloomington City Attorney, waived her appearance. Heidi Johnston represented the City of Minneapolis. Defendant appeared in custody and was represented by Chase Myhran, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 5/13/1988), was charged in MNCIS file **27-CR-21-1980** with Theft (Felony) arising from an incident alleged to have occurred on 1/27/2021; in MNCIS file **27-CR-21-20072** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 10/01/2021; in MNCIS file **27-CR-21-4433** with Theft (Misdemeanor) arising from an incident alleged to have occurred on 03/04/2021; in MNCIS file **27-CR-21-7909** with Theft (Gross Misdemeanor) arising from an incident alleged to have occurred on 3/27/2021; in MNCIS file **27-CR-21-20988** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 11/09/2021; in MNCIS

file **27-CR-21-21355** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 11/16/2021; in MNCIS file **27-CR-21-23188** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/11/2021; in MNCIS file **27-CR-21-23215** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/16/2021; in MNCIS file **27-CR-22-4087** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/09/2021. On 8/09/2022, Judge Gina Brandt found probable cause to believe that the offenses were committed and that Defendant committed them.

2. On 8/09/2022, Judge Gina Brandt ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Josie Skala, M.D., of the University of Minnesota's Department of Psychiatry, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Josie Skala, M.D., of the University of Minnesota's Department of Psychiatry, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The prosecutor has 30 days from filing of this Order to file a Notice of Intent to Prosecute the gross misdemeanor charge(s). The misdemeanor charge must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Dawn O'Rourke, Assistant Hennepin County Attorney;

Jennifer Cross, Bloomington City Attorney – Criminal Division;

Heidi Johnston, Minneapolis City Attorney – Criminal Division;

Chase Myhran, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has

provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

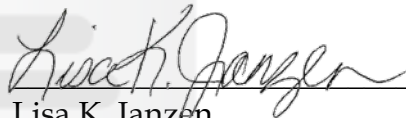
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.

12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.
13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **March 14, 2023**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Chase Myhran, Assistant Hennepin County Public Defender;

- c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: September 13, 2023



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

Oct 26, 2021

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-19723;
Brittany Latesha Crutchfield,	)	27-CR-21-15483; 27-CR-21-17251;
	)	27-CR-19-18889; 27-CR-20-18366;
Defendant.	)	27-CR-20-19457; 27-CR-20-20349;
	)	27-CR-20-21038; 27-CR-21-3548;
	)	27-CR-21-7885; 27-CR-21-7910;
	)	27-CR-21-9252; 27-CR-21-13500;
	)	27-CR-21-18148; 27-VB-14-271114217688;
	)	27-VB-19-244250; 27-CR-20-18347;
	)	27-CR-21-7648; 27-CR-21-11879

This matter came before the undersigned Judge on October 26, 2021. Christopher Freeman, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Heidi Johnston represented the City of Minneapolis. Nicole Appelbaum represented the City of Golden Valley. Derek Archambault represented the City of Robbinsdale. Steven Carlson represented the City of St. Anthony. David Ross represented the City of Brooklyn Center. Jennifer Cross represented the City of Bloomington. Defendant, who was out of custody, was represented by Alicia Granse, Christopher Lund, and Gretchen Hoffman, Assistant Hennepin County Public Defenders.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file 27-CR-21-19723 with Third Degree Burglary (Felony) and Fleeing a Peace Officer by a means other than a Motor Vehicle (Misdemeanor) arising from an incident alleged to have occurred on

10/21/21; in MNCIS file 27-CR-21-15483 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 8/17/21; in MNCIS file 27-CR-21-17251 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 9/14/21; in MNCIS file 27-CR-19-18889 with Theft (Misdemeanor) and Tamper with Motor Vehicle (Misdemeanor) arising from an incident alleged to have occurred on 7/16/19; in MNCIS file 27-CR-20-18366 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 8/24/20; in MNCIS file 27-CR-20-19457 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 9/8/20; in MNCIS file 27-CR-20-20349 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 9/1/20; in MNCIS file 27-CR-20-21038 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 7/24/20; in MNCIS file 27-CR-21-3548 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 8/21/20; in MNCIS file 27-CR-21-7885 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 3/9/21; in MNCIS file 27-CR-21-7910 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 3/23/21; in MNCIS file 27-CR-21-9252 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 5/15/21; in MNCIS file 27-CR-21-13500 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 7/15/21; in MNCIS file 27-CR-21-18148 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 9/16/21; in MNCIS file 27-VB-14-271114217688 with Fail to display current plates (Misdemeanor) arising from an incident alleged to have occurred on 10/29/14; in MNCIS file 27-VB-19-244250 with Loiter (Misdemeanor) and Consume liquor/beer in public (Misdemeanor) arising from an incident alleged to have occurred on 8/20/19; in MNCIS file 27-CR-20-18347 with Giving Peace Officer False Name (Gross Misdemeanor) arising from an incident alleged to have occurred on 6/17/20; in MNCIS file 27-CR-21-7648 with Theft (Misdemeanor) arising from an

incident alleged to have occurred on 4/17/21; and in MNCIS file 27-CR-21-11879 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 6/26/21. On 10/25/21, Judge Lyonel Norris found probable cause to believe that the offenses were committed and that Defendant committed them.

2. Defendant was born on 3/6/88.
3. On 10/25/21, Judge Lyonel Norris ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Bruce Renken, Ph.D., L.P., Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Bruce Renken, Ph.D., L.P., Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The prosecutor has 30 days from filing of this Order to file a Notice of Intent to Prosecute the gross misdemeanor charge(s). The misdemeanor charge(s) must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.

2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Freeman, Assistant Hennepin County Attorney – Criminal Division;

Alicia Granse, Assistant Hennepin County Public Defender;

Heidi Johnston, Minneapolis City Attorney;

Christopher Lund, Assistant Hennepin County Public Defender;

Nicole Appelbaum, Golden Valley City Attorney;

Gretchen Hoffman, Assistant Hennepin County Public Defender;

Derek Archambault, Robbinsdale City Attorney;

Steven Carlson, St. Anthony City Attorney;

David Ross, Brooklyn Center City Attorney;

Jennifer Cross, Bloomington City Attorney

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.

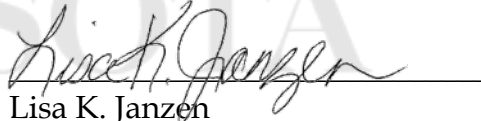
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to

proceed is April 26, 2022. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:

- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Alicia Granse, Assistant Hennepin County Public Defender;
 - c. Christopher Freeman, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: October 26, 2021

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-19723;
Brittany Latesha Crutchfield,	)	27-CR-21-23456; 27-CR-22-15550;
	)	27-CR-22-2107; 27-CR-22-2766;
Defendant.	)	27-CR-22-4639; 27-CR-22-12973;
	)	27-CR-22-14901

This matter came before the undersigned Judge on August 16, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff on the Felony matters. Greg Holly represented the City of Richfield. David Ross represent the City of Brooklyn Center. Heidi Johnston represented the City of Minneapolis. Defendant appeared in custody and was represented by Alicia Granse, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 03/06/1988), was charged in MNCIS file **27-CR-21-19723** with 3rd Degree Burglary (Felony) and Fleeing a Police Officer by Means Other than Motor Vehicle (Misdemeanor) arising from an incident alleged to have occurred on 10/21/2021; in MNCIS file **27-CR-21-23456** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/19/2021; in MNCIS file **27-CR-22-15550** with 3rd Degree Burglary (Felony), Fleeing a Police Officer by Means Other Than a Motor Vehicle (Misdemeanor), and Theft (Misdemeanor) arising from an incident alleged to have occurred on 8/05/2022; in MNCIS file **27-CR-22-2107** with

Theft (Misdemeanor) arising from an incident alleged to have occurred on 2/02/2022; in MNCIS file **27-CR-22-2766** with Theft (Misdemeanor) arising from an incident alleged to have occurred on 2/13/2022; in MNCIS file **27-CR-22-4639** with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 3/13/2022; in MNCIS file **27-CR-22-12973** with Theft (Misdemeanor) arising from an incident alleged to have occurred on 6/24/2022; in MNCIS file **27-CR-22-14901** with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 7/29/2022. On 7/11/2022, Judge Anna Andow found probable cause to believe that the offense were committed and that Defendant committed them.

2. On 7/28/2022, Judge Anna Andow ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Lauren A. Herbert, Psy.D., L.P., Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Lauren A. Herbert, Psy.D., L.P., Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court

retains authority over the criminal case, including but not limited to, bail or conditions of release.

2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Freeman, Assistant Hennepin County Attorney;

Greg Holly, Richfield City Attorney – Criminal Division;

David Ross, Brooklyn City Attorney – Criminal Division;

Heidi Johnston, Minneapolis City Attorney – Criminal Division;

Alicia Granse, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained

by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil

commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.

13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **February 14, 2023**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Alicia Granse, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];

- d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County’s Human Services and Public Health Department.

BY THE COURT:

DATED: August 16, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-19-12466, 27-CR-19-
Terrell Johnson,	)	19606, 27-CR-20-8926, 27-CR-20-20037, 27-
	)	CR-21-19552, 27-CR-21-23233, 27-CR-22-
Defendant.	)	1165, 27-CR-20-23781, 27-CR-20-23605, 27-
	)	CR-22-390, 27-CR-21-21578, 27-CR-22-187,
	)	27-CR-21-7553, 27-CR-21-12369, 27-CR-21-
	)	14359, 27-CR-21-3139, 27-CR-21-21436, 27-
	)	CR-21-19332, 27-CR-21-21046

This matter came before the undersigned Judge on March 8, 2022. Warsame Galaydh, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Heidi Johnston, Minneapolis City Attorney, represents the City of Minneapolis. Jennifer Spalding, represents the City of Crystal. Jennifer Cross, represents the City of Bloomington. Melanie Persellin, represents the City of New Hope. Amanda Grossman, represents the City of Brooklyn Park. Defendant appeared out of custody and was represented by Rachel Kowarsky, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file 27-CR-19-12466 with Drugs-3rd Degree (Felony) arising from an incident alleged to have occurred on 5/28/2019; in MNCIS file 27-CR-19-19606 with Drugs-3rd Degree (Felony) arising from an incident alleged to have occurred on 8/12/2019; in MNCIS file 27-CR-20-8926 with Drugs-5th Degree (Felony) arising from an incident alleged to have

occurred on 4/2/2020; in MNCIS file 27-CR-20-20037 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 4/6/2019; in MNCIS file 27-CR-21-19552 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 7/12/2021; in MNCIS file 27-CR-21-23233 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 12/17/2021; in MNCIS file 27-CR-22-1165 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 10/9/2021; in MNCIS file 27-CR-20-23781 with Driving After Cancellation (Gross Misdemeanor) arising from an incident alleged to have occurred on 11/7/2020; in MNCIS file 27-CR-20-23605 with Driving After Cancellation (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/27/2020; in MNCIS file 27-CR-22-390 with Indecent Exposure (Gross Misdemeanor) arising from an incident alleged to have occurred on 8/14/2021; in MNCIS file 27-CR-21-21578 with Trespass in Critical Public Service Facilities, Pipeline (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/29/2021; in MNCIS file 27-CR-22-1187 with Trespass on Critical Public Service Facilities, Pipeline (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/16/2021; in MNCIS file 27-CR-21-7553 with Indecent Exposure (Misdemeanor) arising from an incident alleged to have occurred on 4/14/2021; in MNCIS file 27-CR-21-12369 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 7/2/2021; in MNCIS file 27-CR-21-14359 with Assault-5th Degree (Misdemeanor arising from an incident alleged to have occurred on 8/2/2021; in MNCIS file 27-CR-21-3139 with 5th Degree Assault (Misdemeanor) arising from an incident alleged to have occurred on 12/24/2020; in MNCIS file 27-CR-21-21436 with Trespassing (Misdemeanor) arising from an incident alleged to have occurred on 11/2/2021; in MNCIS file 27-CR-21-19332 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 10/14/2021; in MNCIS file 27-CR-21-21046 with

Trespass (Misdemeanor) arising from an incident alleged to have occurred on 11/13/2021 . On 1/18/2022, Judge Julie Allyn found probable cause to believe that the offenses were committed, and that Defendant committed them.

2. Defendant was born on 8/28/1979.
3. On 1/19/2022, Judge Allyn ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Warsame Galaydh, Assistant Hennepin County Attorney – Criminal
Division;

Rachel Kowarski, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority

for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **September 6, 2022, at 1:30 pm**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Rachel Kowarski, Assistant Hennepin County Public Defender;
 - c. Warsame Galaydh, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: 3/8/2022

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District



MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-16111
Charlesetta Starlet Brown,)	
)	
Defendant.)	

This matter came before the undersigned Judge on October 26, 2021.
Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff.
Defendant appeared in custody and was represented by Andrea Reynolds,
Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court
makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 2/3/91), was charged in MNCIS file 27-CR-21-16111 with Threats of Violence (Felony) arising from an incident alleged to have occurred on 8/26/21. On 9/20/21, Judge Paul Scoggin found probable cause to believe that the offense was committed and that Defendant committed it.
2. On 9/20/21, Judge Paul Scoggin ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Kimberly Turner, Ph.D., L.P., Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.

4. Dr. Kimberly Turner, Ph.D., L.P., Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Allison Reyerson, Assistant Hennepin County Attorney – Criminal Division;

Andrea Reynolds, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.

5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin

County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.
13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure

custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.

14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is April 26, 2022. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Andrea Reynolds, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: October 26, 2021

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

Filed in District Court
State of Minnesota

Aug 30, 2022

STATE OF MINNESOTA
COUNTY OF HENNEPINDISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-16111;
Charlesetta Starlet Brown,	)	27-CR-22-15430
)	
Defendant.)	

This matter came before Judge Meyer on August 30, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Defendant appeared out of custody and was represented by Andrea Reynolds, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file **27-CR-21-16111** with Threats of Violence (Felony) arising from an incident alleged to have occurred on 8/26/2021 and in MNCIS file 27-CR-22-15430 with Third Degree Assault (Felony) arising from an incident alleged to have occurred on 07/22/2022. On 2/09/2022, Judge Lisa Janzen found probable cause to believe that the offense was committed and that Defendant committed them.
2. Defendant was born on 10/13/1992.
3. On 6/21/2022, Judge Lisa Janzen ordered on the record that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.

4. Dr. Jessica Miles, Ph.D., L.P., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Jessica Miles, Ph.D., L.P., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

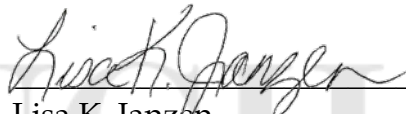
Allison Reyerson, Assistant Hennepin County Attorney;
Erin Stephens, Assistant Hennepin County Attorney;
Andrea Reynolds, Assistant Hennepin County Public Defender
3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.

5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **February 28, 2023**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Andrea Reynolds, Assistant Hennepin County Public Defender;
 - c. Allison Reyerson, Assistant Hennepin County Attorney;
 - d. Erin Stephens, Assistant Hennepin County Attorney;
 - e. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - f. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: August 30, 2022



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

Feb 01, 2022

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-18-2728, 27-CR-19-
Jacob Mamar Johnson,	)	28883, 27-CR-21-4207, 27-CR-21-13795, 27-
	)	CR-21-4954, 27-CR-21-410
Defendant.)	

This matter came before the undersigned Judge on February 1, 2022. Kacy Wothe and Albania Concepcion, Assistant Hennepin County Attorneys, represent the plaintiff. Heidi Johnston, Assistant Minneapolis City Attorney, represents the City of Minneapolis. Defendant appeared in custody and is represented by Holly Frame, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 12/18/1988), was charged in MNCIS file 27-CR-18-2728 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 3/16/2017; in MNCIS file 27-CR-19-28883 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 9/6/2019; in MNCIS file 27-CR-21-4207 with Damage to Property-1st Degree (Felony) arising from an incident alleged to have occurred on 1/21/2021; in MNCIS file 27-CR-21-13795 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 7/22/2021; in MNCIS file 27-CR-21-4954 with Carry BB Gun/Rifle/Shotgun/ASLT WPN -Public (Gross Misdemeanor) arising from an incident alleged to have occurred on 3/10/2021; in MNCIS

file 27-CR-21-410 with Possessing injection equipment (Misdemeanor) arising from an incident alleged to have occurred on 11/13/2020 . On 12/17/2021, Judge Norris found probable cause to believe that the offenses were committed, and that Defendant committed them.

2. On 12/17/2021, Judge Norris ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Bruce Renken, Ph.D., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Bruce Renken, Ph.D., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Kacy Wothe & Albania Concepcion, Assistant Hennepin County Attorney
– Criminal Division;

Heidi Johnston, Assistant Minneapolis City Attorney;

Holly Frame, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority

for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the

Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant’s treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.

13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant’s next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant’s competence to proceed is **8/2/2022 at 1:30 pm**. One week prior to that date, reports regarding Defendant’s competency and mental status shall be e-filed and e-served to:
15. Defendant’s competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Holly Frame, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney’s Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email

to the Prepetition Screening Program of Hennepin County's Human Services
and Public Health Department.

BY THE COURT:

DATED: 2/1/2022



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

Jun 14, 2022

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-8067;
Lucas Patrick Kraskey,	)	27-CR-21-6904; 27-CR-21-8227;
	)	27-CR-21-8228; 27-CR-21-8229;
Defendant.	)	27-CR-21-8230; 27-CR-21-8511

This matter came before the undersigned Judge on June 14, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Defendant appeared out of custody and was represented by Eric Hawkins, Attorney at Law.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file **27-CR-21-8067** with 1st Degree Damage to Property (Felony) arising from an incident alleged to have occurred on 02/25/2021; in MNCIS file **27-CR-21-6904** with 3rd Degree Damage to Property (Gross Misdemeanor), and Public Urination (Misdemeanor), arising from an incident alleged to have occurred on 01/29/2021; in MNCIS file **27-CR-21-8227** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 02/24/2021; in MNCIS file **27-CR-21-8228** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 02/23/2021; in MNCIS file **27-CR-21-8229** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 01/15/2021; in MNCIS file **27-CR-21-8230** with 1st Deg Damage

to Property (Felony) arising from an incident alleged to have occurred on 02/23/2021; in MNCIS file **27-CR-21-8511** with 3rd Degree Damage to Property (Gross Misdemeanor) arising from an incident alleged to have occurred on 03/09/2021. On 12/14/2021, Judge Lisa Janzen found probable cause to believe that the offenses were committed and that Defendant committed them.

2. Defendant was born on 06/01/1984.
3. On 03/23/2022, Judge Lisa Janzen ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Sonia Reardon, Ph.D., L.P., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Sonia Reardon, Ph.D., L.P., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.

2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Freeman, Assistant Hennepin County Attorney – Criminal Division;

Eric Hawkins, Attorney at Law

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential

community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **December 13, 2022**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Eric Hawkins, Attorney at Law;
 - c. Christopher Freeman, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: June 14, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-8412;
Stephone Ahmad Gammage,)	
)	
Defendant.)	

This matter came before the undersigned Judge on August 31, 2021. Kevin Lin, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Defendant, who was out of custody, was represented by Xavier Martine, Attorney at Law. Parties agreed to waive their appearances.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file 27-CR-21-8412 with Second Degree Assault (Felony) and Third Degree Assault (Felony) arising from an incident alleged to have occurred on 4/28/21. On 5/27/21, Judge Hilary Caligiuri found probable cause to believe that the offense was committed and that Defendant committed it.
2. Defendant was born on 7/1/87.
3. On 4/28/21, Judge Hilary Caligiuri ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.

4. Dr. John Anderson, Ph.D., and Dr. Kristen Otte, Psy.D., L.P., Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. John Anderson, Ph.D., and Dr. Kristen Otte, Psy.D., L.P., Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charge(s) must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Name, Assistant Hennepin County Attorney – Criminal Division;

Name, Assistant Hennepin County Public Defender
3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting

civil commitment to the Hennepin County Attorney's Office – Adult Services Division (“HCAO-ASD”) within five (5) days of receiving this Order.

5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically

dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.

11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is 6 Month Date. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:

- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
- b. Name, Assistant Hennepin County Public Defender;
- c. Name, Assistant Hennepin County Attorney;
- d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
- e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: Date

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-8412
Stephone Ahmad Gammage,)	
)	
Defendant.)	

This matter came before the undersigned Judge on March 1, 2022. Kevin Lin, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Defendant appeared out of custody and was represented by Xavier Martine, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file **27-CR-21-8412** with 2nd Degree Assault (Felony) and 3rd Degree Assault (Felony) arising from an incident alleged to have occurred on 4/28/2021. On 5/27/2021, Judge Hilary Caligiuri found probable cause to believe that the offenses were committed and that Defendant committed them.
2. Defendant was born on 07/01/1987.
3. On 12/13/2021, Judge Hilary Caligiuri ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.

4. Dr. John R. Anderson, Ph.D., LP, Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. John R. Anderson, Ph.D., LP, Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.
Kevin Lin, Assistant Hennepin County Attorney – Criminal Division;
Xavier Martine, Assistant Hennepin County Public Defender
3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting

civil commitment to the Hennepin County Attorney's Office – Adult Services Division (“HCAO-ASD”) within five (5) days of receiving this Order.

5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically

dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **August 30, 2022**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Xavier Martine, Assistant Hennepin County Public Defender;
 - c. Kevin Lin, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: March 1, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

Jun 14, 2022

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-8067;
Lucas Patrick Kraskey,	)	27-CR-21-6904; 27-CR-21-8227;
	)	27-CR-21-8228; 27-CR-21-8229;
Defendant.	)	27-CR-21-8230; 27-CR-21-8511

This matter came before the undersigned Judge on June 14, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Defendant appeared out of custody and was represented by Eric Hawkins, Attorney at Law.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file **27-CR-21-8067** with 1st Degree Damage to Property (Felony) arising from an incident alleged to have occurred on 02/25/2021; in MNCIS file **27-CR-21-6904** with 3rd Degree Damage to Property (Gross Misdemeanor), and Public Urination (Misdemeanor), arising from an incident alleged to have occurred on 01/29/2021; in MNCIS file **27-CR-21-8227** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 02/24/2021; in MNCIS file **27-CR-21-8228** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 02/23/2021; in MNCIS file **27-CR-21-8229** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 01/15/2021; in MNCIS file **27-CR-21-8230** with 1st Deg Damage

to Property (Felony) arising from an incident alleged to have occurred on 02/23/2021; in MNCIS file **27-CR-21-8511** with 3rd Degree Damage to Property (Gross Misdemeanor) arising from an incident alleged to have occurred on 03/09/2021. On 12/14/2021, Judge Lisa Janzen found probable cause to believe that the offenses were committed and that Defendant committed them.

2. Defendant was born on 06/01/1984.
3. On 03/23/2022, Judge Lisa Janzen ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Sonia Reardon, Ph.D., L.P., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Sonia Reardon, Ph.D., L.P., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.

2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Freeman, Assistant Hennepin County Attorney – Criminal Division;

Eric Hawkins, Attorney at Law

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential

community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **December 13, 2022**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Eric Hawkins, Attorney at Law;
 - c. Christopher Freeman, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: June 14, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

Jun 14, 2022

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-8067;
Lucas Patrick Kraskey,	)	27-CR-21-6904; 27-CR-21-8227;
	)	27-CR-21-8228; 27-CR-21-8229;
Defendant.	)	27-CR-21-8230; 27-CR-21-8511

This matter came before the undersigned Judge on June 14, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Defendant appeared out of custody and was represented by Eric Hawkins, Attorney at Law.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file **27-CR-21-8067** with 1st Degree Damage to Property (Felony) arising from an incident alleged to have occurred on 02/25/2021; in MNCIS file **27-CR-21-6904** with 3rd Degree Damage to Property (Gross Misdemeanor), and Public Urination (Misdemeanor), arising from an incident alleged to have occurred on 01/29/2021; in MNCIS file **27-CR-21-8227** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 02/24/2021; in MNCIS file **27-CR-21-8228** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 02/23/2021; in MNCIS file **27-CR-21-8229** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 01/15/2021; in MNCIS file **27-CR-21-8230** with 1st Deg Damage

to Property (Felony) arising from an incident alleged to have occurred on 02/23/2021; in MNCIS file **27-CR-21-8511** with 3rd Degree Damage to Property (Gross Misdemeanor) arising from an incident alleged to have occurred on 03/09/2021. On 12/14/2021, Judge Lisa Janzen found probable cause to believe that the offenses were committed and that Defendant committed them.

2. Defendant was born on 06/01/1984.
3. On 03/23/2022, Judge Lisa Janzen ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Sonia Reardon, Ph.D., L.P., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Sonia Reardon, Ph.D., L.P., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.

2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Freeman, Assistant Hennepin County Attorney – Criminal Division;

Eric Hawkins, Attorney at Law

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential

community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **December 13, 2022**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Eric Hawkins, Attorney at Law;
 - c. Christopher Freeman, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: June 14, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

Jun 14, 2022

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-8067;
Lucas Patrick Kraskey,	)	27-CR-21-6904; 27-CR-21-8227;
	)	27-CR-21-8228; 27-CR-21-8229;
Defendant.	)	27-CR-21-8230; 27-CR-21-8511

This matter came before the undersigned Judge on June 14, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Defendant appeared out of custody and was represented by Eric Hawkins, Attorney at Law.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file **27-CR-21-8067** with 1st Degree Damage to Property (Felony) arising from an incident alleged to have occurred on 02/25/2021; in MNCIS file **27-CR-21-6904** with 3rd Degree Damage to Property (Gross Misdemeanor), and Public Urination (Misdemeanor), arising from an incident alleged to have occurred on 01/29/2021; in MNCIS file **27-CR-21-8227** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 02/24/2021; in MNCIS file **27-CR-21-8228** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 02/23/2021; in MNCIS file **27-CR-21-8229** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 01/15/2021; in MNCIS file **27-CR-21-8230** with 1st Deg Damage

to Property (Felony) arising from an incident alleged to have occurred on 02/23/2021; in MNCIS file **27-CR-21-8511** with 3rd Degree Damage to Property (Gross Misdemeanor) arising from an incident alleged to have occurred on 03/09/2021. On 12/14/2021, Judge Lisa Janzen found probable cause to believe that the offenses were committed and that Defendant committed them.

2. Defendant was born on 06/01/1984.
3. On 03/23/2022, Judge Lisa Janzen ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Sonia Reardon, Ph.D., L.P., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Sonia Reardon, Ph.D., L.P., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.

2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Freeman, Assistant Hennepin County Attorney – Criminal Division;

Eric Hawkins, Attorney at Law

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential

community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **December 13, 2022**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Eric Hawkins, Attorney at Law;
 - c. Christopher Freeman, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: June 14, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

Jun 14, 2022

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-8067;
Lucas Patrick Kraskey,	)	27-CR-21-6904; 27-CR-21-8227;
	)	27-CR-21-8228; 27-CR-21-8229;
Defendant.	)	27-CR-21-8230; 27-CR-21-8511

This matter came before the undersigned Judge on June 14, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Defendant appeared out of custody and was represented by Eric Hawkins, Attorney at Law.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file **27-CR-21-8067** with 1st Degree Damage to Property (Felony) arising from an incident alleged to have occurred on 02/25/2021; in MNCIS file **27-CR-21-6904** with 3rd Degree Damage to Property (Gross Misdemeanor), and Public Urination (Misdemeanor), arising from an incident alleged to have occurred on 01/29/2021; in MNCIS file **27-CR-21-8227** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 02/24/2021; in MNCIS file **27-CR-21-8228** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 02/23/2021; in MNCIS file **27-CR-21-8229** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 01/15/2021; in MNCIS file **27-CR-21-8230** with 1st Deg Damage

to Property (Felony) arising from an incident alleged to have occurred on 02/23/2021; in MNCIS file **27-CR-21-8511** with 3rd Degree Damage to Property (Gross Misdemeanor) arising from an incident alleged to have occurred on 03/09/2021. On 12/14/2021, Judge Lisa Janzen found probable cause to believe that the offenses were committed and that Defendant committed them.

2. Defendant was born on 06/01/1984.
3. On 03/23/2022, Judge Lisa Janzen ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Sonia Reardon, Ph.D., L.P., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Sonia Reardon, Ph.D., L.P., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.

2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Freeman, Assistant Hennepin County Attorney – Criminal Division;

Eric Hawkins, Attorney at Law

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential

community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **December 13, 2022**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Eric Hawkins, Attorney at Law;
 - c. Christopher Freeman, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: June 14, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

Jun 14, 2022

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-8067;
Lucas Patrick Kraskey,	)	27-CR-21-6904; 27-CR-21-8227;
	)	27-CR-21-8228; 27-CR-21-8229;
Defendant.	)	27-CR-21-8230; 27-CR-21-8511

This matter came before the undersigned Judge on June 14, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Defendant appeared out of custody and was represented by Eric Hawkins, Attorney at Law.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file **27-CR-21-8067** with 1st Degree Damage to Property (Felony) arising from an incident alleged to have occurred on 02/25/2021; in MNCIS file **27-CR-21-6904** with 3rd Degree Damage to Property (Gross Misdemeanor), and Public Urination (Misdemeanor), arising from an incident alleged to have occurred on 01/29/2021; in MNCIS file **27-CR-21-8227** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 02/24/2021; in MNCIS file **27-CR-21-8228** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 02/23/2021; in MNCIS file **27-CR-21-8229** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 01/15/2021; in MNCIS file **27-CR-21-8230** with 1st Deg Damage

to Property (Felony) arising from an incident alleged to have occurred on 02/23/2021; in MNCIS file **27-CR-21-8511** with 3rd Degree Damage to Property (Gross Misdemeanor) arising from an incident alleged to have occurred on 03/09/2021. On 12/14/2021, Judge Lisa Janzen found probable cause to believe that the offenses were committed and that Defendant committed them.

2. Defendant was born on 06/01/1984.
3. On 03/23/2022, Judge Lisa Janzen ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Sonia Reardon, Ph.D., L.P., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Sonia Reardon, Ph.D., L.P., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.

2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Freeman, Assistant Hennepin County Attorney – Criminal Division;

Eric Hawkins, Attorney at Law

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential

community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **December 13, 2022**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Eric Hawkins, Attorney at Law;
 - c. Christopher Freeman, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: June 14, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

Jun 14, 2022

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-8067;
Lucas Patrick Kraskey,	)	27-CR-21-6904; 27-CR-21-8227;
	)	27-CR-21-8228; 27-CR-21-8229;
Defendant.	)	27-CR-21-8230; 27-CR-21-8511

This matter came before the undersigned Judge on June 14, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Defendant appeared out of custody and was represented by Eric Hawkins, Attorney at Law.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file **27-CR-21-8067** with 1st Degree Damage to Property (Felony) arising from an incident alleged to have occurred on 02/25/2021; in MNCIS file **27-CR-21-6904** with 3rd Degree Damage to Property (Gross Misdemeanor), and Public Urination (Misdemeanor), arising from an incident alleged to have occurred on 01/29/2021; in MNCIS file **27-CR-21-8227** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 02/24/2021; in MNCIS file **27-CR-21-8228** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 02/23/2021; in MNCIS file **27-CR-21-8229** with 1st Deg Damage to Property (Felony) arising from an incident alleged to have occurred on 01/15/2021; in MNCIS file **27-CR-21-8230** with 1st Deg Damage

to Property (Felony) arising from an incident alleged to have occurred on 02/23/2021; in MNCIS file **27-CR-21-8511** with 3rd Degree Damage to Property (Gross Misdemeanor) arising from an incident alleged to have occurred on 03/09/2021. On 12/14/2021, Judge Lisa Janzen found probable cause to believe that the offenses were committed and that Defendant committed them.

2. Defendant was born on 06/01/1984.
3. On 03/23/2022, Judge Lisa Janzen ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Sonia Reardon, Ph.D., L.P., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Sonia Reardon, Ph.D., L.P., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.

2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Freeman, Assistant Hennepin County Attorney – Criminal Division;

Eric Hawkins, Attorney at Law

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential

community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **December 13, 2022**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Eric Hawkins, Attorney at Law;
 - c. Christopher Freeman, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: June 14, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

Aug 01, 2022

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-6710;
Temeka Michelle Nichols,	)	27-CR-22-14867
)	
Defendant.)	

This matter came before Judge Ede on August 1, 2022. Heidi Johnston, Minneapolis City Attorney, represented the plaintiff. Defendant appeared in custody and was represented by Elizabeth Hogan, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file 27-CR-21-6710 with Assault-4th Degree-Peace Officer (Gross Misdemeanor), Disorderly Conduct (Misdemeanor), and Possession of drug paraphernalia in a public place (Misdemeanor) arising from an incident alleged to have occurred on 4/2/2021 and in MNCIS file 27-CR-22-14867 with Domestic Assault (Misdemeanor) arising from an incident alleged to have occurred on 7/29/22. On 4/19/2022, Judge Benson found probable cause to believe that the offense was committed, and that Defendant committed it.
2. Defendant was born on 3/25/1991.
3. On 4/19/2022, Judge Benson ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.

4. Dr. Heidi Strohmaier, PhD, LP, Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Heidi Strohmaier, PhD, LP, Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The prosecutor has 30 days from filing of this Order to file a Notice of Intent to Prosecute the gross misdemeanor charge. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Heidi Johnston, Minneapolis City Attorney – Criminal Division;

Faith Neumann, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting

civil commitment to the Hennepin County Attorney's Office – Adult Services Division (“HCAO-ASD”) within five (5) days of receiving this Order.

5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically

dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.

11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **January 31, 2023, at 1:30 pm**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:

- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
- b. Faith Neumann, Assistant Hennepin County Public Defender;
- c. Heidi Johnston, City of Minneapolis – Criminal Division;
- d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
- e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: August 1, 2022

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-6229;
Marval Barnes,	)	27-CR-21-1020; 27-CR-21-5604;
	)	27-CR-21-5799; 27-CR-21-5987;
Defendant.	)	27-CR-21-20-26792; 27-CR-21-722

This matter came before the undersigned Judge on April 13, 2021. Elizabeth Scoggin, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Heidi Johnston represented the City of Minneapolis. Jennifer Cross represented the City of Bloomington. Defendant, who was out of custody, was represented by Cristina Cruz, Assistant Hennepin County Public Defender. The parties agreed to waive their appearances.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file 27-CR-21-6229 with First Degree Damage to Property (Felony) and Fifth Degree Assault (Misdemeanor) arising from an incident alleged to have occurred on 2/25/21; in MNCIS file 27-CR-21-1020 with Fifth Degree Assault (Misdemeanor) arising from an incident alleged to have occurred on 12/25/20; in MNCIS file 27-CR-21-5604 with Disorderly Conduct (Misdemeanor) arising from an incident alleged to have occurred on 3/18/21; in MNCIS file 27-CR-21-5799 with Trespassing (Misdemeanor) arising from an incident alleged to have occurred on 3/24/21; in MNCIS file 27-CR-21-5987 with Trespass (Misdemeanor) arising from an

incident alleged to have occurred on 3/26/21; in MNCIS file 27-CR-20-26792 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 12/4/20; and in MNCIS file 27-CR-21-722 with Trespass (Gross Misdemeanor) and Obstruct Legal Process (Misdemeanor) arising from an incident alleged to have occurred on 1/10/21. On 3/30/21, Judge Todd Fellman found probable cause to believe that the offenses were committed and that Defendant committed them.

2. Defendant was born on 12/17/1979.
3. On 3/30/21, Judge Todd Fellman ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Bruce Renken, Ph.D., LP, Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Bruce Renken, Ph.D., LP, Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charge(s) must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.

2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Elizabeth Scoggin, Assistant Hennepin County Attorney – Criminal
Division;

Heidi Johnston, Minneapolis City Attorney;

Jennifer Cross, Bloomington City Attorney;

Cristina Cruz, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical

centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is October 12, 2021. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Cristina Cruz, Assistant Hennepin County Public Defender;
 - c. Heidi Johnston, Minneapolis City Attorney
 - d. Cristina Cruz, Assistant Hennepin County Attorney;
 - e. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];

- f. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County’s Human Services and Public Health Department.

DATED: April 13, 2021

BY THE COURT:

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-6229;
Marval Barnes,	)	27-CR-21-8613; 27-CR-21-8643;
	)	27-CR-21-8856; 27-CR-21-11460;
Defendant.	)	27-CR-21-11758; 27-CR-21-722;
		27-VB-19-339676

This matter came before the undersigned Judge on October 12, 2021. Britta Rapp, Assistant Hennepin County Attorney, and Travis Huddy, Assistant Hennepin County Attorney, represented the plaintiff on the felony files. Heidi Johnston represented the City of Minneapolis. Defendant, who was out of custody, was represented by Lindsay Siolka, Assistant Hennepin County Public Defender. The parties agreed to waive their appearances.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file 27-CR-21-6229 with First Degree Damage to Property (Felony) arising from an incident alleged to have occurred on 2/25/21; in MNCIS file 27-CR-21-8613 with First Degree Damage to Property (Felony) arising from an incident alleged to have occurred on 4/29/21; in MNCIS file 27-CR-21-8643 with Trespass (Gross Misdemeanor) arising from an incident alleged to have occurred on 5/4/21; in MNCIS file 27-CR-21-8856 with two counts of Fourth Degree Assault (Felony) arising from an incident alleged to have occurred on 5/6/21; in MNCIS file 27-CR-21-11460 with First Degree Damage to Property (Felony) arising from an

incident alleged to have occurred on 4/27/21; in MNCIS file 27-CR-21-11758 with Fourth Degree Assault (Felony) arising from an incident alleged to have occurred on 5/14/21; in MNCIS file 27-CR-21-722 with Trespass (Gross Misdemeanor) arising from an incident alleged to have occurred on 1/10/21; and in MNCIS file 27-VB-19-339676 with Operate Motor Vehicle after License Suspension (Misdemeanor) arising from an incident alleged to have occurred on 11/25/19. On 7/15/21, Judge Hilary Caligiuri found probable cause to believe that the offenses were committed and that Defendant committed them.

2. Defendant was born on 12/17/79.
3. On 7/15/21, Judge Hilary Caligiuri ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Jennifer Harrison, Ph.D., L.P., Direct Care and Treatment – Forensic Services, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Jennifer Harrison, Ph.D., L.P., Direct Care and Treatment – Forensic Services, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The prosecutor has 30 days from filing of this Order to file a Notice of Intent to Prosecute the gross misdemeanor charge(s). The misdemeanor charge(s) must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Britta Rapp, Assistant Hennepin County Attorney – Criminal Division;
Travis Huddy, Assistant Hennepin County Attorney – Criminal Division;
Daniel Hallman, Assistant Hennepin County Attorney – Criminal
Division;

Heidi Johnston, Minneapolis City Attorney;
Lindsay Siolka, Assistant Hennepin County Public Defender;
Amanda Brodhag, Assistant Hennepin County Public Defender;
Cristina Cruz, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.

6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.

11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is April 12, 2022. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:

- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
- b. Lindsay Siolka, Assistant Hennepin County Public Defender;
- c. Britta Rapp, Assistant Hennepin County Attorney;
- d. Travis Huddy, Assistant Hennepin County Attorney;
- e. Heidi Johnston, Minneapolis City Attorney;
- f. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
- g. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: October 12, 2021

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-11758;
Marval Barnes,	)	27-CR-21-6229; 27-CR-8613;
	)	27-CR-21-8643; 27-CR-21-8856;
Defendant.	)	27-CR-21-11460; 27-CR-21-722

This matter came before the undersigned Judge on April 12, 2022. Britta Rapp, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Defendant, who was out of custody, was represented by Lindsay Siolka, Assistant Hennepin County Public Defender. Parties agreed to waive their appearances.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file **27-CR-21-11758** with 4th Degree Assault (Felony) arising from an incident alleged to have occurred on 5/14/2021; and in MNCIS file **27-CR-21-6229** with First Degree Damage to Property (Felony) and 5th Degree Assault (Misdemeanor) arising from an incident alleged to have occurred on 2/25/2021. In the latter case, on 3/30/2021, Judge Todd Fellman found probable cause to believe that the offenses were committed and that Defendant committed them. Defendant was also charged in MNCIS file **27-CR-8613** with 1st Degree Damage to Property (Felony) arising from an incident alleged to have occurred on 4/29/2021; and in MNCIS file **27-CR-21-8643** with Trespass (Gross

Misdemeanor) arising from an incident alleged to have occurred on 05/04/2021; and in MNCIS file **27-CR-21-8856** with two counts of 4th Degree Assault (Felony) arising from an incident alleged to have occurred on 05/06/2021. In the latter case, on 5/10/2021, Judge Daniel Moreno found probable cause to believe that the offenses were committed and that Defendant committed them. Defendant was charged in MNCIS file **27-CR-21-11460** with First Degree Damage to Property (Felony) arising from an incident alleged to have occurred on 4/27/2021; and in MNCIS file **27-CR-21-722** with Trespass (Gross Misdemeanor) and Obstruction of Legal Process (Misdemeanor) arising from an incident alleged to have occurred on 1/10/2021.

2. Defendant was born on 12/17/1979.
3. On 7/15/2021, Judge Hilary Caligiuri ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Jennifer L. Harrison., Ph.D., L.P., of the Minnesota Department of Human Services, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Jennifer L. Harrison., Ph.D., L.P., of the Minnesota Department of Human Services, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Britta Rapp, Assistant Hennepin County Attorney – Criminal Division;

Lindsay Siolka, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained

by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **October 11, 2022**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Lindsay Siolka, Assistant Hennepin County Public Defender;
 - c. Britta Rapp, Assistant Hennepin County Attorney;

- d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: April 12, 2022

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-1980;
Gordan Eugene Sharp,	)	27-CR-21-20072; 27-CR-21-4433;
	)	27-CR-21-7909; 27-CR-21-20988;
Defendant.	)	27-CR-21-21355; 27-CR-21-23188;
	)	27-CR-21-23215; 27-CR-22-4087

This matter came before the undersigned Judge on September 13, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the State of Minnesota on the Felony matters. Jennifer Cross, Bloomington City Attorney, waived her appearance. Heidi Johnston represented the City of Minneapolis. Defendant appeared in custody and was represented by Chase Myhran, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 5/13/1988), was charged in MNCIS file **27-CR-21-1980** with Theft (Felony) arising from an incident alleged to have occurred on 1/27/2021; in MNCIS file **27-CR-21-20072** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 10/01/2021; in MNCIS file **27-CR-21-4433** with Theft (Misdemeanor) arising from an incident alleged to have occurred on 03/04/2021; in MNCIS file **27-CR-21-7909** with Theft (Gross Misdemeanor) arising from an incident alleged to have occurred on 3/27/2021; in MNCIS file **27-CR-21-20988** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 11/09/2021; in MNCIS

file **27-CR-21-21355** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 11/16/2021; in MNCIS file **27-CR-21-23188** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/11/2021; in MNCIS file **27-CR-21-23215** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/16/2021; in MNCIS file **27-CR-22-4087** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/09/2021. On 8/09/2022, Judge Gina Brandt found probable cause to believe that the offenses were committed and that Defendant committed them.

2. On 8/09/2022, Judge Gina Brandt ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Josie Skala, M.D., of the University of Minnesota's Department of Psychiatry, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Josie Skala, M.D., of the University of Minnesota's Department of Psychiatry, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The prosecutor has 30 days from filing of this Order to file a Notice of Intent to Prosecute the gross misdemeanor charge(s). The misdemeanor charge must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Dawn O'Rourke, Assistant Hennepin County Attorney;

Jennifer Cross, Bloomington City Attorney – Criminal Division;

Heidi Johnston, Minneapolis City Attorney – Criminal Division;

Chase Myhran, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has

provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.


8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.

12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.
13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **March 14, 2023**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Chase Myhran, Assistant Hennepin County Public Defender;

- c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: September 13, 2023



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-933;
Dwayne Anthony Bledsoe,	)	27-CR-21-17963; 27-CR-20-7092;
	)	27-CR-19-20734; 27-CR-21-19786
Defendant.)	

This matter came before the undersigned Judge on December 6, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff the felony. Heidi Johnston represented the City of Minneapolis. Defendant appeared in custody and was represented by Tiffany Spoor, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 11/03/1979), was charged in MNCIS file **27-CR-21-933** with Simple Robbery (Felony) arising from an incident alleged to have occurred on January 13, 2021; in MNCIS file **27-CR-21-17963** with Violation of Domestic Abuse No Contact Order (Gross Misdemeanor) arising from an incident alleged to have occurred on September 24, 2021; in MNCIS file **27-CR-20-7092** with Violation of Domestic Abuse No Contact Order (Gross Misdemeanor) and with Damage to Property-4th Degree (Misdemeanor) arising from an incident alleged to have occurred on February 1, 2020; in MNCIS file **27-CR-19-20734** with Assault-5th Degree (Misdemeanor) and with Fleeing a Peace Officer (Misdemeanor) arising from an incident alleged to

have occurred on August 25, 2019; in MNCIS file **27-CR-21-19786** with Trespass (Misdemeanor) arising from an incident alleged to have occurred on October 23, 2021. On February 10, 2021, Judge Paul Scoggin found probable cause to believe that the offenses were committed, and that Defendant committed them.

2. On November 2, 2022, Judge Kerry Meyer ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Maren Conway, Psy.D., LP, Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Maren Conway, Psy.D., LP, Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The prosecutor has 30 days from filing of this Order to file a Notice of Intent to Prosecute the gross misdemeanor charges. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.

2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Erin Stephens, Assistant Hennepin County Attorney – Criminal Division;

Heidi Johnston, Minneapolis City Attorney – Criminal Division;

Tiffany Spoor, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential

community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed

change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant’s treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.

13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant’s next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant’s competence to proceed is **June 6, 2023**. One week prior to that date, reports regarding Defendant’s competency and mental status shall be e-filed and e-served to:
15. Defendant’s competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Tiffany Spoor, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney’s Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email

to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: December 6, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District



MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-22-22985;
Abdiqani Ahmed Hassan,	)	27-CR-22-18859;
	)	27-CR-21-23132;
Defendant.	)	27-CR-21-3355

This matter came before the undersigned Judge on November 29, 2022. Mawerdi Hamid, Assistant Hennepin County Attorney, represented the plaintiff. Defendant, who was in custody, was represented by Bernice Hodge, Assistant Hennepin County Public Defender. Parties agreed to waive their appearances.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 04/05/1998), was charged in MNCIS file 27-CR-22-22985 with Damage to Property-1st (Felony) arising from an incident alleged to have occurred on 10/21/22; in MNCIS file 27-CR-22-18859 with Drugs-5th (Felony) arising from an incident alleged to have occurred on 09/16/22; in MNCIS file 27-CR-21-23132 with Trespass (GMD) arising from an incident alleged to have occurred on 12/15/21; and in MNCIS file 27-CR-21-3355 with Trespass (GMD) arising from an incident alleged to have occurred on 02/16/21. On 11/18/22, Judge Scoggin found probable cause to believe that the offenses were committed and that Defendant committed them.

2. On 11/18/22, Judge Scoggin ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Amy Crockford, Psy.D., LP, Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Amy Crockford, Psy.D., LP, Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.
Mawerdi Hamid, Assistant Hennepin County Attorney;
Heidi Johnston, Minneapolis City Attorney;
Bernice Hodge, Assistant Hennepin County Public Defender
3. Defendant is currently under civil commitment in file 27-MH-PR-22-899 so no new referral to PSP will be ordered.

4. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
5. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
6. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
7. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
8. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no

hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.

9. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
10. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is 05/30/23. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
11. Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Bernice Hodge, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

DATED: November 30, 2022

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-22-20527
Jarelle Thomas Vaughn,)	
)	
Defendant.)	

This matter came before the undersigned Judge on December 20, 2022.
Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff.
Defendant appeared in custody and was represented by Susan Herlofsky,
Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court
makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 03/10/1981), was charged in MNCIS file 27-CR-22-20527 with two counts of Assault-2nd Degree (Felony) arising from an incident alleged to have occurred on October 11, 2022. On November 16, 2022, Judge Rachel Hughey found probable cause to believe that the offenses were committed, and that Defendant committed them.
2. On November 16, 2022, Judge Rachel Hughey ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Catherine Carlson, Psy.D., LP, Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.

4. Dr. Catherine Carlson, Psy.D., LP, Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Samuel Colich, Assistant Hennepin County Attorney – Criminal Division;

Susan Herlofsky, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s)

along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.

6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the

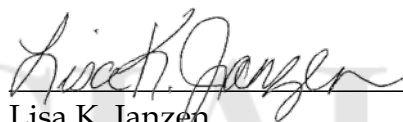
order for civil commitment when notified that placement is available for the Defendant.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.
13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.

14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **June 20, 2023**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - c. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: December 20, 2022



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-22-22985;
Abdiqani Ahmed Hassan,	)	27-CR-22-18859;
	)	27-CR-21-23132;
Defendant.	)	27-CR-21-3355

This matter came before the undersigned Judge on November 29, 2022. Mawerdi Hamid, Assistant Hennepin County Attorney, represented the plaintiff. Defendant, who was in custody, was represented by Bernice Hodge, Assistant Hennepin County Public Defender. Parties agreed to waive their appearances.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 04/05/1998), was charged in MNCIS file 27-CR-22-22985 with Damage to Property-1st (Felony) arising from an incident alleged to have occurred on 10/21/22; in MNCIS file 27-CR-22-18859 with Drugs-5th (Felony) arising from an incident alleged to have occurred on 09/16/22; in MNCIS file 27-CR-21-23132 with Trespass (GMD) arising from an incident alleged to have occurred on 12/15/21; and in MNCIS file 27-CR-21-3355 with Trespass (GMD) arising from an incident alleged to have occurred on 02/16/21. On 11/18/22, Judge Scoggin found probable cause to believe that the offenses were committed and that Defendant committed them.

2. On 11/18/22, Judge Scoggin ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Amy Crockford, Psy.D., LP, Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Amy Crockford, Psy.D., LP, Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.
Mawerdi Hamid, Assistant Hennepin County Attorney;
Heidi Johnston, Minneapolis City Attorney;
Bernice Hodge, Assistant Hennepin County Public Defender
3. Defendant is currently under civil commitment in file 27-MH-PR-22-899 so no new referral to PSP will be ordered.

4. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
5. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
6. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
7. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
8. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no

hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.

9. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
10. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is 05/30/23. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
11. Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Bernice Hodge, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

DATED: November 30, 2022

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-19723;
Brittany Latesha Crutchfield,	)	27-CR-21-23456; 27-CR-22-15550;
	)	27-CR-22-2107; 27-CR-22-2766;
Defendant.	)	27-CR-22-4639; 27-CR-22-12973;
	)	27-CR-22-14901

This matter came before the undersigned Judge on August 16, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff on the Felony matters. Greg Holly represented the City of Richfield. David Ross represent the City of Brooklyn Center. Heidi Johnston represented the City of Minneapolis. Defendant appeared in custody and was represented by Alicia Granse, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 03/06/1988), was charged in MNCIS file **27-CR-21-19723** with 3rd Degree Burglary (Felony) and Fleeing a Police Officer by Means Other than Motor Vehicle (Misdemeanor) arising from an incident alleged to have occurred on 10/21/2021; in MNCIS file **27-CR-21-23456** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/19/2021; in MNCIS file **27-CR-22-15550** with 3rd Degree Burglary (Felony), Fleeing a Police Officer by Means Other Than a Motor Vehicle (Misdemeanor), and Theft (Misdemeanor) arising from an incident alleged to have occurred on 8/05/2022; in MNCIS file **27-CR-22-2107** with

Theft (Misdemeanor) arising from an incident alleged to have occurred on 2/02/2022; in MNCIS file **27-CR-22-2766** with Theft (Misdemeanor) arising from an incident alleged to have occurred on 2/13/2022; in MNCIS file **27-CR-22-4639** with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 3/13/2022; in MNCIS file **27-CR-22-12973** with Theft (Misdemeanor) arising from an incident alleged to have occurred on 6/24/2022; in MNCIS file **27-CR-22-14901** with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 7/29/2022. On 7/11/2022, Judge Anna Andow found probable cause to believe that the offense were committed and that Defendant committed them.

2. On 7/28/2022, Judge Anna Andow ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Lauren A. Herbert, Psy.D., L.P., Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Lauren A. Herbert, Psy.D., L.P., Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court

retains authority over the criminal case, including but not limited to, bail or conditions of release.

2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Freeman, Assistant Hennepin County Attorney;

Greg Holly, Richfield City Attorney – Criminal Division;

David Ross, Brooklyn City Attorney – Criminal Division;

Heidi Johnston, Minneapolis City Attorney – Criminal Division;

Alicia Granse, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained

by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil

commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.

13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **February 14, 2023**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Alicia Granse, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];

- d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County’s Human Services and Public Health Department.

BY THE COURT:

DATED: August 16, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

Filed in District Court
State of Minnesota

Aug 30, 2022

STATE OF MINNESOTA
COUNTY OF HENNEPINDISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-16111;
Charlesetta Starlet Brown,	)	27-CR-22-15430
)	
Defendant.)	

This matter came before Judge Meyer on August 30, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Defendant appeared out of custody and was represented by Andrea Reynolds, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file **27-CR-21-16111** with Threats of Violence (Felony) arising from an incident alleged to have occurred on 8/26/2021 and in MNCIS file 27-CR-22-15430 with Third Degree Assault (Felony) arising from an incident alleged to have occurred on 07/22/2022. On 2/09/2022, Judge Lisa Janzen found probable cause to believe that the offense was committed and that Defendant committed them.
2. Defendant was born on 10/13/1992.
3. On 6/21/2022, Judge Lisa Janzen ordered on the record that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.

4. Dr. Jessica Miles, Ph.D., L.P., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Jessica Miles, Ph.D., L.P., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.


Allison Reyerson, Assistant Hennepin County Attorney;
Erin Stephens, Assistant Hennepin County Attorney;
Andrea Reynolds, Assistant Hennepin County Public Defender
3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.

5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **February 28, 2023**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Andrea Reynolds, Assistant Hennepin County Public Defender;
 - c. Allison Reyerson, Assistant Hennepin County Attorney;
 - d. Erin Stephens, Assistant Hennepin County Attorney;
 - e. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - f. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: August 30, 2022



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-20-27550;
Rodrick Jerome Carpenter, II,	)	27-CR-22-15358; 27-CR-22-7626;
	)	27-CR-21-5904; 27-CR-22-10253;
Defendant.	)	27-CR-20-12499; 27-CR-22-14541

This matter came before the undersigned Judge on August 16, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the State on the Felony matters. Heidi Johnston represented the City of Minneapolis. Jennifer Cross represented the City of Bloomington. Defendant appeared in custody and was represented by Susan Herlofsky, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 6/20/1992), was charged in MNCIS file **27-CR-20-27550** with Threats of Violence (Felony) and Carry/Possess Pistol without a Permit (Gross Misdemeanor) arising from an incident alleged to have occurred on 12/26/2020; in MNCIS file **27-CR-22-15358** with 1st Degree Burglary (Felony), and Theft (Felony) arising from an incident alleged to have occurred on 8/03/2022; in MNCIS file **27-CR-22-7626** with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 4/19/2022; in MNCIS file **27-CR-21-5904** with 5th Degree Drug Possession (Gross Misdemeanor) arising from an incident alleged to have occurred on

1/07/2021; in MNCIS file **27-CR-22-10235** with Obstruct/Interfere with Operation of Transit Vehicle (Misdemeanor), and Carrying Weapon/Fascimile Firearms (Misdemeanor) arising from an incident alleged to have occurred on 5/30/2022; in MNCIS file **27-CR-20-12499** with DWI - Refusal to Submit to Chemical Test (Gross Misdemeanor), DWI (Misdemeanor), Reckless Driving (Misdemeanor), Careless Driving (Misdemeanor), and Traffic Collision, Driver Involved Fails to Stop (Misdemeanor), all arising from an incident alleged to have occurred on 5/21/2020; in MNCIS file **27-CR-22-14541** with 4th Degree Assault (Gross Misdemeanor) and Flee Peace Officer by Means Other Than a Motor Vehicle (Misdemeanor), all arising from an incident alleged to have occurred on 7/23/2022. On 2/4/2021, Judge Lois Conroy found probable cause to believe that the offenses were committed and that Defendant committed them.

2. On 7/8/2021, Judge Lisa Janzen ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The prosecutor has 30 days from filing of this Order to file a Notice of Intent to Prosecute the gross

misdemeanor charge(s). The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Nippoldt, Assistant Hennepin County Attorney;
Heidi Johnston, Minneapolis City Attorney – Criminal Division;
Jennifer Cross, Bloomington City Attorney – Criminal Division;
James Horvath, Assistant Hennepin County Public Defender
3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.

7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.
13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is James Horvath, Assistant Hennepin County Public Defender

February 14, 2023. One week prior to that date, reports regarding

Defendant's competency and mental status shall be e-filed and e-served to:

15. Defendant's competency and mental status shall be e-filed and e-served to:

- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
- b. James Horvath, Assistant Hennepin County Public Defender;
- c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
- d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: August 16, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-20-27550;
Rodrick Jerome Carpenter, II,	)	27-CR-22-15358; 27-CR-22-7626;
	)	27-CR-21-5904; 27-CR-22-10253;
Defendant.	)	27-CR-20-12499; 27-CR-22-14541

This matter came before the undersigned Judge on August 16, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the State on the Felony matters. Heidi Johnston represented the City of Minneapolis. Jennifer Cross represented the City of Bloomington. Defendant appeared in custody and was represented by Susan Herlofsky, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 6/20/1992), was charged in MNCIS file **27-CR-20-27550** with Threats of Violence (Felony) and Carry/Possess Pistol without a Permit (Gross Misdemeanor) arising from an incident alleged to have occurred on 12/26/2020; in MNCIS file **27-CR-22-15358** with 1st Degree Burglary (Felony), and Theft (Felony) arising from an incident alleged to have occurred on 8/03/2022; in MNCIS file **27-CR-22-7626** with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 4/19/2022; in MNCIS file **27-CR-21-5904** with 5th Degree Drug Possession (Gross Misdemeanor) arising from an incident alleged to have occurred on

1/07/2021; in MNCIS file **27-CR-22-10235** with Obstruct/Interfere with Operation of Transit Vehicle (Misdemeanor), and Carrying Weapon/Fascimile Firearms (Misdemeanor) arising from an incident alleged to have occurred on 5/30/2022; in MNCIS file **27-CR-20-12499** with DWI - Refusal to Submit to Chemical Test (Gross Misdemeanor), DWI (Misdemeanor), Reckless Driving (Misdemeanor), Careless Driving (Misdemeanor), and Traffic Collision, Driver Involved Fails to Stop (Misdemeanor), all arising from an incident alleged to have occurred on 5/21/2020; in MNCIS file **27-CR-22-14541** with 4th Degree Assault (Gross Misdemeanor) and Flee Peace Officer by Means Other Than a Motor Vehicle (Misdemeanor), all arising from an incident alleged to have occurred on 7/23/2022. On 2/4/2021, Judge Lois Conroy found probable cause to believe that the offenses were committed and that Defendant committed them.

2. On 7/8/2021, Judge Lisa Janzen ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The prosecutor has 30 days from filing of this Order to file a Notice of Intent to Prosecute the gross

misdemeanor charge(s). The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Christopher Nippoldt, Assistant Hennepin County Attorney;
Heidi Johnston, Minneapolis City Attorney – Criminal Division;
Jennifer Cross, Bloomington City Attorney – Criminal Division;
James Horvath, Assistant Hennepin County Public Defender
3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.

7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.
13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is James Horvath, Assistant Hennepin County Public Defender

February 14, 2023. One week prior to that date, reports regarding

Defendant's competency and mental status shall be e-filed and e-served to:

15. Defendant's competency and mental status shall be e-filed and e-served to:

- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
- b. James Horvath, Assistant Hennepin County Public Defender;
- c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
- d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: August 16, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

Sep 13, 2022

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

Defendant.

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER REGARDING
COMPETENCY

MNCIS No: **27-CR-22-10646**

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 12/15/1976), was charged in MNCIS file **27-CR-22-10646** with 2nd Degree Assault (Felony) arising from an incident alleged to have occurred on 06/01/2022. On 8/10/2022, Judge Hilary Caligiuri found probable cause to believe that the offense was committed, and that Defendant committed it.
2. On 8/10/2022, Judge Hilary Caligiuri ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Kimberly E. Turner, Ph.D., L.P., A.B.P.P., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.

4. Dr. Kimberly E. Turner, Ph.D., L.P., A.B.P.P., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Erin Stephens, Assistant Hennepin County Attorney – Criminal Division;

Matthew Elsen, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s)

along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.

6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the


order for civil commitment when notified that placement is available for the Defendant.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.
13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.

14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **March 14, 2023**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
- Fourth Judicial District Court – 4thCriminalRule20 email list;
 - Matthew Elsen, Assistant Hennepin County Public Defender;
 - Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: September 13, 2023


Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-20529, 27-CR-22-
Isaac Lee Kelley,	)	7953; 27-CR-22-5532, 27-CR-20-22956, 27-
	)	CR-21-21982
Defendant.)	

This matter came before the undersigned Judge on May 17, 2022. Dawn O'Rourke, Assistant Hennepin County Attorney, represents the plaintiff. Jennifer Cross, Assistant Bloomington City Attorney, represents the City of Bloomington. Defendant appeared in custody and was represented by Susan Herlofsky, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 3/7/1981), was charged in MNCIS file 27-CR-21-20529 with Drugs-5th Degree-Possession (Felony) arising from an incident alleged to have occurred on 11/2/2021; in MNCIS file 27-CR-22-7953 with Drugs-3rd Degree-Sale (Felony) arising from an incident alleged to have occurred on 7/4/2021; in MNCIS file 27-CR-22-5532 with Possess Ammo/Any Firearm-Conviction or Adjudicated (Felony) arising from an incident alleged to have occurred on 3/23/22; in MNCIS file 27-CR-20-22956 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 10/27/2020; in MNCIS file 27-CR-21-21982 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 11/29/2021. On

1/14/2022, Judge Thomas found probable cause to believe that the offenses were committed and that Defendant committed them.

2. On 4/19/2022, Judge Janzen ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Kimberly Turner, Ph.D., L.P., ABPP, Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Kimberly Turner, Ph.D., L.P., ABPP, Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Dawn O'Rourke, Assistant Hennepin County Attorney – Criminal
Division;

Jennifer Cross, Assistant Bloomington City Attorney;

James Horvath, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division (“HCAO-ASD”) within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

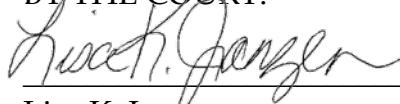
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the

following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.

13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is 11/15/2022 at 1:30 pm. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. James Horvath, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: 5/17/2022

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District



MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-22-7797;
Carmen Bendu Greaves,	)	27-CR-22-9010
)	
Defendant.)	

This matter came before the undersigned Judge on July 12, 2022. Bob Sorensen, Assistant Hennepin County Attorney, represented the plaintiff. Defendant appeared in custody and was represented by Ashley Probst, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 10/03/1978), was charged in MNCIS file **27-CR-22-7797** with Violate No Contact (Felony) arising from an incident alleged to have occurred on 4/22/2022; charged in MNCIS file **27-CR-22-9010** with Violate No Contact (Felony) arising from an incident alleged to have occurred on 5/06/2022. On 5/18/2022, Judge Paul Scoggin found probable cause to believe that the offenses were committed, and that Defendant committed them.
2. On 5/18/2022, Judge Paul Scoggin ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.

3. Dr. Brie Pileggi-Valleen, Psy.D., L.P., A.B.P.P., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Brie Pileggi-Valleen, Psy.D., L.P., A.B.P.P., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.
Lisa Godon, Assistant Hennepin County Attorney – Criminal Division;
Ashley Probst, Assistant Hennepin County Public Defender
3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting

civil commitment to the Hennepin County Attorney's Office – Adult Services Division (“HCAO-ASD”) within five (5) days of receiving this Order.

5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically

dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.

10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.

13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **January 17, 2023, at 1:30 pm**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Ashley Probst, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
15. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: July 12, 2022



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-20529, 27-CR-22-
Isaac Lee Kelley,	)	7953; 27-CR-22-5532, 27-CR-20-22956, 27-
	)	CR-21-21982
Defendant.)	

This matter came before the undersigned Judge on May 17, 2022. Dawn O'Rourke, Assistant Hennepin County Attorney, represents the plaintiff. Jennifer Cross, Assistant Bloomington City Attorney, represents the City of Bloomington. Defendant appeared in custody and was represented by Susan Herlofsky, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 3/7/1981), was charged in MNCIS file 27-CR-21-20529 with Drugs-5th Degree-Possession (Felony) arising from an incident alleged to have occurred on 11/2/2021; in MNCIS file 27-CR-22-7953 with Drugs-3rd Degree-Sale (Felony) arising from an incident alleged to have occurred on 7/4/2021; in MNCIS file 27-CR-22-5532 with Possess Ammo/Any Firearm-Conviction or Adjudicated (Felony) arising from an incident alleged to have occurred on 3/23/22; in MNCIS file 27-CR-20-22956 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 10/27/2020; in MNCIS file 27-CR-21-21982 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 11/29/2021. On

1/14/2022, Judge Thomas found probable cause to believe that the offenses were committed and that Defendant committed them.

2. On 4/19/2022, Judge Janzen ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Kimberly Turner, Ph.D., L.P., ABPP, Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Kimberly Turner, Ph.D., L.P., ABPP, Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Dawn O'Rourke, Assistant Hennepin County Attorney – Criminal
Division;

Jennifer Cross, Assistant Bloomington City Attorney;

James Horvath, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division (“HCAO-ASD”) within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

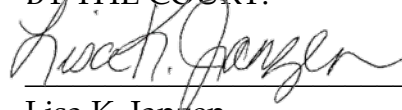
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the

following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.

13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is 11/15/2022 at 1:30 pm. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. James Horvath, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: 5/17/2022

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District



MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-22-4879;
Manyara Nicole Watkins,	)	27-CR-21-4906
)	
Defendant.)	

This matter came before the undersigned Judge on June 7, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff. Alina Schwartz, Plymouth City Attorney, waived her appearance. Defendant appeared in custody and was represented by Susan Herlofsky, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 03/17/1992), was charged in MNCIS file 27-CR-22-4879 with Third Degree Assault (Felony) and two counts of Fifth Degree Assault (Misdemeanor) arising from an incident alleged to have occurred on 02/28/22 and in MNCIS file 27-CR-21-4906 with Theft (Misdemeanor) arising from an incident alleged to have occurred on 03/02/21. On 04/27/22, Judge Lyonel Norris found probable cause to believe that the felony offense was committed and that Defendant committed it.
2. On 04/27/22, Judge Lyonel Norris ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.

3. Dr. Kristine Kienlen, Psy.D., LP, Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Kristine Kienlen, Psy.D., LP, Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charge(s) must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.
Brian Duginske, Assistant Hennepin County Attorney;
Kellen Dotson, Assistant Hennepin County Public Defender;
Alina Schwartz, Plymouth City Attorney
3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.

4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.

9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of

release consistent with the proposed change in status in the civil commitment matter.

13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is December 6, 2022. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Kellen Dotson, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: June 7, 2022

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-21-1980;
Gordan Eugene Sharp,	)	27-CR-21-20072; 27-CR-21-4433;
	)	27-CR-21-7909; 27-CR-21-20988;
Defendant.	)	27-CR-21-21355; 27-CR-21-23188;
	)	27-CR-21-23215; 27-CR-22-4087

This matter came before the undersigned Judge on September 13, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the State of Minnesota on the Felony matters. Jennifer Cross, Bloomington City Attorney, waived her appearance. Heidi Johnston represented the City of Minneapolis. Defendant appeared in custody and was represented by Chase Myhran, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 5/13/1988), was charged in MNCIS file **27-CR-21-1980** with Theft (Felony) arising from an incident alleged to have occurred on 1/27/2021; in MNCIS file **27-CR-21-20072** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 10/01/2021; in MNCIS file **27-CR-21-4433** with Theft (Misdemeanor) arising from an incident alleged to have occurred on 03/04/2021; in MNCIS file **27-CR-21-7909** with Theft (Gross Misdemeanor) arising from an incident alleged to have occurred on 3/27/2021; in MNCIS file **27-CR-21-20988** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 11/09/2021; in MNCIS

file **27-CR-21-21355** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 11/16/2021; in MNCIS file **27-CR-21-23188** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/11/2021; in MNCIS file **27-CR-21-23215** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/16/2021; in MNCIS file **27-CR-22-4087** with 3rd Degree Burglary (Felony) arising from an incident alleged to have occurred on 12/09/2021. On 8/09/2022, Judge Gina Brandt found probable cause to believe that the offenses were committed and that Defendant committed them.

2. On 8/09/2022, Judge Gina Brandt ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Josie Skala, M.D., of the University of Minnesota's Department of Psychiatry, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Josie Skala, M.D., of the University of Minnesota's Department of Psychiatry, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The prosecutor has 30 days from filing of this Order to file a Notice of Intent to Prosecute the gross misdemeanor charge(s). The misdemeanor charge must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Dawn O'Rourke, Assistant Hennepin County Attorney;

Jennifer Cross, Bloomington City Attorney – Criminal Division;

Heidi Johnston, Minneapolis City Attorney – Criminal Division;

Chase Myhran, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has

provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

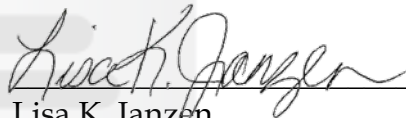
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.

12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.
13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **March 14, 2023**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
15. Defendant's competency and mental status shall be e-filed and e-served to:
- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Chase Myhran, Assistant Hennepin County Public Defender;

- c. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: September 13, 2023



Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR- 22-3377; 27-CR-20-
Chase Radley Green,	)	22423; 27-VB-20-14132; 27-VB-20-17037;
	)	27-VB-20-144567; 27-VB-20-166867
Defendant.)	

This matter came before the undersigned Judge on May 10, 2022. Robert Sorensen, Assistant Hennepin County Attorney, represented the State of Minnesota. Martin Costello represented the City of Richfield. Heidi Johnston represented the City of Minneapolis. Jennifer Cross represented the City of Bloomington. Defendant appeared in custody and was represented by Samantha Richie, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 4/15/1984), was charged in MNCIS file **27-CR- 22-3377** with Theft (Felony) arising from an incident alleged to have occurred on 2/19/2022. On 3/21/2022, Judge Theresa Couri found probable cause to believe that the offense was committed and that the Defendant committed it. Defendant was also with charged in MNCIS file **27-20-22423** with Theft (Misdemeanor) and Damage to Property (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/01/2020. Defendant was also with charged in MNCIS file **27-VB-20-14132** with Traffic (Misdemeanor) arising from an incident alleged to have occurred on 1/12/2020. Defendant was also

with charged in MNCIS file **27-VB-20-17037** with Traffic – Driving After Suspension (Misdemeanor) and Traffic Regulation – Must Carry Proof of Insurance (Misdemeanor) arising from an incident alleged to have occurred on 1/14/2020. Defendant was also with charged in MNCIS file **27-VB-20-144567** with Traffic – Driving After Suspension (Misdemeanor) arising from an incident alleged to have occurred on 8/13/2020. Defendant was also with charged in MNCIS file **27-VB-20-166867** with Traffic – Driving After Suspension (Misdemeanor) and Traffic Regulation – Must Carry Proof of Insurance (Misdemeanor) arising from an incident alleged to have occurred on 9/12/2020.

2. On 03/21/2022, Judge Theresa Couri ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Megan Paris, Psy.D., L.P., A.B.P.P., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Megan Paris, Psy.D., L.P., A.B.P.P., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court

retains authority over the criminal case, including but not limited to, bail or conditions of release.

2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Grant Gunderson, Assistant Hennepin County Attorney – Criminal Division;

Samantha Richie, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical

centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
12. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge

of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant’s treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.

13. In the event the Fourth Judicial District Court – Mental Health Division does not commit the defendant, then the defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
14. Defendant’s next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant’s competence to proceed is **November 8, 2022**. One week prior to that date, reports regarding Defendant’s competency and mental status shall be e-filed and e-served to:
15. Defendant’s competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Samantha Richie, Assistant Hennepin County Public Defender;
 - c. Assistant Hennepin County Attorney’s Office – Adult Services Division [if a commitment is ordered];
 - d. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

DATED: May 10, 2022

Lisa K. Janzen
Judge of District Court
Fourth Judicial District

MINNESOTA
JUDICIAL
BRANCH

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,	)	<u>FINDINGS OF FACT,</u>
	)	<u>CONCLUSIONS OF LAW</u>
Plaintiff,	)	<u>AND ORDER REGARDING</u>
	)	<u>COMPETENCY</u>
vs.)	
	)	MNCIS No: 27-CR-19-12466, 27-CR-19-
Terrell Johnson,	)	19606, 27-CR-20-8926, 27-CR-20-20037, 27-
	)	CR-21-19552, 27-CR-21-23233, 27-CR-22-
Defendant.	)	1165, 27-CR-20-23781, 27-CR-20-23605, 27-
	)	CR-22-390, 27-CR-21-21578, 27-CR-22-187,
	)	27-CR-21-7553, 27-CR-21-12369, 27-CR-21-
	)	14359, 27-CR-21-3139, 27-CR-21-21436, 27-
	)	CR-21-19332, 27-CR-21-21046

This matter came before the undersigned Judge on March 8, 2022. Warsame Galaydh, Assistant Hennepin County Attorney, represented the plaintiff on the felony. Heidi Johnston, Minneapolis City Attorney, represents the City of Minneapolis. Jennifer Spalding, represents the City of Crystal. Jennifer Cross, represents the City of Bloomington. Melanie Persellin, represents the City of New Hope. Amanda Grossman, represents the City of Brooklyn Park. Defendant appeared out of custody and was represented by Rachel Kowarsky, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant was charged in MNCIS file 27-CR-19-12466 with Drugs-3rd Degree (Felony) arising from an incident alleged to have occurred on 5/28/2019; in MNCIS file 27-CR-19-19606 with Drugs-3rd Degree (Felony) arising from an incident alleged to have occurred on 8/12/2019; in MNCIS file 27-CR-20-8926 with Drugs-5th Degree (Felony) arising from an incident alleged to have

occurred on 4/2/2020; in MNCIS file 27-CR-20-20037 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 4/6/2019; in MNCIS file 27-CR-21-19552 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 7/12/2021; in MNCIS file 27-CR-21-23233 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 12/17/2021; in MNCIS file 27-CR-22-1165 with Drugs-5th Degree (Felony) arising from an incident alleged to have occurred on 10/9/2021; in MNCIS file 27-CR-20-23781 with Driving After Cancellation (Gross Misdemeanor) arising from an incident alleged to have occurred on 11/7/2020; in MNCIS file 27-CR-20-23605 with Driving After Cancellation (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/27/2020; in MNCIS file 27-CR-22-390 with Indecent Exposure (Gross Misdemeanor) arising from an incident alleged to have occurred on 8/14/2021; in MNCIS file 27-CR-21-21578 with Trespass in Critical Public Service Facilities, Pipeline (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/29/2021; in MNCIS file 27-CR-22-1187 with Trespass on Critical Public Service Facilities, Pipeline (Gross Misdemeanor) arising from an incident alleged to have occurred on 10/16/2021; in MNCIS file 27-CR-21-7553 with Indecent Exposure (Misdemeanor) arising from an incident alleged to have occurred on 4/14/2021; in MNCIS file 27-CR-21-12369 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 7/2/2021; in MNCIS file 27-CR-21-14359 with Assault-5th Degree (Misdemeanor arising from an incident alleged to have occurred on 8/2/2021; in MNCIS file 27-CR-21-3139 with 5th Degree Assault (Misdemeanor) arising from an incident alleged to have occurred on 12/24/2020; in MNCIS file 27-CR-21-21436 with Trespassing (Misdemeanor) arising from an incident alleged to have occurred on 11/2/2021; in MNCIS file 27-CR-21-19332 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on 10/14/2021; in MNCIS file 27-CR-21-21046 with

Trespass (Misdemeanor) arising from an incident alleged to have occurred on 11/13/2021 . On 1/18/2022, Judge Julie Allyn found probable cause to believe that the offenses were committed, and that Defendant committed them.

2. Defendant was born on 8/28/1979.
3. On 1/19/2022, Judge Allyn ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
4. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
5. Dr. Adam Gierok, Psy.D., Psychological Services of Hennepin County District Court opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charges must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case, including but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten days of the date of service.

Warsame Galaydh, Assistant Hennepin County Attorney – Criminal
Division;

Rachel Kowarski, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care treatment or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; resident and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority

for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is **September 6, 2022, at 1:30 pm**. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Rachel Kowarski, Assistant Hennepin County Public Defender;
 - c. Warsame Galaydh, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division [if a commitment is ordered];
 - e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

12. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

DATED: 3/8/2022

BY THE COURT:



Lisa K. Janzen
Judge of District Court
Fourth Judicial District



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