

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT

State of Minnesota,

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

Plaintiff,

vs.

Matthew David Guertin,

Defendant.

**EXHIBT U4**  
**RAISSA CARPENTER**  
**IS A FRAUD | PART 04**

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**



MINNESOTA  
JUDICIAL BRANCH  
MINNESOTA COURT RECORDS ONLINE (MCRO)

**Case Details (Register of Actions)****27-CR-21-20637**

Search executed on 04/30/2024 05:30 AM

**Upcoming Hearing:**Review Hearing on **09/10/2024** at **1:30 PM****Case Information****Case Number:** 27-CR-21-20637**Case Title:** State of Minnesota vs Daniel Lamar Ford**Case Type:** Crim/Traf Mandatory**Date Filed:** 11/05/2021**Case Location:** Hennepin County, Hennepin Criminal Downtown**Judicial Officer:** Garcia, Tamara G.**Case Status:** Dormant**Party Information****Jurisdiction**

State of Minnesota

**Attorneys Active**

- **MOELLER, STEPHEN RICHARD** - Lead Attorney
- ARNESON, THOMAS STUART
- COLE, JUDITH L
- SORENSEN, ROBERT J

**Defendant****Ford, Daniel Lamar**

DOB: 08/28/1991

MINNEAPOLIS, MN 55404

**Attorneys Active**

- **CARPENTER, RAISSA** - Lead Attorney
- MORIARTY, CHRISTINA MARIE

**Attorneys Inactive**

- GORDON, ROBYN SARA
- Herlofsky, Susan
- MORIARTY, CHRISTINA MARIE
- SCANLAN, GREGORY MARTIN

**Charges****1**

Assault-5th Deg-2/More Prev Convict in 3 years

**Statute:** 609.224.4(b)**Additional Statutes:** Minimum Fines-Assault, Crim Sex (609.101.2); Assault-5th Deg-2/More Prev Convict in 3 years (609.224.4(b))**Level of Charge:** Felony**Offense Date:** 09/04/2021

**Community Of Offense:** Minneapolis**Law Enforcement Agency:** Metro Transit Commission Police Department**Prosecuting Agency:** Hennepin County Attorney**Interim Conditions****02/17/2022****Interim conditions for Ford, Daniel Lamar**

Judicial Officer: Janzen, Lisa K

- No contact with victim(s)
- Make all future court appearances
- Remain law-abiding
- Post Bail or Bond with No Conditions  
\$75,000.00
- Stay a reasonable distance away from victim's residence
- Comply With Geographic Restrictions Imposed
- Do not leave Minnesota without written court approval
- Conditions, other
- Release with Conditions  
\$0.00

**11/23/2021****Interim conditions for Ford, Daniel Lamar**

Judicial Officer: Janzen, Lisa K

Expiration Date: 02/17/2022

- Post Bail or Bond with Conditions  
\$25,000.00
- No contact with victim(s)
- Make all future court appearances
- Remain law-abiding
- Post Bail or Bond with No Conditions  
\$75,000.00
- Stay a reasonable distance away from victim's residence
- Comply With Geographic Restrictions Imposed
- Do not leave Minnesota without written court approval
- Conditions, other

**11/08/2021****Interim conditions for Ford, Daniel Lamar**

Judicial Officer: Garcia, Tamara G.

Expiration Date: 11/23/2021

- Post Bail or Bond with Conditions  
\$25,000.00
- No contact with victim(s)
- No alcohol/controlled substance use
- Make all future court appearances
- Remain law-abiding
- Post Bail or Bond with No Conditions  
\$75,000.00
- Stay a reasonable distance away from victim's residence
- Comply With Geographic Restrictions Imposed
- Contact with probation
- Follow all instructions of probation
- Random testing
- Take medications in the prescribed dosage and frequency
- Do not leave Minnesota without written court approval
- Conditions, other

11/05/2021 Interim conditions for Ford, Daniel Lamar  
Judicial Officer: Thomas, Laura Marie  
Expiration Date: 11/08/2021

- Post Bail or Bond with Conditions  
\$75,000.00
- No contact with victim(s)
- No alcohol/controlled substance use
- Make all future court appearances
- Remain law-abiding

## Case Assignments

### Current Case Assignment

Judicial Assignment: Garcia, Tamara G.  
Date of Assignment: 11/08/2021

### Prior Case Assignments

Judicial Assignment: Moreno, Daniel C.  
Date of Assignment: 11/08/2021  
Reassignment Reason: Reassigned by Agreement

Judicial Assignment: Garcia, Tamara G.  
Date of Assignment: 11/08/2021  
Reassignment Reason: Reassigned by Agreement

Date of Assignment: 11/05/2021  
Reassignment Reason: Initial Assignment

## Case Events

03/12/2024 Notice of Remote Hearing with Instructions  
Index #37



2 pages

03/12/2024 Found Incompetent

03/12/2024 Waiver of Appearance  
Index #36

02/09/2024 Rule 20 Evaluation Report  
Index #35

02/09/2024 Rule 20 Report Distributed

01/23/2024 Notice of Remote Hearing with Instructions  
Index #34



2 pages

01/23/2024 Notice of Remote Hearing with Instructions  
Index #33





2 pages

**01/23/2024** Request for Continuance  
Party: Attorney CARPENTER, RAISSA; Defendant Ford, Daniel Lamar  
Index #32

**01/23/2024** Fail to Appear at a hearing  
Party: Defendant Ford, Daniel Lamar

**01/23/2024** Hearing Held Remote

**11/09/2023** Notice of Remote Hearing with Instructions  
Index #31



1 page

**11/09/2023** Order-Evaluation for Competency to Proceed (Rule 20.01)  
Judicial Officer: Dayton Klein, Julia  
Index #30



2 pages

**06/28/2023** Notice of Remote Hearing with Instructions  
Index #29



2 pages

**06/27/2023** Found Incompetent  
Judicial Officer: Skibbie, Lori

**06/27/2023** Hearing Held Remote

**06/26/2023** Rule 20 Report Distributed

**06/26/2023** Rule 20 Evaluation Report  
Index #28

**03/14/2023** Order-Evaluation for Competency to Proceed (Rule 20.01)  
Judicial Officer: Dayton Klein, Julia  
Index #27



2 pages

**12/29/2022** Proposed Order or Document  
Index #26







3 pages





**12/29/2022** Rule 20 Progress Report  
Index #25


**11/15/2022** Found Incompetent  
Judicial Officer: Janzen, Lisa K

**11/15/2022** Waiver of Appearance  
Index #24

<b>11/02/2022</b>	Rule 20 Progress Report Index #23	
<b>05/10/2022</b>	Found Incompetent Judicial Officer: Janzen, Lisa K	
<b>05/10/2022</b>	Hearing Held Using Remote Technology Remote Party: Defendant Ford, Daniel Lamar; Attorney MORIARTY, CHRISTINA MARIE; Attorney SORENSEN, ROBERT J	
<b>05/04/2022</b>	Rule 20 Progress Report Index #22	
<b>04/19/2022</b>	Hearing Held Using Remote Technology Remote Party: Defendant Ford, Daniel Lamar; Attorney Herlofsky, Susan; Attorney SORENSEN, ROBERT J	
<b>03/30/2022</b>	Rule 20 Progress Report Index #21	
<b>02/22/2022</b>	Report-Other Index #20	
<b>02/17/2022</b>	Order-Other Judicial Officer: Janzen, Lisa K Index #19	 4 pages
<b>02/17/2022</b>	Order for Conditional Release Judicial Officer: Janzen, Lisa K Index #18	
<b>01/28/2022</b>	Order for Production of Medical Records Index #17	 2 pages
<b>01/27/2022</b>	Proposed Order or Document Index #16	 2 pages
<b>01/27/2022</b>	Correspondence for Judicial Approval Index #15	 2 pages
<b>01/25/2022</b>	Bail to stand as previously ordered	
<b>01/25/2022</b>	Hearing Held Using Remote Technology Remote Party: Defendant Ford, Daniel Lamar; Attorney GORDON, ROBYN SARA; Attorney SORENSEN, ROBERT J	
<b>12/21/2021</b>	Bail to stand as previously ordered	
<b>12/21/2021</b>	Hearing Held Using Remote Technology	

Remote Party: Attorney GORDON, ROBYN SARA;  
Attorney SORENSEN, ROBERT J

<b>12/13/2021</b>	Request for Continuance Index #14	
<b>11/30/2021</b>	Hearing Held Using Remote Technology	
<b>11/30/2021</b>	Bail to stand as previously ordered	
<b>11/30/2021</b>	Order Denying Motion Judicial Officer: Janzen, Lisa K Index #13	
<b>11/30/2021</b>	Motion Judicial Officer: Janzen, Lisa K Party: Defendant Ford, Daniel Lamar Index #12	
<b>11/23/2021</b>	Order for Conditional Release Judicial Officer: Janzen, Lisa K Index #11	 1 page
<b>11/23/2021</b>	Findings and Order Judicial Officer: Janzen, Lisa K Index #10	 5 pages
<b>11/23/2021</b>	Found Incompetent Judicial Officer: Janzen, Lisa K	
<b>11/23/2021</b>	Bail to stand as previously ordered	
<b>11/23/2021</b>	Hearing Held Using Remote Technology	
<b>11/12/2021</b>	Pre-Plea Worksheet Index #9	
<b>11/09/2021</b>	Demand or Request for Discovery Index #8	 6 pages
<b>11/08/2021</b>	Order for Conditional Release Judicial Officer: Garcia, Tamara G. Index #7	
<b>11/08/2021</b>	Probable Cause Found	
<b>11/08/2021</b>	Order-Evaluation for Competency to Proceed (Rule 20.01) Judicial Officer: Garcia, Tamara G. Index #6	 2 pages

<b>11/08/2021</b>	Statement of Rights Index #5	
<b>11/08/2021</b>	Order Granting Public Defender Judicial Officer: Garcia, Tamara G. Index #4	
<b>11/08/2021</b>	Hearing Held Using Remote Technology Remote Party: Attorney COLE, JUDITH L; Defendant Ford, Daniel Lamar; Attorney GORDON, ROBYN SARA	
<b>11/08/2021</b>	Identity Verified	
<b>11/05/2021</b>	Application for Public Defender Index #3	
<b>11/05/2021</b>	Pretrial Release Evaluation Form Index #2	
<b>11/05/2021</b>	E-filed Comp-Order for Detention Index #1	 6 pages

## Hearings

### Upcoming Hearings

**09/10/2024 01:30 PM** Review Hearing

### Previous Hearings

<b>03/12/2024 01:30 PM</b>	Hearing Judicial Officer: Mercurio, Danielle Location: GC-C556 Cancelled; Other	
<b>02/06/2024 01:30 PM</b>	Hearing Judicial Officer: Borer, George Location: GC-C456 Cancelled; Other	
<b>01/23/2024 01:30 PM</b>	Review Hearing Judicial Officer: Dayton Klein, Julia Location: GC-C559  Date Updated: 11/09/2023 Reset by Court to 01/23/2024 01:30 PM - By agreement  Original Hearing Date: 12/26/2023 01:30 PM	<b>Result:</b> Held On the Record
<b>06/27/2023 01:30 PM</b>	Hearing Judicial Officer: Skibbie, Lori Location: GC-C457  Date Updated: 05/15/2023 Reset by Court to 06/27/2023 01:30 PM - By agreement	<b>Result:</b> Held On the Record

Original Hearing Date: 05/16/2023 01:30 PM

**11/15/2022 01:30 PM**Hearing  
Judicial Officer: Janzen, Lisa K  
Location: GC-C857  
Cancelled; Other

Date Updated: 11/07/2022

Reset by Court to 11/15/2022 01:30 PM - By agreement

Original Hearing Date: 11/08/2022 01:30 PM

**05/10/2022 01:30 PM**Hearing  
Judicial Officer: Janzen, Lisa K  
Location: GC-C857**Result:** Held On the Record**04/19/2022 01:30 PM**Hearing  
Judicial Officer: Janzen, Lisa K  
Location: GC-C857**Result:** Held On the Record**01/25/2022 01:30 PM**Bail Hearing  
Judicial Officer: Janzen, Lisa K  
Location: GC-C857**Result:** Held On the Record**01/19/2022 01:15 PM**Omnibus Hearing  
Judicial Officer: Garcia, Tamara G.  
Location: GC-C1353  
Cancelled; Other**01/18/2022 01:30 PM**Hearing  
Judicial Officer: Janzen, Lisa K  
Location: GC-C857  
Cancelled; Other**12/21/2021 01:30 PM**Bail Hearing  
Judicial Officer: Janzen, Lisa K  
Location: GC-C857**Result:** Held On the Record

Date Updated: 12/13/2021

Continued to 12/21/2021 01:30 PM - By agreement - Ford, Daniel  
Lamar; State of Minnesota

Original Hearing Date: 12/14/2021 01:30 PM

**11/30/2021 01:30 PM**Bail Hearing  
Judicial Officer: Janzen, Lisa K  
Location: GC-C857**Result:** Held On the Record**11/23/2021 01:30 PM**Bail Hearing  
Judicial Officer: Janzen, Lisa K  
Location: GC-C857**Result:** Held On the Record**11/08/2021 01:30 PM**First Appearance  
Judicial Officer: Garcia, Tamara G.  
Location: PSF 141**Result:** Held On the Record

Search executed on 04/30/2024 05:30 AM

State of Minnesota  
 County of Hennepin

District Court  
 4th Judicial District

Prosecutor File No. 21A11522  
 Court File No. 27-CR-21-20637

State of Minnesota,

Plaintiff,

vs.

**DANIEL LAMAR FORD DOB: 08/28/1991**

2105 E Minnehaha Ave  
 Minneapolis, MN 55406

Defendant.

## COMPLAINT

Order of Detention

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

### COUNT I

#### Charge: Assault-5th Deg-2/More Prev Convict in 3 years

Minnesota Statute: 609.224.4(b), with reference to: 609.101.2, 609.224.4(b)

Maximum Sentence: 5 YEARS AND/OR \$10,000

Offense Level: Felony

Offense Date (on or about): 09/04/2021

Control #(ICR#): 21006483

Charge Description: That on or about November 4, 2021, in Hennepin County, Minnesota, Daniel Lamar Ford did intentionally inflicted or attempted to inflict bodily harm on another and less than three years has elapsed since Daniel Lamar Ford was convicted of or adjudicated delinquent for the first of two or more previous qualified domestic violence-related offenses.

**STATEMENT OF PROBABLE CAUSE**

Complainant has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On September 4, 2021 officers with the Metro Transit Police Department responded to a report of an assault at US Bank light rail platform in the City of Minneapolis, Hennepin County, MN. Officers met the reporting party, fully identified in officers' reports, Victim herein, at the Mall of America light rail platform.

Victim informed officers he had been punched in the face by a person while waiting for the train at the US Bank platform. Officers were able to take photographs of Victim's face. Officers able to review surveillance video from the transit station and observed an individual assaulting Victim. Officers were also able to identify the suspect as Daniel Lamar Ford, DOB 08/28/1991, Defendant herein.

Officers located Defendant on November 4, 2021 and placed Defendant under arrest. After being advised of his rights through a Miranda advisory, Defendant agreed to speak with officers. Defendant denied assaulting Victim on September 4. Defendant told officers the person who committed the assault was a person Defendant identified as "Joshua". Defendant refused to provide any additional information regarding "Joshua". Defendant also stated that "Joshua" looks like Defendant's twin. Defendant also stated he and "Joshua" were on the train in early September and that Defendant had to "pop him" to get "Joshua" back in line.

Through additional investigation, officers found Defendant has three prior qualified domestic violence related convictions within the past three (3) years. Those convictions are:

- Threats of Violence – 27-CR-20-14068
- Assault in the 4th Degree – 27-CR-20-256
- Threats of Violence – 27- CR-20-18844

Defendant is currently in custody.

**SIGNATURES AND APPROVALS**

Complainant requests that Defendant, subject to bail or conditions of release, be:  
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or  
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

**Complainant**

Samuel Scheeler  
Police Officer  
560 6th Avenue N  
Minneapolis, MN 55411  
Badge: 73385

Electronically Signed:  
11/05/2021 12:44 PM  
Hennepin County, Minnesota

Being authorized to prosecute the offenses charged, I approve this complaint.

**Prosecuting Attorney**

Stephen R Moeller  
300 S 6th St  
Minneapolis, MN 55487  
(612) 348-5550

Electronically Signed:  
11/05/2021 12:36 PM



## FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

### ☐ SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear as directed in the Notice of Hearing before the above-named court to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

### ☐ WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

☐ *Execute in MN Only*

☐ *Execute Nationwide*

☐ *Execute in Border States*

### ☒ ORDER OF DETENTION

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$75,000.00

Conditions of Release: No Contact with Victim; No use of drugs/alcohol; Make All Appearances; Remain Law Abiding

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: November 5, 2021.

**Judicial Officer**

Laura Thomas  
 Judge of District Court

Electronically Signed: 11/05/2021 01:10 PM

Sworn testimony has been given before the Judicial Officer by the following witnesses:

**COUNTY OF HENNEPIN  
 STATE OF MINNESOTA**

**State of Minnesota**

Plaintiff

vs.

**Daniel Lamar Ford**

Defendant

**LAW ENFORCEMENT OFFICER RETURN OF SERVICE**  
*I hereby Certify and Return that I have served a copy of this Order of  
 Detention upon the Defendant herein named.*

Signature of Authorized Service Agent:

# DEFENDANT FACT SHEET

**Name:** Daniel Lamar Ford  
**DOB:** 08/28/1991  
**Address:** 2105 E Minnehaha Ave  
 Minneapolis, MN 55406

**Alias Names/DOB:**

**SID:** MN09CD9481

**Height:**

**Weight:**

**Eye Color:**

**Hair Color:**

**Gender:**

MALE

**Race:**

Black

**Fingerprints Required per Statute:**

Yes

**Fingerprint match to Criminal History Record:**

Yes

**Driver's License #:**

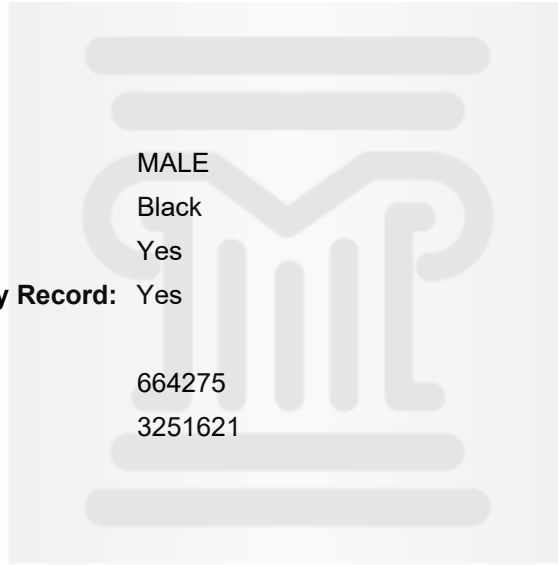
**SILS Person ID #:**

664275

**SILS Tracking No.**

3251621

**Alcohol Concentration:**



MINNESOTA  
 JUDICIAL  
 BRANCH

# STATUTE AND OFFENSE GRID

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	9/4/2021	609.224.4(b) Assault-5th Deg-2/More Prev Convict in 3 years	Felony	AG553		MN0274300	21006483
	Penalty	9/4/2021	609.224.4(b) Assault-5th Deg-2/More Prev Convict in 3 years	Felony	AG553		MN0274300	21006483
	Definition	9/4/2021	609.101.2 Minimum Fines – Victim Assistance Programs	No-Level	AG553		MN0274300	21006483



MINNESOTA  
 JUDICIAL  
 BRANCH

State of Minnesota

District Court

Hennepin County

Fourth Judicial District

State of Minnesota,  
Plaintiff,**Filed in District Court  
State of Minnesota**

v.

Order to 4<sup>th</sup> Judicial District Court  
Psychological Services  
27-CR-21-20637Daniel Lamar Ford,  
Defendant.

NOV 08 2021

Defendant Information	
Location:	<input type="checkbox"/> Out of Custody <input checked="" type="checkbox"/> In Custody ( ) 11/8/22 @ 1:30
Phone:	Home: 612-735-5987, Cell: 612-267-1615 Date of Birth: 08/28/1991
Email:	dford849@yahoo.com SILS Identifier: 664275
Home Address:	2105 E Minnehaha Ave Minneapolis MN 55406

It is hereby ordered:

- ☒ For felony and gross misdemeanor cases, probable cause has been found.  
☐ The defendant is to be released upon completion of the interview process.  
☐ This is part of the targeted misdemeanor program.

1. The Chief of Psychological Services of the Fourth Judicial District or the Chief's designee ("Examiner") shall conduct the following psychological evaluation, assessment and/or consultation regarding the defendant:

- ☒ Competency to participate in proceedings pursuant to Rule 20.01  
☐ Mental state at the time of the alleged act pursuant to Rule 20.02 (M'Naghten Rule)  
☐ Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457  
☐ Consultation (Pre-Plea/Pre-Sentence) \_\_\_\_\_  
☐ Other (please specify) \_\_\_\_\_

2. Copies of this evaluation shall be provided to the Court and the following individuals:

Defense Counsel: CHRISTINA MARIE MORIARTY 612-348-5061  
Prosecuting Attorney: STEPHEN RICHARD MOELLER 612-543-0522  
Probation Officer:

3. The hearing for the return of psychological evaluation will be held on  
at

4. Upon presentation of this order, the relevant custodian of records shall provide (whether mailed, faxed, or personally delivered) to the Examiner all relevant records from the following sources: behavioral, chemical dependency, developmental disability, educational, employment, judicial, law enforcement (including audio/visual recordings), medical, probation/correction, psychological, and social service. A copy of the records so requested shall be delivered to the Examiner within 96 hours of presentation of this order. Records that are faxed shall be sent to 612-348-3452. Mailed records should be sent to Hennepin County District Court, Psychological Services, 300 South Sixth Street, C-509 Government Center, Minneapolis, Minnesota

55487. All agencies maintaining the above-listed records may also communicate verbally with the requesting Examiner.

- **The Court specifically finds** good cause exists for authorizing the disclosure of the identified records, including chemical dependency records, because other ways of obtaining the information are not available or would not be effective, and the public interest and need for disclosure outweighs the potential injury to the patient, the physician/patient relationship and any chemical dependency treatment facility or organization holding records pertaining to Defendant.
5. During the preparation of the report, the Examiner and any employee of Community Corrections and Rehabilitation may discuss the case and share relevant information in a manner consistent with Minnesota Rules of Criminal Procedure, Minnesota Statutes and case law.
  6. If a sex offender evaluation has been ordered and the defendant is a Repeat Sex Offender as defined in MN Statute 609.3457, Psychological Services is ordered to comply with both the requirements of § 609.3457 and the agreement with Minnesota State Operated Forensic Services. A copy of any Repeat Sex Offender Report produced by Psychological Services shall be forwarded to the Court and the Commissioner of Corrections.
  7. In the case of Rule 20 evaluations, the Examiner shall offer an opinion and support for the opinion on whether the defendant:
    - a. Is suitable for civil commitment and the basis of the possible commitment.
    - b. Is mentally ill and dangerous; and
    - c. Needs immediate hospitalization.
  8. In the case of Rule 20 evaluations, the Examiner shall promptly notify the prosecutor, defense attorney and the Court if the Examiner concludes that the defendant:
    - a. Presents an imminent risk of serious danger to another,
    - b. Is imminently suicidal, or
    - c. Needs emergency intervention.

Dated: November 8, 2021

  
\_\_\_\_\_  
Judge of District Court Signature  
Tamara Garcia

- ✓ Please scan and e-mail the order to **4<sup>th</sup> Psych Services Orders**.
- ✓ Please direct the prosecuting agency to forward a copy of the police report for each case to Psychological Services.
- ✓ If a defendant is to be released upon completion of the interview process, a Conditional Release Order must be filed giving that direction.

DISTRICT COURT - FELONY DIVISION  
FOURTH JUDICIAL DISTRICT

Defendant,

**MNCIS No. 27-CR-21-20637**

\* \* \*

## DEMAND FOR PRESERVATION AND DISCLOSURE OF EVIDENCE

These demands apply to:

1. **Investigative reports** prepared by state agents or employees in the investigation or evaluation of the case, together with the original notes of the arresting officers, if any.
2. **Statements**, as fully described in Rule 9.01, subd. 1(2). This request includes any written or recorded statement made by the Defendant or any alleged accomplice, regardless of when made, and the substance of any non-recorded oral statements by the Defendant or accomplices. This request includes recorded statements by any other

person and any written record containing the substance of statements by them, whether or not they are expected to be called at trial. This request includes statements made to any member of prosecution's staff, victim advocates, and any other person of which the government is aware or should be aware. State v. Adams, 555 N.W.2d 310 (Minn. App. 1996). It also includes disclosure of the fact that an interview with a witness took place, regardless of whether it was transcribed or whether written statements or written summaries were prepared. State v. Kaiser, 486 N.W.2d 384, 386-87 (Minn. 1992) This request also encompasses copies of recorded statements made pursuant to State v. Scales, 518 N.W.2d 587 (Minn. 1994) and any attempted recordings that for whatever alleged reason are inaudible or unavailable.

3. **Audio or video records** produced regarding this case, including squad video, 911 calls, radio runs, police radio communications, scout runs, police transport recordings, and record checks.
4. **Reports related to examinations, tests, or expert testimony**, as fully described in Rule 9.01, subd. 1(4). In addition to disclosure, Defendant also demands the in-person testimony of all analysts who performed tests the results of which the state intends to introduce into evidence at any hearing related to this case. Further, defendant hereby provides notice that he retains his right to cross-examine the analysts under State v. Caulfield, 722 N.W.2d 304, Minn. 2006.
5. **Documents and other tangible objects**, as fully described in Rule 9.01, subd. 1(3)
6. **Search warrants** obtained and executed regarding the case, including inventories and items seized.
7. **Identification procedures** including but not limited to lineups, show-up identifications, photo arrays, or the like, and details on the nature and circumstances of any and all identification procedures that become known to the government in the future.
8. **Witnesses and other persons**, as fully described in Rule 9.01, subd. 1(1).
9. **Conviction records** for all witnesses and other persons, as required to be disclosed under Rule 9.01, subd. 1(1).
10. **Prior convictions** of the Defendant or defense witnesses, to be provided as certified copies. In addition to disclosure, defendant also demands notice if the state intends to use a conviction to impeach any defense witness, including Defendant.



11. **Alleged but uncharged misconduct, prior bad acts, or relationship evidence** which the State intends to introduce at trial in this matter, disclosure to include police reports and any other documentation.
12. **Evidence related to an enhanced or aggravated sentence**, as identified in Rule 9.01, subd. 1(7). In addition to disclosure, defendant also demands notice if the state intends to seek an aggravated or enhanced sentence.
13. **Brady material**. i.e., any information that tends to negate or reduce the guilt of the accused, or which tends to mitigate punishment as to the offense charged. For the purposes of cross-examining State witnesses, this includes impeachment evidence as well as inducements offered to or accepted by a witness to be called by the State, whether the inducement was for the benefit of the witness or for the benefit of another, including but not limited to financial assistance, plea agreements, agreements not to prosecute, or any benefit or assistance of any kind whatsoever. Defendant demands the prosecutor's compliance with the duty to learn about Brady material, even if known only to police or others acting on the government's behalf in the case.

These requests encompass all information or evidence known to the prosecutor on this case personally or if known to any other prosecutor or law enforcement agent, as well as information and evidence about which the prosecutor on this case could acquire actual knowledge through the exercise of due diligence in responding to these inquiries.

Lastly, the defense demands disclosure of all audio or video files on CD ROM or DVD ROM disc, and demands that the state provide any and all software or other files necessary to open, view or play such disc(s).

This demand for preservation and disclosure, in its entirety, continues until final disposition of this case. It therefore encompasses any additional information subject to disclosure that becomes known to the State after the State has begun complying with discovery rules, orders or defense requests. Minn. R. Crim. P. 9.03, subd. 2;

### **MOTION TO COMPEL DISCLOSURE AND ACCESS**

Defendant moves the Court for an Order requiring the State

- 1 To preserve all evidence and other matters subject to disclosure as herein demanded and as otherwise required by Minnesota Rule of Criminal Procedure 9.01.



- 2 To permit Defendant to have access to, inspect, reproduce, photograph, or otherwise document all disclosed items, as described in Minn. R. Crim. P 9.01, subd. 1 & subd. 1a(2).
- 3 To allow defendant to conduct reasonable tests or to provide notice and an opportunity for defense experts to observe the state's own tests if those tests preclude further tests or experiments, as described in Minn. R. Crim. P 9.01, subd. 1(4)(b).
- 4 To assist Defendant in seeking access to specified matters relating to the case which are within the possession or control of an official or employee of any governmental agency, but which are not within the control of the prosecuting attorney, as described in Minn. R. Crim. P. 9.01, subd 2(1).
- 5 For an Order directing the prosecuting attorney to identify and produce any informants who supplied or contributed information to the prosecution which led to the issuance of a Complaint against the Defendant on the grounds:
  - a. The privilege of non-disclosure of any informants must give way and disclosure of the identity of an informer is required where disclosure is essential or relevant and material, and helpful to the defense of an accused, or lessens the risk of false testimony, or is necessary to secure useful testimony, or is necessary to a fair determination of the cause; or
  - b. Disclosure is necessary as a means to afford this Defendant an opportunity to establish that if informants did exist, that the information supplied to the prosecutor by them was inaccurate or misrepresentative.

### **MOTION TO SUPPRESS EVIDENCE**

Defendant moves the Court for an Order suppressing, particularly with respect to those items identified in the state's notice under Rule 7.01:

- 1 Any and all evidence obtained as a result of a stop, search, or seizure, on the ground that such evidence was obtained in violation of Defendant's constitutional and statutory protections against unreasonable searches and seizures.
- 2 Any and all confessions, admissions, or statements in the nature of confessions made by Defendant, together with any evidence obtained as a result thereof, on the grounds that any use of such evidence, in any manner, would be in violation of the Defendant's constitutional and statutory rights.

- 3 Any and all identifications of Defendant and evidence of identification procedures used during the investigation, together with any evidence obtained as a result of identification procedures used during the investigation, on the ground that any use of such evidence, in any manner, would be in violation of the Defendant's constitutional and statutory rights.

Defendant further moves this court for an order suppressing other evidence or granting any relief that the court may require to ensure a fair and expeditious trial on this matter.

### **MOTION TO EXCLUDE EVIDENCE**

Defendant moves the Court for an Order restraining the prosecution from attempting to introduce at trial:

- 1 Evidence obtained as a result of stop, search, or seizure, confession or other statement by the Defendant, or identification procedures, as described above, on the grounds that the notices filed by the State are vague, ambiguous, and inspecific, all to the prejudice of the Defendant and contrary to the meaning of Minnesota R. Crim. P. 7.01.
- 2 Evidence that Defendant has been guilty of additional misconduct or crimes on other occasions, on the grounds that the state has not provided notice of its intent to use such evidence or, if it did, that such notice was not specific enough or failed to specify a particular exception to the general rule of exclusion. Defendant also moves for exclusion on the grounds that the evidence is not admissible under any exception to the general rule of exclusion, that such evidence is more prejudicial than probative, or that such evidence has not been proven to be clear and convincing.
- 3 Evidence, argument, or any other reference to prior convictions, if any, of the Defendant.
- 4 Any and all other evidence for which the State has failed to provide notice as required by the Minnesota Rules of Criminal Procedure

Defendant further moves this court for an order excluding other evidence or granting any relief that the court may require to ensure a fair and expeditious trial on this matter.

**DEMAND FOR HEARING**

Defendant hereby demands a contested hearing on the above motions, to be held as soon as practicable after the serving and filing hereof.

Respectfully submitted,

OFFICE OF THE HENNEPIN COUNTY PUBLIC DEFENDER  
KASSIUS O. BENSON – CHIEF PUBLIC DEFENDER

By                     /s/                      
Robyn S. Gordon  
Attorney License No. 396308  
Attorney for Defendant  
701 Fourth Avenue South, Suite 1400  
Minneapolis, MN 55415  
Telephone: 612-348-2433

DATED: This 8<sup>th</sup> day of November, 2021.

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT  
CRIMINAL DIVISION

State of Minnesota,	)	<b><u>FINDINGS OF FACT,</u></b>
	)	<b><u>CONCLUSIONS OF LAW</u></b>
Plaintiff,	)	<b><u>AND ORDER REGARDING</u></b>
	)	<b><u>COMPETENCY</u></b>
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.

DATED: November 23, 2021

BY THE COURT:

**Janzen, Lisa**

Lisa K. Janzen  
Judge of District Court  
Fourth Judicial District

Digitally signed by Janzen, Lisa  
Date: 2021.11.23 11:56:41  
06'00'



STATE OF MINNESOTA  
COUNTY OF HENNEPINFiled in District Court  
State of Minnesota  
November 23, 2021DISTRICT COURT  
FOURTH JUDICIAL DISTRICTState of Minnesota  
v.

Case: 27-CR-21-20637

DOB (SILS): 08/28/1991

Daniel Lamar Ford

Charge: Assault-5<sup>th</sup> Degree (Fel)

## CONDITIONAL RELEASE ORDER

☐ New Order ☒ Amended Order

## You are released on any of the following marked options (and marked conditions):

- ☒ Post bail/bond of \$75,000 with no conditions. ☒ Post bail/bond of \$25,000 with the following conditions.  
☐ Post cash bail of \$\_\_\_\_\_ with no conditions. ☐ Post cash bail of \$\_\_\_\_\_ with the following conditions.  
☐ You are released with no bond, bail, or conditions. ☐ You are released with no bail on the following conditions.

- ☒ Obey all laws.
- ☒ Attend all court appearances and appointments with Probation, including any Pre-Sentence Investigation interview.
- ☒ Do not have direct or indirect contact (including through social media) with J.H. (male). Stay away from a three-block radius of J.H. and where any such person is, lives, works or goes to school, except with a police escort to recover your clothing, prescriptions, electronics, and toiletries. ☐ Solely to facilitate parenting time or for child-care purposes, ☐ contact through \_\_\_\_\_ or ☐ written contact is permitted.
- ☒ Stay away from Lightrail train stations and platforms.
- ☐ Do not have parenting time with \_\_\_\_\_ unless allowed by Child Protective Services. If a future order from a Family Court or Juvenile Court allows parenting time, you may seek a modification of this order.
- ☐ Do not possess any firearm or ammunition.
- ☒ You cannot leave Minnesota without court permission.
- ☒ If you do not meet criteria for civil commitment hospitalization, you will be released to a bed as soon as one becomes available at an appropriate residential facility in the community as approved by your mental health case manager.

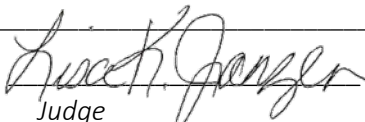
The following marked conditions require supervision by Probation. Sign releases to confirm your compliance.

- ☐ Your release will be supervised. Notify your supervising officer of any change in your contact information within 24 hours. If you are currently on probation in Hennepin County, your Probation Officer will supervise you; these conditions are in addition to all current probation conditions.
- ☐ Complete an in-custody substance use assessment. You are released: ☐ upon completion of the assessment interview ☐ to recommended treatment without posting bond/bail ☐ only upon court order. Follow recommendations.
- ☐ Within \_\_\_\_\_ days of your release, complete a substance use assessment. Follow recommendations.
- ☐ Do not use any alcohol or non-prescribed controlled substance. You are subject to ☐ random testing and/or ☐ Remote Electronic Alcohol Monitoring (REAM) at your expense. Take all prescribed medication only as directed; provide a list of all medications to your supervising officer.
- ☐ You must remain on Electronic Home Monitoring (EHM) and follow EHM rules. You ☐ will remain in custody and be transported by Probation to be placed on EHM ☐ must report to Client and Community Restoration at 3000 2nd Street North, Minneapolis, on \_\_\_\_\_ to activate EHM. If eligible, you are approved for immediate furloughs for job-seeking, work, school, treatment, legal meetings, and court.
- ☐ \_\_\_\_\_.

## Internal Use Only:

REVIEWED WITH DEFENDANT, AND RELEASED TO:

☐ Treatment ☐ Self ☐ Other: \_\_\_\_\_\_\_\_\_\_  
Probation Officer's Signature Date\_\_\_\_\_  
Deputy's Signature Date

 November 23, 2021  
 Judge Date

I received a copy of this Order.

\_\_\_\_\_  
 Defendant Date November 23, 2021



## DIRECT CARE &amp; TREATMENT – FORENSIC SERVICES

January 27, 2022

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

RE: *State v. Daniel Lamar Ford*, Rule 20.01, subd. 7 competency evaluation  
Court Files: 27-CR-21-20637; 27-CR-20-18844; 27-CR-20-14068; 27-CR-20-256

Dear Judge Janzen,

I am the Court Liaison for DHS Direct Care and Treatment- Forensic Services, and I write regarding the pending competency evaluation for the Defendant in the above-referenced cases. Defendant was found incompetent to participate in his defense under Minnesota Rule of Criminal Procedure 20.01 on October 19, 2021, and they were subsequently civilly committed. Minnesota Rule of Criminal Procedure 20.01, subd. 7, provides in part that the head of the institution to which a defendant is committed must report to the court periodically, not less than six months, on the defendant's mental condition with an opinion as to competency to proceed.

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

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

Sincerely,

Amanda Burg, Court Liaison  
Direct Care & Treatment - Forensic Services  
1703 County Road 15  
St. Peter, MN 56082  
Phone: 507-985-2659  
amanda.r.burg@state.mn.us

Copies: Hennepin County Court Administration  
Prosecuting Attorney  
Criminal Defense Attorney



MINNESOTA  
JUDICIAL  
BRANCH

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

---

Case Type: Criminal

State of Minnesota,

Court File Nos.: 27-CR-21-20637;  
27-CR-20-18844; 27-CR-20-14068;  
27-CR-20-256

Plaintiff,

v.

Daniel Lamar Ford,

Defendant.

**[PROPOSED]  
ORDER FOR RELEASE OF  
MEDICAL RECORDS**

---

The above-entitled matter came before the Court on a request for an Order for release of medical records filed by the Minnesota Department of Human Services' (DHS) - Forensic Services Forensic Evaluation Department. The request was served on Defendant's counsel and the Hennepin County Attorney's Office at the time of filing.

Defendant was found incompetent to participate in his defense under Minnesota Rule of Criminal Procedure 20.01 and was subsequently civilly committed. Minnesota Rule of Criminal Procedure 20.01, subd. 7, provides in part that the head of the institution to which a defendant is committed must report to the court periodically, not less than six months, on the defendant's mental condition with an opinion as to competency to proceed. The DHS Forensic Evaluation Department, on behalf of DHS and the head of the institution to which Defendant is committed, is conducting the subd. 7 competency evaluation in this matter. Like the court appointed examiner ordered to conduct the initial Rule 20.01 evaluation in this matter, the assigned DHS Forensic Examiner should have access to Defendant's treatment records so a comprehensive report can be prepared to provide a well-informed opinion to the Court and the parties regarding Defendant's current mental health condition and competency status.

Based upon the request submitted by the DHS Forensic Evaluation Department, the Court hereby makes and files the following:

**ORDER**

1. The DHS Forensic Evaluation Department shall have access to Defendant's treatment records so they can prepare a comprehensive competency evaluation under Minnesota Rule of Criminal Procedure 20.01, subd. 7.
2. By presentation of a copy of this order, whether mailed, sent via facsimile, or personally delivered, the custodian of records for any agency, department, or health care provider shall release all information and/or records related to Defendant, including medical, psychological, behavioral, social service, probation/correctional, developmental disability, employment and educational records, to the DHS Forensic Evaluation Department within 72 hours.
3. This Order shall be sufficient to require an agency, department, or health care provider to release the requested information and/or records related to treatment Defendant has received in connection with that facility.
4. Defendant's medical records may not be disclosed to any other person without court authorization or Defendant's signed consent.

Dated: \_\_\_\_\_

BY THE COURT:

\_\_\_\_\_  
Judge of District Court

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

---

Case Type: Criminal

State of Minnesota,

Court File Nos.: 27-CR-21-20637;  
27-CR-20-18844; 27-CR-20-14068;  
27-CR-20-256

Plaintiff,

v.

Daniel Lamar Ford,

Defendant.

**ORDER FOR RELEASE OF  
MEDICAL RECORDS**

---

The above-entitled matter came before the Court on a request for an Order for release of medical records filed by the Minnesota Department of Human Services' (DHS) - Forensic Services Forensic Evaluation Department. The request was served on Defendant's counsel and the Hennepin County Attorney's Office at the time of filing.

Defendant was found incompetent to participate in his defense under Minnesota Rule of Criminal Procedure 20.01 and was subsequently civilly committed. Minnesota Rule of Criminal Procedure 20.01, subd. 7, provides in part that the head of the institution to which a defendant is committed must report to the court periodically, not less than six months, on the defendant's mental condition with an opinion as to competency to proceed. The DHS Forensic Evaluation Department, on behalf of DHS and the head of the institution to which Defendant is committed, is conducting the subd. 7 competency evaluation in this matter. Like the court appointed examiner ordered to conduct the initial Rule 20.01 evaluation in this matter, the assigned DHS Forensic Examiner should have access to Defendant's treatment records so a comprehensive report can be prepared to provide a well-informed opinion to the Court and the parties regarding Defendant's current mental health condition and competency status.

Based upon the request submitted by the DHS Forensic Evaluation Department, the Court hereby makes and files the following:

**ORDER**

1. The DHS Forensic Evaluation Department shall have access to Defendant's treatment records so they can prepare a comprehensive competency evaluation under Minnesota Rule of Criminal Procedure 20.01, subd. 7.
2. By presentation of a copy of this order, whether mailed, sent via facsimile, or personally delivered, the custodian of records for any agency, department, or health care provider shall release all information and/or records related to Defendant, including medical, psychological, behavioral, social service, probation/correctional, developmental disability, employment and educational records, to the DHS Forensic Evaluation Department within 72 hours.
3. This Order shall be sufficient to require an agency, department, or health care provider to release the requested information and/or records related to treatment Defendant has received in connection with that facility.
4. Defendant's medical records may not be disclosed to any other person without court authorization or Defendant's signed consent.

Dated: Jan 28, 2022

BY THE COURT:

  
\_\_\_\_\_  
Judge of District Court

State of Minnesota

District Court

County of Hennepin

Fourth Judicial District

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

v.

Daniel Lamar Ford,  
Defendant.

Case No. 27-CR-21-20637

**FINDINGS OF FACT**

1. Defendant (date of birth 08/28/1991) was charged 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 felony was committed and that Defendant committed it for Rule 20 purposes.
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, ABPP, for 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., LP, ABPP, for 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.
5. On 11/23/21, the Defendant appeared in custody with counsel before the Court and 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. Judge Lisa Janzen ordered the Hennepin County Prepetition Screening Program to conduct prepetition screening and Defendant remained in custody subject to conditions issued on 11/23/21.

6. On 12/20/21, Judge Phil Carruthers of Hennepin County District Court issued an Order for Commitment as a Person Who is Mentally Ill (Rule 20) in MNCIS Case No. 27-MH-PR-21-1406; the Defendant was civilly committed to the Commissioner of Human Services.
7. On 01/26/22, the Defendant was admitted to CBHH Baxter.
8. On 02/16/22, the Department of Human Services – Direct Care and Treatment emailed the Court regarding a Provisional Discharge to an Adult Foster Care facility.
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 an Adult Foster Care facility, 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 Lisa Janzen approved the request to provisionally discharge Defendant and amended bail.

### 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 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: February 17, 2022

  
Lisa K. Janzen  
Judge of District Court  
Fourth Judicial District

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

---

Case Type: Criminal

State of Minnesota,

Court File Nos.: 27-CR-21-20637;  
27-CR-20-18844; 27-CR-20-14068

Plaintiff,

v.

**[PROPOSED]  
ORDER APPOINTING EXAMINER  
FOR RULE 20.01, SUBD. 7  
EVALUATION**

Daniel Lamar Ford,

Defendant.

---

The above-entitled matter came before the Court via correspondence filed by the Minnesota Department of Human Services' (DHS) - Forensic Services. The correspondence was served on Defendant's counsel and the Hennepin County Attorney's Office at the time of filing.

Defendant was found incompetent to participate in their defense under Minnesota Rule of Criminal Procedure 20.01 and was subsequently civilly committed. The DHS Forensic Evaluation Department is able to conduct continuing competency evaluations in this matter while Defendant is under civil commitment. Like the court appointed examiner ordered to conduct the initial Rule 20.01 evaluation in this matter, the assigned DHS Forensic Examiner should have access to Defendant's treatment and service records so a comprehensive report can be prepared to provide a well-informed opinion to the Court and the parties regarding Defendant's current mental health condition and competency status.

Based upon the correspondence filed by DHS – Forensic Services, the Court hereby makes and files the following:

**ORDER**

1. The DHS Forensic Evaluation Department is appointed to conduct under Minn. R. Crim. P. 20.01, subd. 7:
  - ☐ A single continuing competency evaluation addressing Defendant's mental condition and an opinion as to competency to proceed, to be filed with the court no later than April 28, 2023, which is six months from Defendant's last competency evaluation.
  - ☐ Continuing competency evaluations addressing Defendant's mental condition and an opinion as to competency to proceed, to be filed not less than once every six months, while Defendant remains under civil commitment or until further action by DHS or the Court. The next competency evaluation will be filed with the court no later than April 28, 2023, which is six months from Defendant's last competency evaluation.
2. DHS - Forensic Services shall have access to Defendant's treatment and other records so a comprehensive competency evaluation can be prepared under Minn. R. Crim. P. 20.01, subd. 7.
3. By presentation of a copy of this order, whether mailed, sent via facsimile, or personally delivered, the custodian of records for any agency, department, or health care provider shall release all information and/or records related to Defendant, including medical, psychological, behavioral, social service, probation/correctional/jail records, including behavioral notes, medical notes, psychiatric notes, jail reports, and any records or information maintained by the jail from any third party medical provider/contractor/public health staff, developmental disability, employment and educational records, to DHS - Forensic Services within 72 hours.

4. This Order shall be sufficient to require any agency, department, or health care provider to release the requested information and/or records related to treatment Defendant has received in connection with that facility.
5. Defendant's treatment and other records may not be disclosed to any other person without court authorization or Defendant's signed consent.
6. Costs for competency evaluations as ordered herein will be paid by the Court pursuant to Minn. Stat. § 480.182 (4).

Dated: \_\_\_\_\_

BY THE COURT:

\_\_\_\_\_  
Judge of District Court

MINNESOTA  
JUDICIAL  
BRANCH

Filed in District Court  
State of Minnesota  
Mar 14, 2023 11:09 am

State of Minnesota

District Court

Hennepin County

Fourth Judicial District

State of Minnesota,  
Plaintiff,

v.

Daniel Lamar Ford,  
Defendant.**Order to Fourth Judicial District Court  
Psychological Services**27-CR-20-14068  
27-CR-20-18844; 27-CR-21-20637

Defendant Information	
<input checked="" type="checkbox"/> Out of Custody <input type="checkbox"/> In Custody – at Facility: _____	
Date of Birth: 08/28/1991	SILS Identifier: 664275
Phone: Home: 612-735-5987, Cell: 612-267-1615	
Email: dford849@yahoo.com	
Current Address: 2105 MINNEHAHA AVE MINNEAPOLIS MN 55404	
<input type="checkbox"/> Confirmed address with Defendant	
Additional family/collateral contact number and instructions: CM: Martha DeWitt 651-357-8539	

It is hereby ordered:

- ☐ For felony and gross misdemeanor cases, probable cause has been found.  
☐ The defendant is to be released upon completion of the interview process.  
☐ This is part of the targeted misdemeanor program.

1. The Chief of Psychological Services of the Fourth Judicial District or the Chief's designee ("Examiner") shall conduct the following psychological evaluation, assessment and/or consultation regarding the defendant:

- ☒ Competency to participate in proceedings pursuant to Rule 20.01  
☐ Mental state at the time of the alleged act pursuant to Rule 20.02 (M'Naghten Rule)  
☐ Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457  
☐ Repeat Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457  
☐ Consultation (Pre-Sentence) \_\_\_\_\_  
☐ Other (please specify) \_\_\_\_\_

2. Copies of this evaluation shall be provided to the Court and the following individuals:

Defense Attorney: Susan Herlofsky

Phone: 612-348-9881

Prosecuting Attorney: STEPHEN RICHARD MOELLER

Phone: 612-543-0522

Phone:

3. The hearing for the return of the psychological evaluation will be held on **May 16, 2023 at 1:30 PM.**

4. Upon presentation of this order, the relevant custodian of records shall provide (whether mailed, faxed, or personally delivered) to the Examiner all relevant records from the following sources: behavioral, chemical dependency, developmental disability, educational, employment, judicial, law enforcement (including audio/visual recordings), medical, probation/correction, psychological, and social service. A copy of the records so requested shall be delivered to the Examiner within 96 hours of presentation of this order. Records that are faxed shall be sent to 612-348-3452. Mailed records should be sent to Hennepin County District Court, Psychological Services, 300 South Sixth Street, C-509 Government Center, Minneapolis, Minnesota 55487. All agencies maintaining the above-listed records may also communicate verbally with the requesting Examiner.
  - **The Court specifically finds** good cause exists for authorizing the disclosure of the identified records, including chemical dependency records, because other ways of obtaining the information are not available or would not be effective, and the public interest and need for disclosure outweighs the potential injury to the patient, the physician/patient relationship and any chemical dependency treatment facility or organization holding records pertaining to Defendant.
5. During the preparation of the report, the Examiner and any employee of Community Corrections and Rehabilitation may discuss the case and share relevant information in a manner consistent with Minnesota Rules of Criminal Procedure, Minnesota Statutes, and case law.
6. If a sex offender evaluation has been ordered and the defendant is a Repeat Sex Offender as defined in Minnesota Statute § 609.3457, Psychological Services is ordered to comply with both the requirements of §609.3457 and the agreement with Minnesota State Operated Forensic Services. A copy of any Repeat Sex Offender Report produced by Psychological Services shall be forwarded to the Court and the Commissioner of Corrections.
7. In the case of Rule 20 evaluations, the Examiner shall offer in the report an opinion and support for the opinion on whether the defendant:
  - a. Is suitable to refer for consideration of civil commitment and the basis of the possible commitment,
  - b. May be mentally ill and dangerous, and
  - c. Needs immediate hospitalization.
8. In the case of Rule 20 evaluations, the Examiner shall promptly notify the prosecutor, defense attorney and the Court if the Examiner concludes that the defendant:
  - a. Presents an imminent risk of serious danger to another,
  - b. May be imminently suicidal, or
  - c. Needs emergency intervention.

Dated: March 13, 2023

Dayton Klein, Julia  
Mar 13 2023 4:25 PM

Julia Dayton Klein  
District Court Judge

- ✓ Please direct the prosecuting agency to forward a copy of the police report for each case to Psychological Services.
- ✓ If a defendant is to be released upon completion of the interview process, a Conditional Release Order must be filed giving that direction.



Filed in District Court  
State of Minnesota  
Jun 28, 2023 6:10 pmState of Minnesota  
Hennepin CountyDistrict Court  
Fourth Judicial DistrictCourt File Number: 27-CR-21-20637;  
27-CR-23-8721

Case Type: Crim/Traf Mandatory

**Notice of Remote Zoom Hearing****DANIEL LAMAR FORD  
1904 26TH ST E  
MINNEAPOLIS MN 55404**

State of Minnesota vs Daniel Lamar Ford

You are notified this matter is set for a remote hearing. This hearing will not be in person at the courthouse.

<i>Hearing Information</i>
<b>December 26, 2023</b> <b>Review Hearing</b> <b>1:30 PM</b>

**The hearing will be held via Zoom and appearance shall be by video unless otherwise directed** with Judicial Officer George Borer, Hennepin County District Court.

If you fail to appear a warrant may be issued for your arrest.

The Minnesota Judicial Branch uses strict security controls for all remote technology when conducting remote hearings.

You must:

- Notify the court if your address, email, or phone number changes.
- Be fully prepared for the remote hearing. If you have exhibits you want the court to see, you must give them to the court before the hearing. Visit <https://www.mncourts.gov/Remote-Hearings.aspx> for more information and options for joining remote hearings, including how to submit exhibits.
- Contact the court at 612-348-2040 if you do not have access to the internet, or are unable to connect by video.
- If you need an interpreter, contact the court before the hearing date to ask for one.
- If you cannot afford to hire a lawyer and would like to apply for a court-appointed attorney before this appearance visit <https://pdapplication.courts.state.mn.us> or scan the QR code to start the application.



**To join by internet:**

1. Type <https://zoomgov.com/join> in your browser's address bar.
2. Enter the **Meeting ID and Meeting Passcode (if asked)**:  
Meeting ID: 160 223 0876  
Passcode: 1234
3. Update your name by clicking on your profile picture. If you are representing a party, add your role to your name, for example, John Smith, Attorney for Defendant.
4. Click the **Join Audio** icon in the lower left-hand corner of your screen.
5. Click **Share Video**.

Para obtener más información y conocer las opciones para participar en audiencias remotas, incluido cómo enviar pruebas, visite [www.mncourts.gov/Remote-Hearings](http://www.mncourts.gov/Remote-Hearings).

Booqo [www.mncourts.gov/Remote-Hearings](http://www.mncourts.gov/Remote-Hearings) oo ka eego faahfaahin iyo siyaabaha aad uga qeybgeli karto dacwad-dhageysi ah fogaan-arag, iyo sida aad u soo gudbineyso wixii caddeymo ah.

**To receive an eReminder for future court dates via e-mail or text, visit [www.mncourts.gov/Hearing-eReminders.aspx](http://www.mncourts.gov/Hearing-eReminders.aspx) or scan the QR code to enroll.**



Dated: June 28, 2023

Sara Gonsalves  
Hennepin County Court Administrator  
300 South Sixth Street  
Minneapolis MN 55487-0419  
612-348-2040

cc:

Filed in District Court  
State of Minnesota  
Nov 09, 2023 2:49 pm

State of Minnesota

District Court

Hennepin County

Fourth Judicial District

State of Minnesota,  
Plaintiff,

v.

**Order to Fourth Judicial District Court  
Psychological Services**Daniel Lamar Ford,  
Defendant.**27-CR-21-20637; 27-CR-23-8721**

Defendant Information	
<input checked="" type="checkbox"/> Out of Custody <input type="checkbox"/> In Custody – at Facility: _____	
Date of Birth: 08/28/1991	SILS Identifier: 664275
Phone: Home: 612-735-5987, Cell: 612-267-1615	
Email: dford849@yahoo.com	
Current Address: 1904 26TH ST E MINNEAPOLIS MN 55404	
<input type="checkbox"/> Confirmed address with Defendant	
Additional family/collateral contact number and instructions:	

It is hereby ordered:

- ☐ For felony and gross misdemeanor cases, probable cause has been found.  
☐ The defendant is to be released upon completion of the interview process.  
☐ This is part of the targeted misdemeanor program.

1. The Chief of Psychological Services of the Fourth Judicial District or the Chief's designee ("Examiner") shall conduct the following psychological evaluation, assessment and/or consultation regarding the defendant:

- ☒ Competency to participate in proceedings pursuant to Rule 20.01  
☐ Mental state at the time of the alleged act pursuant to Rule 20.02 (M'Naghten Rule)  
☐ Sex Offender Evaluation (psychosexual) pursuant to Minnesota Statute § 609.3457  
☐ Repeat Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457  
☐ Consultation (Pre-Sentence) \_\_\_\_\_  
☐ Other (please specify) \_\_\_\_\_

2. Copies of this evaluation shall be provided to the Court and the following individuals:

Defense Attorney: RAISSA CARPENTER Phone: 612-348-9676

Prosecuting Attorney: MORGAN LEE MILLER Phone: 612-281-3339

Phone:

3. The hearing for the return of the psychological evaluation will be held on **January 23, 2024 at 1:30 PM.**

4. Upon presentation of this order, the relevant custodian of records shall provide (whether mailed, faxed, or personally delivered) to the Examiner all relevant records from the following sources: behavioral, chemical dependency, developmental disability, educational, employment, judicial, law enforcement (including audio/visual recordings), medical, probation/correction, psychological, and social service. A copy of the records so requested shall be delivered to the Examiner within 96 hours of presentation of this order. Records that are faxed shall be sent to 612-348-3452. Mailed records should be sent to Hennepin County District Court, Psychological Services, 300 South Sixth Street, C-509 Government Center, Minneapolis, Minnesota 55487. All agencies maintaining the above-listed records may also communicate verbally with the requesting Examiner.
  - **The Court specifically finds** good cause exists for authorizing the disclosure of the identified records, including chemical dependency records, because other ways of obtaining the information are not available or would not be effective, and the public interest and need for disclosure outweighs the potential injury to the patient, the physician/patient relationship and any chemical dependency treatment facility or organization holding records pertaining to Defendant.
5. During the preparation of the report, the Examiner and any employee of Community Corrections and Rehabilitation may discuss the case and share relevant information in a manner consistent with Minnesota Rules of Criminal Procedure, Minnesota Statutes, and case law.
6. If a sex offender evaluation has been ordered and the defendant is a Repeat Sex Offender as defined in Minnesota Statute § 609.3457, Psychological Services is ordered to comply with both the requirements of §609.3457 and the agreement with Minnesota State Operated Forensic Services. A copy of any Repeat Sex Offender Report produced by Psychological Services shall be forwarded to the Court and the Commissioner of Corrections.
7. In the case of Rule 20 evaluations, the Examiner shall offer in the report an opinion and support for the opinion on whether the defendant:
  - a. Is suitable to refer for consideration of civil commitment and the basis of the possible commitment,
  - b. May be mentally ill and dangerous, and
  - c. Needs immediate hospitalization.
8. In the case of Rule 20 evaluations, the Examiner shall promptly notify the prosecutor, defense attorney and the Court if the Examiner concludes that the defendant:
  - a. Presents an imminent risk of serious danger to another,
  - b. May be imminently suicidal, or
  - c. Needs emergency intervention.

Dated: November 9, 2023

  
\_\_\_\_\_  
Julia Dayton Klein  
District Court Judge

- ✓ Please direct the prosecuting agency to forward a copy of the police report for each case to Psychological Services.
- ✓ If a defendant is to be released upon completion of the interview process, a Conditional Release Order must be filed giving that direction.

Filed in District Court  
State of Minnesota  
Nov 09, 2023 3:02 pmState of Minnesota  
Hennepin CountyDistrict Court  
Fourth Judicial District  
Court File Number: **27-CR-23-8721; 27-CR-21-20637**  
Case Type: Crim/Traf Mandatory**Notice of Rescheduled Hearing**DANIEL LAMAR FORD  
1904 26TH ST E  
MINNEAPOLIS MN 55404**State of Minnesota vs Daniel Lamar Ford**

The previously scheduled hearing on December 26, 2023 has been rescheduled as follows:

<i>Setting</i>
<b>January 23, 2024</b>
<b>Review Hearing</b>
<b>1:30 PM</b>

at the following location:

**Zoom - To join by internet:**

1. Type <https://zoomgov.com/join> in your browser's address bar.
2. Enter the **Meeting ID and Meeting Passcode (if asked)**:  
Meeting ID: 160 223 0876  
Passcode: 1234
3. Update your name by clicking on your profile picture. If you are representing a party, add your role to your name, for example, John Smith, Attorney for Defendant.
4. Click the **Join Audio** icon in the lower left-hand corner of your screen.
5. Click **Share Video**.

You are expected to appear at the above time and place fully prepared. **You must notify the court if your address changes.**To receive an eReminder for future court dates via e-mail or text, visit <http://www.mncourts.gov/Hearing-eReminders.aspx> or scan the QR code to enroll.

Dated: November 9, 2023

Sara Gonsalves  
Hennepin County Court Administratorcc: MORGAN LEE MILLER  
RAISSA CARPENTER

State of Minnesota  
Hennepin CountyDistrict Court  
Fourth Judicial DistrictCourt File Number: 27-CR-23-8721, 27-CR-21-  
20637.

Case Type: Crim/Traf Mandatory

**Notice of Remote Zoom Hearing****DANIEL LAMAR FORD  
1904 26TH ST E  
MINNEAPOLIS MN 55404**

State of Minnesota vs Daniel Lamar Ford

You are notified this matter is set for a remote hearing. This hearing will not be in person at the courthouse.

<i>Hearing Information</i>
<b>February 06, 2024</b>
<b>Hearing</b>
<b>1:30 PM</b>

**The hearing will be held via Zoom and appearance shall be by video unless otherwise directed** with Judicial Officer George Borer, Hennepin County District Court.

If you fail to appear a warrant may be issued for your arrest.

The Minnesota Judicial Branch uses strict security controls for all remote technology when conducting remote hearings.

You must:

- Notify the court if your address, email, or phone number changes.
- Be fully prepared for the remote hearing. If you have exhibits you want the court to see, you must give them to the court before the hearing. Visit <https://www.mncourts.gov/Remote-Hearings.aspx> for more information and options for joining remote hearings, including how to submit exhibits.
- Contact the court at 612-348-2040 if you do not have access to the internet, or are unable to connect by video.
- If you need an interpreter, contact the court before the hearing date to ask for one.
- If you cannot afford to hire a lawyer and would like to apply for a court-appointed attorney before this appearance visit <https://pdapplication.courts.state.mn.us> or scan the QR code to start the application.



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2. Enter the **Meeting ID and Meeting Passcode (if asked)**:  
Meeting ID: 160 223 0876  
Passcode: 1234
3. Update your name by clicking on your profile picture. If you are representing a party, add your role to your name, for example, John Smith, Attorney for Defendant.
4. Click the **Join Audio** icon in the lower left-hand corner of your screen.
5. Click **Share Video**.

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Booqo [www.mncourts.gov/Remote-Hearings](http://www.mncourts.gov/Remote-Hearings) oo ka eego faahfaahin iyo siyaabaha aad uga qeybgeli karto dacwad-dhageysi ah fogaan-arag, iyo sida aad u soo gudbineyso wixii caddeymo ah.

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Dated: January 23, 2024

Sara Gonsalves  
Hennepin County Court Administrator  
300 South Sixth Street  
Minneapolis MN 55487-0419  
612-348-2040

cc:

State of Minnesota  
Hennepin CountyDistrict Court  
Fourth Judicial DistrictCourt File Number: 27-CR-23-8721, 27-CR-21-  
20637.

Case Type: Crim/Traf Mandatory

**Notice of Remote Zoom Hearing****DANIEL LAMAR FORD  
1904 26TH ST E  
MINNEAPOLIS MN 55404**

State of Minnesota vs Daniel Lamar Ford

You are notified this matter is set for a remote hearing. This hearing will not be in person at the courthouse.

<i>Hearing Information</i>
<b>March 12, 2024</b>
<b>Hearing</b>
<b>1:30 PM</b>

**The hearing will be held via Zoom and appearance shall be by video unless otherwise directed with Judicial Officer, Hennepin County District Court.**

If you fail to appear a warrant may be issued for your arrest.

The Minnesota Judicial Branch uses strict security controls for all remote technology when conducting remote hearings.

You must:

- Notify the court if your address, email, or phone number changes.
- Be fully prepared for the remote hearing. If you have exhibits you want the court to see, you must give them to the court before the hearing. Visit <https://www.mncourts.gov/Remote-Hearings.aspx> for more information and options for joining remote hearings, including how to submit exhibits.
- Contact the court at 612-348-2040 if you do not have access to the internet, or are unable to connect by video.
- If you need an interpreter, contact the court before the hearing date to ask for one.
- If you cannot afford to hire a lawyer and would like to apply for a court-appointed attorney before this appearance visit <https://pdapplication.courts.state.mn.us> or scan the QR code to start the application.





**To join by internet:**

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2. Enter the **Meeting ID and Meeting Passcode (if asked)**:  
Meeting ID: 160 223 0876  
Passcode: 1234
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4. Click the **Join Audio** icon in the lower left-hand corner of your screen.
5. Click **Share Video**.

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Booqo [www.mncourts.gov/Remote-Hearings](http://www.mncourts.gov/Remote-Hearings) oo ka eego faahfaahin iyo siyaabaha aad uga qeybgeli karto dacwad-dhageysi ah fogaan-arag, iyo sida aad u soo gudbineyso wixii caddeymo ah.

**To receive an eReminder for future court dates via e-mail or text, visit [www.mncourts.gov/Hearing-eReminders.aspx](http://www.mncourts.gov/Hearing-eReminders.aspx) or scan the QR code to enroll.**



Dated: January 23, 2024

Sara Gonsalves  
Hennepin County Court Administrator  
300 South Sixth Street  
Minneapolis MN 55487-0419  
612-348-2040

cc:

State of Minnesota  
Hennepin CountyDistrict Court  
Fourth Judicial District

Court File Number: 27-CR-21-20637, 27-CR-23-8721

Case Type: Crim/Traf Mandatory

**Notice of Remote Zoom Hearing****DANIEL LAMAR FORD  
1904 E 26TH ST  
MINNEAPOLIS MN 55404**

State of Minnesota vs Daniel Lamar Ford

You are notified this matter is set for a remote hearing. This hearing will not be in person at the courthouse.

<i>Hearing Information</i>
<b>September 10, 2024 Review Hearing 1:30 PM</b>

**The hearing will be held via Zoom and appearance shall be by video unless otherwise directed** with Judicial Officer, Hennepin County District Court.

If you fail to appear a warrant may be issued for your arrest.

The Minnesota Judicial Branch uses strict security controls for all remote technology when conducting remote hearings.

You must:

- Notify the court if your address, email, or phone number changes.
- Be fully prepared for the remote hearing. If you have exhibits you want the court to see, you must give them to the court before the hearing. Visit <https://www.mncourts.gov/Remote-Hearings.aspx> for more information and options for joining remote hearings, including how to submit exhibits.
- Contact the court at 612-348-2040 if you do not have access to the internet, or are unable to connect by video.
- If you need an interpreter, contact the court before the hearing date to ask for one.
- If you cannot afford to hire a lawyer and would like to apply for a court-appointed attorney before this appearance visit <https://pdapplication.courts.state.mn.us> or scan the QR code to start the application.



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1. Type <https://zoomgov.com/join> in your browser's address bar.
2. Enter the **Meeting ID and Meeting Passcode (if asked)**:  
Meeting ID: 160 223 0876  
Passcode: 1234
3. Update your name by clicking on your profile picture. If you are representing a party, add your role to your name, for example, John Smith, Attorney for Defendant.
4. Click the **Join Audio** icon in the lower left-hand corner of your screen.
5. Click **Share Video**.

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Booqo [www.mncourts.gov/Remote-Hearings](http://www.mncourts.gov/Remote-Hearings) oo ka eego faahfaahin iyo siyaabaha aad uga qeybgeli karto dacwad-dhageysi ah fogaan-arag, iyo sida aad u soo gudbineyso wixii caddeymo ah.

To receive an eReminder for future court dates via e-mail or text, visit [www.mncourts.gov/Hearing-eReminders.aspx](http://www.mncourts.gov/Hearing-eReminders.aspx) or scan the QR code to enroll.



Dated: March 12, 2024

Sara Gonsalves  
Hennepin County Court Administrator  
300 South Sixth Street  
Minneapolis MN 55487-0419  
612-348-2040

cc:



MINNESOTA  
JUDICIAL BRANCH  
MINNESOTA COURT RECORDS ONLINE (MCRO)

**Case Details (Register of Actions)****27-CR-22-17300**

Search executed on 04/29/2024 03:51 PM

**Upcoming Hearing:**Review Hearing on **04/30/2024 at 1:30 PM****Case Information****Case Number:** 27-CR-22-17300**Case Title:** State of Minnesota vs Lucas Patrick Kraskey**Case Type:** Crim/Traf Mandatory**Date Filed:** 09/01/2022**Case Location:** Hennepin County, Hennepin Criminal Downtown**Judicial Officer:** Frank, Matthew**Case Status:** Dormant**Party Information****Jurisdiction**

State of Minnesota

**Attorneys Active**

- BORG, DARREN CHARLES - Lead Attorney
- ARNESON, THOMAS STUART
- GALAYDH, WARSAME ALI KHALIF
- O'ROURKE, DAWN MARIE
- SORENSEN, ROBERT J

**Attorneys Inactive**

- SIMAFRANCA, RYAN D
- SUMMERS, NICHOLAS NATHANIAL

**Defendant****Kraskey, Lucas Patrick**

DOB: 06/01/1984

Minneapolis, MN 55418-0000

**Alias:** Also Known As Kaskey, Lucas Patrick**Attorneys Active**

- REILAND, ANDREW JOSEPH, II - Lead Attorney

**Attorneys Inactive**

- CARPENTER, RAISSA
- ELSEN, MATTHEW JOHN
- GRANSE, ALICIA LYNN
- Herlofsky, Susan

**Warrants****Inactive Warrants**

Kraskey, Lucas Patrick Bench Warrant-fail to appear at a hearing

Judicial Officer: Dayton Klein, Julia

03/16/2023 06:03 AM Status: Warrant Cleared by Wt Office

03/07/2023 01:30 PM Status: Issued Active

Bond/Bail Options

Bond or Cash Bail

Amount: \$0.00

## Charges

1

Damage to Property - 1st Degree - Value Reduced Over \$1000 **Statute:** 609.595.1(4)**Additional Statute:** Damage to Property-1st Degree (609.595.1)**Level of Charge:** Felony**Offense Date:** 01/27/2022**Community Of Offense:** Minneapolis**Law Enforcement Agency:** University of Minnesota Police Department - Minneapolis**Prosecuting Agency:** Hennepin County Attorney

## Interim Conditions

05/16/2023

Interim conditions for Kraskey, Lucas Patrick

Judicial Officer: Dayton Klein, Julia

- Remain law-abiding
- Post Bail or Bond with No Conditions  
\$30,000.00
- Release with Conditions  
\$0.00
- Make all future court appearances
- No use or possession of firearms or dangerous weapons
- Do not leave Minnesota without written court approval
- Conditions, other

03/17/2023

Interim conditions for Kraskey, Lucas Patrick

Judicial Officer: Bartolomei, Luis

Expiration Date: 05/16/2023

- Release with Conditions  
\$0.00
- Remain law-abiding
- Make all future court appearances
- Do not ship/transport/possess or receive firearm or ammo
- Contact with probation
- Follow all instructions of probation
- Do not leave Minnesota without written court approval
- Conditions, other

## Case Assignments

### Current Case Assignment

Judicial Assignment: Frank, Matthew

Date of Assignment: 01/12/2024

**Prior Case Assignments**

Judicial Assignment: Houghtaling, Melissa

Date of Assignment: 03/17/2023




Reassignment Reason: Reassigned





Date of Assignment: 09/01/2022

Reassignment Reason: Initial Assignment

**Case Events**

<b>02/21/2024</b>	Order-Evaluation for Competency to Proceed (Rule 20.01) Judicial Officer: Browne, Michael K Index #25	 2 pages
<b>01/12/2024</b>	Notice of Case Reassignment Judicial Officer: Frank, Matthew Index #24	 1 page
<b>11/01/2023</b>	Finding of Incompetency and Order Judicial Officer: Browne, Michael K Index #23	 5 pages
<b>10/30/2023</b>	Found Incompetent Judicial Officer: Browne, Michael K	
<b>10/30/2023</b>	Waiver of Appearance Index #22	
<b>10/30/2023</b>	Rule 20 Report Distributed	
<b>10/30/2023</b>	Rule 20 Evaluation Report Index #21	
<b>08/22/2023</b>	Order-Evaluation for Competency to Proceed (Rule 20.01) Judicial Officer: Dayton Klein, Julia Index #20	 2 pages
<b>05/16/2023</b>	Order for Conditional Release Judicial Officer: Dayton Klein, Julia Index #19	 1 page
<b>05/16/2023</b>	Hearing Held Remote	
<b>05/02/2023</b>	Bail to stand as previously ordered	
<b>05/02/2023</b>	Finding of Incompetency and Order Judicial Officer: Mercurio, Danielle Index #18	 5 pages

05/02/2023	Found Incompetent Judicial Officer: Mercurio, Danielle	
05/02/2023	Hearing Held Remote	
04/14/2023	Rule 20 Evaluation Report Index #17	
03/28/2023	Motion Judicial Officer: Mercurio, Danielle Party: Attorney Herlofsky, Susan Index #16	
03/28/2023	Bail to stand as previously ordered	
03/28/2023	Hearing Held Remote	
03/28/2023	Order-Evaluation for Competency to Proceed (Rule 20.01) Judicial Officer: Dayton Klein, Julia Index #15	 2 pages
03/21/2023	Motion Judicial Officer: Borer, George Party: Defendant Kraskey, Lucas Patrick Index #14	
03/21/2023	Bail to stand as previously ordered	
03/21/2023	Hearing Held Remote	
03/17/2023	Order for Conditional Release Judicial Officer: Bartolomei, Luis Index #13	 2 pages
03/17/2023	Hearing Held In-Person	
03/16/2023	Warrant Cleared by Wt Office	
03/07/2023	Warrant Issued Index #12	
03/07/2023	Fail to Appear at a hearing Party: Defendant Kraskey, Lucas Patrick	
03/07/2023	Hearing Held Remote	
02/21/2023	Order-Evaluation for Competency to Proceed (Rule 20.01) Judicial Officer: Mercurio, Danielle Index #11	 2 pages
02/21/2023	Request for Continuance Index #10	

02/21/2023	Hearing Held Remote	
02/15/2023	Rule 20 Progress Report Index #9	
02/14/2023	Request for Continuance Index #8	
02/14/2023	Fail to Appear at a hearing Party: Defendant Kraskey, Lucas Patrick	
02/14/2023	Hearing Held Remote	
02/07/2023	Request for Continuance Index #7	
02/07/2023	Fail to Appear at a hearing Party: Defendant Kraskey, Lucas Patrick	
02/07/2023	Hearing Held Remote	
12/13/2022	Hearing Held Remote	
11/18/2022	Pre-Plea Worksheet Index #6	
10/06/2022	Order-Evaluation for Competency to Proceed (Rule 20.01) Judicial Officer: Janzen, Lisa K Party: Defendant Kraskey, Lucas Patrick Index #5	 2 pages
10/03/2022	Notice of Hearing Index #4	 2 pages
10/03/2022	Fail to Appear at a hearing	
10/03/2022	Hearing Held In-Person	
09/20/2022	Returned Mail Party: Defendant Kraskey, Lucas Patrick Index #3	 1 page
09/08/2022	Fingerprints Required Notice sent	
09/08/2022	Summons Index #2	 1 page



09/01/2022

E-filed Comp-Summons  
Index #1

Unknown pages

**Hearings****Upcoming Hearings****04/30/2024 01:30 PM**Review Hearing  
Judicial Officer: Skibbie, Lori  
Location: GC-C657**Previous Hearings****10/31/2023 01:30 PM**Review Hearing  
Judicial Officer: Browne, Michael K  
Location: GC-C459  
Cancelled; Waived**05/16/2023 01:30 PM**Bail Hearing  
Judicial Officer: Dayton Klein, Julia  
Location: GC-C559**Result:** Held On the Record**05/02/2023 01:30 PM**Hearing  
Judicial Officer: Mercurio, Danielle  
Location: GC-C556**Result:** Held On the Record

Date Updated: 04/12/2023

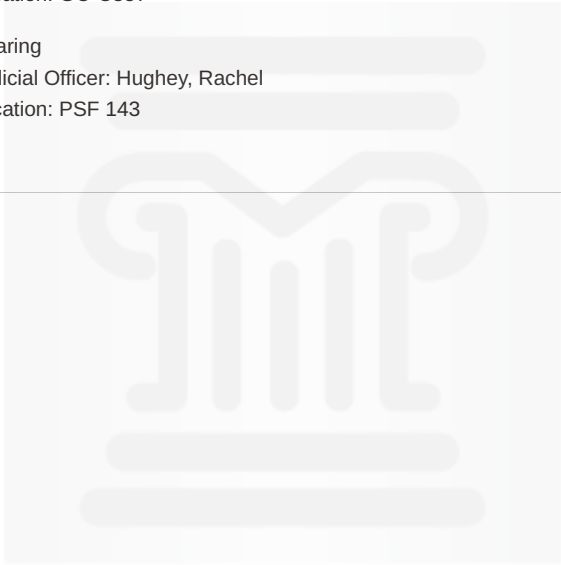
Reset by Court to 05/02/2023 01:30 PM - By agreement

Original Hearing Date: 04/25/2023 01:30 PM

**04/25/2023 01:30 PM**Hearing  
Judicial Officer: Borer, George  
Location: GC-C456  
Cancelled; Other**04/11/2023 01:30 PM**Bail Hearing  
Judicial Officer: Dayton Klein, Julia  
Location: GC-C559  
Cancelled; Other**03/28/2023 01:30 PM**Bail Hearing  
Judicial Officer: Mercurio, Danielle  
Location: GC-C556**Result:** Held On the Record**03/21/2023 01:30 PM**Hearing  
Judicial Officer: Borer, George  
Location: GC-C456**Result:** Held On the Record**03/17/2023 01:30 PM**Hearing  
Judicial Officer: Bartolomei, Luis  
Location: PSF 143**Result:** Held On the Record**03/07/2023 01:30 PM**Hearing  
Judicial Officer: Dayton Klein, Julia  
Location: GC-C559**Result:** Held On the Record**02/21/2023 01:30 PM**Hearing  
Judicial Officer: Mercurio, Danielle  
Location: GC-C556**Result:** Held On the Record

02/14/2023	01:30 PM	Hearing Judicial Officer: Borer, George Location: GC-C456	Result: Held On the Record
02/07/2023	01:30 PM	Hearing Judicial Officer: Skibbie, Lori Location: GC-C457	Result: Held On the Record
12/13/2022	01:30 PM	Hearing Judicial Officer: Janzen, Lisa K Location: GC-C857	Result: Held On the Record
10/03/2022	02:00 PM	Hearing Judicial Officer: Hughey, Rachel Location: PSF 143	Result: Held Off the Record

Search executed on 04/29/2024 03:51 PM



MINNESOTA  
JUDICIAL  
BRANCH

State of Minnesota  
County of Hennepin

District Court  
4th Judicial District

Prosecutor File No. 22A01705  
Court File No. 27-CR-22-17300

State of Minnesota,

Plaintiff,

vs.

**LUCAS PATRICK KRASKEY DOB: 06/01/1984**

2600 Grand St NE  
Minneapolis, MN 55418

Defendant.

**COMPLAINT**

Summons

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

**COUNT I**

**Charge: Damage to Property - 1st Degree - Value Reduced Over \$1000**

Minnesota Statute: 609.595.1(4), with reference to: 609.595.1

Maximum Sentence: 5 YEARS AND/OR \$10,000

Offense Level: Felony

Offense Date (on or about): 01/27/2022

Control #(ICR#): 22018457

Charge Description: That on or about 1/27/2022, in Hennepin County, Minnesota, LUCAS PATRICK KRASKEY intentionally caused damage to physical property belonging to victim, without victim's consent and such damage reduced the value of the property by more than \$1,000 as measured by the cost of repair and/or replacement.

Complainant has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On 1/27/22 at 7:15 AM, University of Minnesota police were dispatched to meet a caller regarding a window broken out in the 4th Street Ramp, 4th floor elevator lobby.

Upon arrival officers met with the reporting party, a University Parking Services employee. He stated that the broken glass had been cleaned up by staff prior to officers arriving and commented it was very dirty and messy as though someone had been sleeping there.

The window broken was facing south towards 4th St SE. It is a two pane window and only the inner pane was broken out. The area was covered by a surveillance camera. Video was located of a male throwing a garbage can lid against the window with significant force. The male entered the 4th floor lobby at 1:51 AM on 01/27/2022 and first hit the wall with the garbage can lid. He then threw the lid down the lobby where it hit the other side of the room. The male then exits the lobby.

The male was recognized as LUCAS PATRICK KRASKEY, DOB 6/01/1984. KRASKEY was known UMPD officers as he has had several similar incidents on campus and on Metro Transit property where he breaks glass.

The value of the damaged property, as measured by the cost of replacement, was over \$3000.

MINNESOTA  
JUDICIAL  
BRANCH

## SIGNATURES AND APPROVALS

Complainant requests that Defendant, subject to bail or conditions of release, be:  
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or  
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

**Complainant**

Bethany Thomas  
Police Officer  
505 Washington Ave SE  
Minneapolis, MN 55455  
Badge: 2038

Electronically Signed:  
09/01/2022 09:27 AM  
Hennepin County, Minnesota

Being authorized to prosecute the offenses charged, I approve this complaint.

**Prosecuting Attorney**

Thad Tudor  
300 S 6th St  
Minneapolis, MN 55487  
(612) 348-5550

Electronically Signed:  
08/30/2022 06:48 PM

## FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

### ☒ SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear as directed in the Notice of Hearing before the above-named court to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

### ☐ WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

☐ *Execute in MN Only*

☐ *Execute Nationwide*

☐ *Execute in Border States*

### ☐ ORDER OF DETENTION

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$0.00

Conditions of Release:

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: September 1, 2022.

**Judicial Officer**

Julia Dayton Klein  
District Court Judge

Electronically Signed: 09/01/2022 09:38 AM

Sworn testimony has been given before the Judicial Officer by the following witnesses:

**COUNTY OF HENNEPIN  
STATE OF MINNESOTA**

**State of Minnesota**

Plaintiff

vs.

**LUCAS PATRICK KRASKEY**

Defendant

**LAW ENFORCEMENT OFFICER RETURN OF SERVICE**

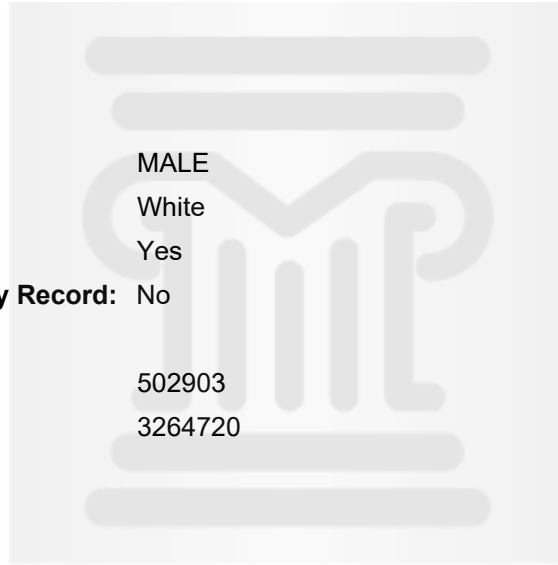
*I hereby Certify and Return that I have served a copy of this  
Summons upon the Defendant herein named.*

Signature of Authorized Service Agent:

27-CR-23-1886  
27-CR-22-17300  
**DEFENDANT FACT SHEET**

Filed in District Court  
State of Minnesota  
4/28/2023 12:23 PM  
9/17/2022

**Name:** LUCAS PATRICK KRASKEY  
**DOB:** 06/01/1984  
**Address:** 2600 Grand St NE  
Minneapolis, MN 55418  
  
**Alias Names/DOB:** Lucas Patrick Kaskey DOB: 6/1/1984  
**SID:**  
**Height:**  
**Weight:**  
**Eye Color:**  
**Hair Color:**  
**Gender:** MALE  
**Race:** White  
**Fingerprints Required per Statute:** Yes  
**Fingerprint match to Criminal History Record:** No  
**Driver's License #:**  
**SILS Person ID #:** 502903  
**SILS Tracking No.** 3264720  
**Alcohol Concentration:**



MINNESOTA  
JUDICIAL  
BRANCH

27-CR-23-1886  
27-CR-22-17300  
**STATUTE AND OFFENSE GRID**

Filed in District Court  
State of Minnesota  
4/28/2025 12:23 PM  
9/17/2022

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	1/27/2022	609.595.1(4) Damage to Property - 1st Degree - Value Reduced Over \$1000	Felony	P111H		MN0272400	22018457
	Penalty	1/27/2022	609.595.1 Damage to Property-1st Degree	Felony	P111H		MN0272400	22018457



MINNESOTA  
JUDICIAL  
BRANCH



State of Minnesota  
Hennepin County

District Court  
Fourth Judicial District

Court File Number: 27-CR-22-17300

Case Type: Crim/Traf Mandatory

**Notice of Hearing (Summons)**

LUCAS PATRICK KRASKEY  
2600 GRAND ST NE  
MINNEAPOLIS MN 55418

---

State of Minnesota vs Lucas Patrick Kraskey

You are hereby summoned to appear before the court to answer the enclosed complaint on:

<i>Setting</i>
<b>Monday, October 03, 2022</b>
<b>First Appearance</b>
<b>2:00 PM</b>

at the following location:

**Hennepin County District Court  
Public Safety Facility  
401 South Fourth Avenue  
Minneapolis, MN 55415  
612-348-2040**

---

NOTICE to named party on complaint:

- Bring this notice and a valid State picture I.D. with you to court.
- Please call 612-348-2040 at least one week in advance if you require the assistance of an interpreter.

**Failure to appear for this hearing will result in a warrant for your arrest.**

Dated: September 8, 2022

Sara Gonsalves  
Court Administrator  
Hennepin County District Court

To receive an eReminder for future court dates via e-mail or text, visit  
[www.mncourts.gov/Hearing-eReminders.aspx](http://www.mncourts.gov/Hearing-eReminders.aspx) or scan the QR code to enroll.



If you cannot afford to hire a lawyer and would like to apply for a court-appointed attorney before this appearance visit <https://4thcourtspde.courts.state.mn.us> or scan the QR code to start the application.



Filed in District Court  
State of Minnesota  
Sep 08, 2022 7:02 am

District Court  
Fourth Judicial District  
Court File Number: 27-CR-22-17300  
Case Type: Crim/Traf Mandatory

**Notice of Hearing (Summons)**

State of Minnesota  
Hennepin County

LUCAS PATRICK KRASKEY  
2600 GRAND ST NE  
MINNEAPOLIS MN 55418

FOURTH JUDICIAL DISTRICT  
HENNEPIN COUNTY DISTRICT COURT  
CRIMINAL CENTRALIZED UNIT RM#160  
JUVENILE JUSTICE CENTER  
590 PARK AVENUE SOUTH  
MINNEAPOLIS, MINNESOTA 55415-1573

US POSTAGE  PITNEY BOWES



ZIP 55487 \$ 000.45<sup>5</sup>  
02 4W  
0000385560 SEP 09 2022

PRESORTED  
FIRST CLASS

*Handwritten signature and date: 20 SEP 20 P 2:26*

10069-190143

BWP  
55418-2604  
HCCUSEB 554

.. 9400922878261220

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD  
BC: 55415157399 \*2878-00205-14-28  
0000385560 SEP 09 2022

State of Minnesota  
Hennepin CountyDistrict Court  
Fourth Judicial District

Court File Number: 27-CR-22-17300

Case Type: Crim/Traf Mandatory

FILE COPY

Filed in District Court  
State of Minnesota

OCT 03 2022

**Notice of Remote Zoom Hearing  
and Judicial Assignment**

State of Minnesota vs Lucas Patrick Kraskey

You are notified this matter is set for a remote hearing. This hearing will not be in person at the courthouse.

Hearing Information
December 13, 2022
Hearing
1:30 PM

**The hearing will be held via Zoom and appearance shall be by video and audio unless otherwise directed** with Judicial Officer Lisa K Janzen, Hennepin County District Court.

- If you fail to appear a warrant may be issued for your arrest. For petty misdemeanors, a conviction will be entered if you fail to appear.

You must:


- Notify the court if your address, email, or phone number changes.
- If this is the first time you've appeared in court, have your exhibits ready at the hearing and you will be given instructions at the hearing on how to submit them. If this is not the first time you've appeared, contact the judicial officer hearing your case for more instructions. Visit [www.mncourts.gov/Remote-Hearings](http://www.mncourts.gov/Remote-Hearings) for more information and options for joining remote hearings, including how to submit exhibits.
- Contact the court at 612-348-6000 if you do not have access to the internet, or are unable to connect by video and audio.
- If you cannot afford to hire a lawyer and would like to apply for a court-appointed attorney before this appearance visit <https://4thcourtspde.courts.state.mn.us> or scan the QR code to start the application.

**To join by internet:**

1. Type <https://zoomgov.com/join> in your browser's address bar (example: bar at top of page on Google Chrome, Safari, or Internet Explorer).
2. Enter the **Meeting ID and Meeting Password (if asked)**:

Meeting ID: 160 815 2947

Passcode: 1234

3. Update your name by clicking on your profile picture. If you are representing a party, add your role to your name, for example, John Smith, Attorney for Defendant.
4. Click the **Join Audio** button in the lower left-hand corner of your screen.
5. Click **Share Video**.
6. Select  to unmute (may need to tap screen to activate icons).

**To join by telephone (if you can't to join by internet):**

Be sure you know how to mute your phone when you are not speaking and unmute it again to speak.

1. Call Toll-Free: 1-833-568-8864
2. Enter the Meeting ID and Meeting Password:  
Meeting ID: 160 815 2947  
Passcode: 1234
3. To Unmute use \*6

To receive an eReminder for future court dates via e-mail or text, visit [www.mncourts.gov/Hearing-eReminders.aspx](http://www.mncourts.gov/Hearing-eReminders.aspx) or scan the QR code to enroll.



Dated: October 5, 2022

Sara Gonsalves  
Hennepin County Court Administrator  
300 South Sixth Street  
Minneapolis MN 55487-0419  
612-348-2040

cc: Lucas Patrick Kraskey

Filed in District Court  
State of Minnesota  
Oct 06, 2022 11:20 am

State of Minnesota

District Court

Hennepin County

Fourth Judicial District

State of Minnesota,  
Plaintiff,

v.

Lucas Patrick Kraskey,  
Defendant.Order to Fourth Judicial District Court  
Psychological Services  
27-CR-21-6904  
27-CR-21-8067;27-CR-21-8227;27-CR-21-8228;27-CR-21-822927-CR-21-8230;27-  
CR-21-8511;27-CR-22-17300

Defendant Information	
<input checked="" type="checkbox"/> Out of Custody <input type="checkbox"/> In Custody – at Facility: _____	
Date of Birth: 06/01/1984	SILS Identifier: 502903
Phone: Home: 612-788-1449, Cell: 612-788-2145_	
Email: ranger629@yahoo.com	
Current Address: 2600 Grand St NE	
Minneapolis MN 55418	
<input type="checkbox"/> Confirmed address with Defendant	
Additional family/collateral contact number and instructions:	

It is hereby ordered:

- ☒ For felony and gross misdemeanor cases, probable cause has been found.  
☐ The defendant is to be released upon completion of the interview process.  
☐ This is part of the targeted misdemeanor program.

1. The Chief of Psychological Services of the Fourth Judicial District or the Chief's designee ("Examiner") shall conduct the following psychological evaluation, assessment and/or consultation regarding the defendant:

- ☒ Competency to participate in proceedings pursuant to Rule 20.01  
☐ Mental state at the time of the alleged act pursuant to Rule 20.02 (M'Naghten Rule)  
☐ Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457  
☐ Repeat Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457  
☐ Consultation (Pre-Sentence) \_\_\_\_\_  
☐ Other (please specify) \_\_\_\_\_

2. Copies of this evaluation shall be provided to the Court and the following individuals:

Defense Attorney: ERIC OLE HAWKINS  
 Prosecuting Attorney: Heidi Johnston  
 Probation Officer:

Phone: 612-824-5005  
 Phone: 612-673-2757  
 Phone:

3. The hearing for the return of the psychological evaluation will be held on **December 13, 2022 at 1:30 PM.**

4. Upon presentation of this order, the relevant custodian of records shall provide (whether mailed, faxed, or personally delivered) to the Examiner all relevant records from the following sources: behavioral, chemical dependency, developmental disability, educational, employment, judicial, law enforcement (including audio/visual recordings), medical, probation/correction, psychological, and social service. A copy of the records so requested shall be delivered to the Examiner within 96 hours of presentation of this order. Records that are faxed shall be sent to 612-348-3452. Mailed records should be sent to Hennepin County District Court, Psychological Services, 300 South Sixth Street, C-509 Government Center, Minneapolis, Minnesota 55487. All agencies maintaining the above-listed records may also communicate verbally with the requesting Examiner.
  - **The Court specifically finds** good cause exists for authorizing the disclosure of the identified records, including chemical dependency records, because other ways of obtaining the information are not available or would not be effective, and the public interest and need for disclosure outweighs the potential injury to the patient, the physician/patient relationship and any chemical dependency treatment facility or organization holding records pertaining to Defendant.
5. During the preparation of the report, the Examiner and any employee of Community Corrections and Rehabilitation may discuss the case and share relevant information in a manner consistent with Minnesota Rules of Criminal Procedure, Minnesota Statutes, and case law.
6. If a sex offender evaluation has been ordered and the defendant is a Repeat Sex Offender as defined in Minnesota Statute § 609.3457, Psychological Services is ordered to comply with both the requirements of §609.3457 and the agreement with Minnesota State Operated Forensic Services. A copy of any Repeat Sex Offender Report produced by Psychological Services shall be forwarded to the Court and the Commissioner of Corrections.
7. In the case of Rule 20 evaluations, the Examiner shall offer in the report an opinion and support for the opinion on whether the defendant:
  - a. Is suitable to refer for consideration of civil commitment and the basis of the possible commitment,
  - b. May be mentally ill and dangerous, and
  - c. Needs immediate hospitalization.
8. In the case of Rule 20 evaluations, the Examiner shall promptly notify the prosecutor, defense attorney and the Court if the Examiner concludes that the defendant:
  - a. Presents an imminent risk of serious danger to another,
  - b. May be imminently suicidal, or
  - c. Needs emergency intervention.

Dated: October 6, 2022

  
District Court Judge  
Lisa Janzen

- ✓ Please scan and e-mail the order to: **4<sup>th</sup> Psych Services Orders**.
- ✓ Please direct the prosecuting agency to forward a copy of the police report for each case to Psychological Services.



Filed in District Court  
State of Minnesota  
Feb 22, 2023 10:59 am

State of Minnesota

District Court

Hennepin County

Fourth Judicial District

State of Minnesota,  
Plaintiff,

v.

Lucas Patrick Kraskey,

Defendant.

**Order to Fourth Judicial District Court  
Psychological Services**27-CR-21-6904; 27-CR-21-8067; 27-CR-21-8227;  
27-CR-21-8228; 27-CR-21-8229; 27-CR-21-8230;  
27-CR-21-8511; 27-CR-22-17300; 27-CR-22-21679;  
27-CR-22-24045; 27-CR-23-385

Defendant Information	
<input checked="" type="checkbox"/> Out of Custody <input type="checkbox"/> In Custody – at Facility: _____	
Date of Birth: 06/01/1984	SILS Identifier: 502903
Phone: Home: 612-812-5542, Cell: 612-282-1470	
Email: lucaskraskey56@gmail.com	
Current Address: 2606 GRAND ST NE	
Minneapolis MN 55418-0000	
<input type="checkbox"/> Confirmed address with Defendant	
Additional family/collateral contact number and instructions:	

It is hereby ordered:

- ☐ For felony and gross misdemeanor cases, probable cause has been found.  
☐ The defendant is to be released upon completion of the interview process.  
☐ This is part of the targeted misdemeanor program.

1. The Chief of Psychological Services of the Fourth Judicial District or the Chief's designee ("Examiner") shall conduct the following psychological evaluation, assessment and/or consultation regarding the defendant:

- ☒ Competency to participate in proceedings pursuant to Rule 20.01  
☐ Mental state at the time of the alleged act pursuant to Rule 20.02 (M'Naghten Rule)  
☐ Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457  
☐ Repeat Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457  
☐ Consultation (Pre-Sentence) \_\_\_\_\_  
☐ Other (please specify) \_\_\_\_\_

2. Copies of this evaluation shall be provided to the Court and the following individuals:

Defense Attorney: ERIC OLE HAWKINS  
 Prosecuting Attorney: Heidi Johnston

Phone: 612-824-5005  
 Phone: 612-673-2757  
 Phone:

3. The hearing for the return of the psychological evaluation will be held on **April 25, 2023 at 1:30 PM.**

4. Upon presentation of this order, the relevant custodian of records shall provide (whether mailed, faxed, or personally delivered) to the Examiner all relevant records from the following sources: behavioral, chemical

dependency, developmental disability, educational, employment, judicial, law enforcement (including audio/visual recordings), medical, probation/correction, psychological, and social service. A copy of the records so requested shall be delivered to the Examiner within 96 hours of presentation of this order. Records that are faxed shall be sent to 612-348-3452. Mailed records should be sent to Hennepin County District Court, Psychological Services, 300 South Sixth Street, C-509 Government Center, Minneapolis, Minnesota 55487. All agencies maintaining the above-listed records may also communicate verbally with the requesting Examiner.

- **The Court specifically finds** good cause exists for authorizing the disclosure of the identified records, including chemical dependency records, because other ways of obtaining the information are not available or would not be effective, and the public interest and need for disclosure outweighs the potential injury to the patient, the physician/patient relationship and any chemical dependency treatment facility or organization holding records pertaining to Defendant.
5. During the preparation of the report, the Examiner and any employee of Community Corrections and Rehabilitation may discuss the case and share relevant information in a manner consistent with Minnesota Rules of Criminal Procedure, Minnesota Statutes, and case law.
  6. If a sex offender evaluation has been ordered and the defendant is a Repeat Sex Offender as defined in Minnesota Statute § 609.3457, Psychological Services is ordered to comply with both the requirements of §609.3457 and the agreement with Minnesota State Operated Forensic Services. A copy of any Repeat Sex Offender Report produced by Psychological Services shall be forwarded to the Court and the Commissioner of Corrections.
  7. In the case of Rule 20 evaluations, the Examiner shall offer in the report an opinion and support for the opinion on whether the defendant:
    - a. Is suitable to refer for consideration of civil commitment and the basis of the possible commitment,
    - b. May be mentally ill and dangerous, and
    - c. Needs immediate hospitalization.
  8. In the case of Rule 20 evaluations, the Examiner shall promptly notify the prosecutor, defense attorney and the Court if the Examiner concludes that the defendant:
    - a. Presents an imminent risk of serious danger to another,
    - b. May be imminently suicidal, or
    - c. Needs emergency intervention.

Dated: February 21, 2023



Mercurio, Danielle  
Feb 22 2023 7:44 AM

Danielle Mercurio  
District Court Referee



Browne, Michael  
Feb 22 2023 9:26 AM

Michael K. Browne  
District Court Judge

- ✓ Please direct the prosecuting agency to forward a copy of the police report for each case to Psychological Services.
- ✓ If a defendant is to be released upon completion of the interview process, a Conditional Release Order must be filed giving that direction.



STATE OF MINNESOTA  
COUNTY OF HENNEPIN

State of Minnesota

v.

Lucas Krasny

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT

27CR21-8230 27CR23-5751 27CR-21-8229;  
27CR21-8227 27CR-21-8228;  
27CR21-8067 Case: 27CR 22 17300  
DOB (SILS):  
Charge: Damage to Property 1<sup>st</sup> x6  
5<sup>th</sup> Possession of C.S.

## CONDITIONAL RELEASE ORDER

☐ New Order☐ Amended Order**You are released on any of the following marked options (and marked conditions):**

- ☒ Post bail/bond of \$ 30,000 with no conditions. ☒ Post bail/bond of \$ 15,000 with the following conditions.  
☐ Post cash bail of \$ \_\_\_\_\_ with no conditions. ☐ Post cash bail of \$ \_\_\_\_\_ with the following conditions.  
☐ You are released with no bond, bail, or conditions. ☐ You are released with no bail on the following conditions.

1. ☒ Obey all laws.
2. ☒ Attend all court appearances and appointments with Psychological Services and Probation, including any Pre-Sentence Investigation interview.
3. ☐ Do not have direct or indirect contact (including through social media) with \_\_\_\_\_  
Stay away from a three-block radius of any such person is and where they live, work, or go to school,  
☐ except with a police escort to recover your clothing, prescriptions, electronics, and toiletries  
☐ except to facilitate parenting time/child-care, for which ☐ contact through \_\_\_\_\_ or  
☐ written contact is permitted.
4. ☐ Do not have parenting time with \_\_\_\_\_ unless allowed by Child Protective Services. If a future order from a Family Court or Juvenile Court allows parenting time, you may seek a modification of this order.
5. ☒ Do not possess any firearm or ammunition ☐ or other item used as a weapon.
6. ☐ \_\_\_\_\_

The following marked conditions require supervision by Probation. Sign releases to confirm your compliance.

7. ☒ Your release will be supervised. Notify your supervising officer of any change in your contact information within 24 hours. If you are currently on probation in Hennepin County, your Probation Officer will supervise you; these conditions are in addition to all current probation conditions. Call Probation at 612-348-3218 within 48 hours of your release.
8. ☐ Complete an in-custody substance use disorder assessment with Probation Officer collateral. Follow recommendations. You are released: ☐ upon completion of the assessment interview ☐ to recommended treatment without posting bond/bail ☐ only upon court order.
9. ☐ Within \_\_\_\_\_ days of your release, complete a substance use disorder assessment with Probation Officer collateral. Follow recommendations.
10. ☐ Do not use any alcohol or non-prescribed controlled substance; provide a list of all medications to your supervising officer.  
☐ You are subject to ☐ random testing and/or ☐ Remote Electronic Alcohol Monitoring (REAM) at your expense. You are approved for REAM step-down after 60 days of no violations regarding use and testing, consistent with policies of conditional release, unless this box is checked: ☐
11. ☐ You must remain on Electronic Home Monitoring (EHM) and follow EHM rules. If eligible, you are approved for immediate furloughs for job-seeking, work, school, medical care/treatment, legal meetings, and court. Your supervising officer may approve additional furloughs.  
☐ You will remain in custody until placed on EHM.  
☐ You must report to Client and Community Restoration at 3000 2nd Street North, Minneapolis, on \_\_\_\_\_ to activate EHM.
12. ☒ You cannot leave Minnesota without court permission.
13. ☐ \_\_\_\_\_

## Internal Use Only (as needed):

REVIEWED WITH DEFENDANT WHO WAS RELEASED TO:

☐ Self ☐ Treatment ☐ Other \_\_\_\_\_

Signatures:

Probation Officer \_\_\_\_\_ Date \_\_\_\_\_

Deputy \_\_\_\_\_ Date \_\_\_\_\_

Judge

Date

Defendant

Date



# MINNESOTA JUDICIAL BRANCH

Filed in District Court  
State of Minnesota  
Mar 28, 2023 10:24 am

State of Minnesota

District Court

Hennepin County

Fourth Judicial District

State of Minnesota,  
Plaintiff,

v.

Lucas Patrick Kraskey,  
Defendant.**Order to Fourth Judicial District Court  
Psychological Services**

27-CR-21-8067

27-CR-21-8227; 27-CR-21-8228; 27-CR-21-8229; 27-CR-21-8230; 27-CR-21-8511;  
27-CR-22-17300; 27-CR-22-21679; 27-CR-22-24045; 27-CR-23-385;  
27-CR-23-5751

Defendant Information	
<input type="checkbox"/> Out of Custody <input checked="" type="checkbox"/> In Custody – at Facility: <u>Hennepin County Jail</u>	
Date of Birth: 06/01/1984	SILS Identifier: 502903
Phone: Home: 612-812-5542, Cell: 612-282-1470	
Email: lucaskraskey56@gmail.com	
Current Address: 2606 Grand St Ne	
Minneapolis MN 55418-2604	
<input type="checkbox"/> Confirmed address with Defendant	
Additional family/collateral contact number and instructions:	

It is hereby ordered:

- ☐ For felony and gross misdemeanor cases, probable cause has been found.  
☐ The defendant is to be released upon completion of the interview process.  
☐ This is part of the targeted misdemeanor program.

1. The Chief of Psychological Services of the Fourth Judicial District or the Chief's designee ("Examiner") shall conduct the following psychological evaluation, assessment and/or consultation regarding the defendant:

- ☒ Competency to participate in proceedings pursuant to Rule 20.01  
☐ Mental state at the time of the alleged act pursuant to Rule 20.02 (M'Naghten Rule)  
☐ Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457  
☐ Repeat Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457  
☐ Consultation (Pre-Sentence) \_\_\_\_\_  
☐ Other (please specify) \_\_\_\_\_

2. Copies of this evaluation shall be provided to the Court and the following individuals:

Defense Attorney: RAISSA CARPENTER

Phone: 612-348-9676

Prosecuting Attorney: CHRISTOPHER ERIC FREEMAN


Phone: 612-348-5300

Phone:

3. The hearing for the return of the psychological evaluation will be held on **April 25, 2023 at 1:30 PM.**

4. Upon presentation of this order, the relevant custodian of records shall provide (whether mailed, faxed, or personally delivered) to the Examiner all relevant records from the following sources: behavioral, chemical dependency, developmental disability, educational, employment, judicial, law enforcement (including audio/visual recordings), medical, probation/correction, psychological, and social service. A copy of the records so requested shall be delivered to the Examiner within 96 hours of presentation of this order. Records that are faxed shall be sent to 612-348-3452. Mailed records should be sent to Hennepin County District Court, Psychological Services, 300 South Sixth Street, C-509 Government Center, Minneapolis, Minnesota 55487. All agencies maintaining the above-listed records may also communicate verbally with the requesting Examiner.
  - **The Court specifically finds** good cause exists for authorizing the disclosure of the identified records, including chemical dependency records, because other ways of obtaining the information are not available or would not be effective, and the public interest and need for disclosure outweighs the potential injury to the patient, the physician/patient relationship and any chemical dependency treatment facility or organization holding records pertaining to Defendant.
5. During the preparation of the report, the Examiner and any employee of Community Corrections and Rehabilitation may discuss the case and share relevant information in a manner consistent with Minnesota Rules of Criminal Procedure, Minnesota Statutes, and case law.
6. If a sex offender evaluation has been ordered and the defendant is a Repeat Sex Offender as defined in Minnesota Statute § 609.3457, Psychological Services is ordered to comply with both the requirements of §609.3457 and the agreement with Minnesota State Operated Forensic Services. A copy of any Repeat Sex Offender Report produced by Psychological Services shall be forwarded to the Court and the Commissioner of Corrections.
7. In the case of Rule 20 evaluations, the Examiner shall offer in the report an opinion and support for the opinion on whether the defendant:
  - a. Is suitable to refer for consideration of civil commitment and the basis of the possible commitment,
  - b. May be mentally ill and dangerous, and
  - c. Needs immediate hospitalization.
8. In the case of Rule 20 evaluations, the Examiner shall promptly notify the prosecutor, defense attorney and the Court if the Examiner concludes that the defendant:
  - a. Presents an imminent risk of serious danger to another,
  - b. May be imminently suicidal, or
  - c. Needs emergency intervention.

Dated: March 28, 2023

Dayton Klein, Julia  
Mar 28 2023 9:42 AM



---

 Julia Dayton Klein  
District Court Judge

- ✓ Please direct the prosecuting agency to forward a copy of the police report for each case to Psychological Services.
- ✓ If a defendant is to be released upon completion of the interview process, a Conditional Release Order must be filed giving that direction.



**STATE OF MINNESOTA  
COUNTY OF HENNEPIN**

**DISTRICT COURT  
FOURTH JUDICIAL DISTRICT  
CRIMINAL DIVISION**

State of Minnesota,

Plaintiff,

vs.

Lucas Patrick Kraskey,

Defendant.

Court File No. 27-CR-21-6904, 27-CR-21-8067, 27-CR-21-8227, 27-CR-21-8228, 27-CR-21-8229, 27-CR-21-8230, 27-CR-21-8511, 27-CR-22-17300, 27-CR-22-21679, 27-CR-22-24045, 27-CR-23-385, 27-CR-23-5751, 27-CR-23-6188

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

This matter came before the undersigned Referee/Judge of District Court on May 2, 2023. The hearing was held remotely using the Zoom internet platform. Tom Arneson, Assistant Hennepin County Attorney and Megan Griffin, Attorney with the City of Minneapolis, represented the plaintiffs. 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 06/01/1984), was charged in MNCIS file 27-CR-21-6904 with 3<sup>rd</sup> Degree Damage to Property (Gross Misdemeanor - GMD) and Public Urination (Misdemeanor – MSD) arising from an incident alleged to have occurred on January 29, 2021; in MNCIS file 27-CR-21-8067 with 1<sup>st</sup> Degree Damage to Property (Felony) arising from an incident alleged to have occurred on January 29, 2021; in MNCIS file 27-CR-21-8067 with 1<sup>st</sup> Degree Damage to Property (Felony) arising from an incident alleged to have occurred on February 25, 2021; in MNCIS file 27-CR-21-8227 with 1<sup>st</sup> Degree Damage to Property (Felony) arising from an incident alleged to have occurred on February 24, 2021; in MNCIS file 27-CR-21-8228 with 1<sup>st</sup> Degree Damage to Property (Felony) arising from an incident alleged to have occurred on February 23, 2021; in MNCIS file 27-CR-21-8229 with 1<sup>st</sup> Degree Damage to Property (Felony) arising from an incident alleged to have occurred on January 15, 2021; in MNCIS file 27-CR-21-8230 with 1<sup>st</sup> Degree Damage to Property (Felony) arising from an incident alleged

to have occurred on February 23, 2021; in MNCIS file 27-CR-21-8511 with 3<sup>rd</sup> Degree Damage to Property (GMD) arising from an incident alleged to have occurred on March 9, 2021; in MNCIS file 27-CR-22-17300 with 1<sup>st</sup> Degree Damage to Property (Felony) arising from an incident alleged to have occurred on January 27, 2022; in MNCIS file 27-CR-22-21679 with Trespassing (MSD) arising from an incident alleged to have occurred on October 18, 2022; in MNCIS file 27-CR-22-24045 with Trespass (MSD) arising from an incident alleged to have occurred on December 1, 2022; in MNCIS file 27-CR-23-385 with Trespass (MSD) arising from an incident alleged to have occurred on November 24, 2022; in MNCIS file 27-CR-23-5751 with 5<sup>th</sup> Degree Drug Possession (Felony) arising from an incident alleged to have occurred on March 16, 2023; and in MNCIS file 27-CR-23-6188.

2. On March 28, 2023, Judge Dayton Klein 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. Kristen A. Otte, Psy.D., LP, Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.

Dr. Kristen A. Otte, 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 (10) days of the date of service.

Tom Arneson, Assistant Hennepin County Attorney – Criminal Division; and

Megan Griffin, City of Minneapolis Attorney

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; residential 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. Psychological Services of Hennepin County District Court, or the Department of Human Services Forensic Evaluation Department if the defendant is civilly committed, shall have access to Defendant's treatment records to prepare the required report(s) on the defendant's mental condition with an opinion as to competency to proceed. By presentation of a copy of this order, whether mailed, sent electronically, discussed verbally, or personally delivered, the custodian of records for any agency, department, or health care provider shall release all information and/or records related to Defendant, including medical, psychological, behavioral, social service, probation/correctional, developmental disability, military, Social Security, employment, and educational records, to the agency requesting the records within 72 hours. This Order shall be sufficient to require an agency, department, entity, or health care provider to release the requested information and/or records related to treatment Defendant has received in connection with that facility. Any of the defendant's records released pursuant to this order may not be disclosed to any other person without court authorization or Defendant's signed consent.
12. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
13. 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.

14. 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.
15. 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 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. Tom Arneson, Assistant Hennepin County Public Defender;
  - c. Susan Herlofsky, Assistant Hennepin County Attorney;
  - d. Assistant Hennepin County Attorney’s Office – Adult Services Division (if a commitment is ordered);
  - e. Megan Griffin, City of Minneapolis Attorney; and
  - f. 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.

Order Recommended By:



Mercurio, Danielle  
May 2 2023 3:12 PM

Referee of District Court

BY THE COURT:



Browne, Michael  
May 2 2023 4:14 PM

Judge of District Court

STATE OF MINNESOTA  
COUNTY OF HENNEPINFiled in District Court  
State of Minnesota  
May 16, 2023 4:06 pmDISTRICT COURT  
FOURTH JUDICIAL DISTRICTState of Minnesota  
v.

LUCAS PATRICK KRASKEY

Case: 27-CR-21-8067  
27-CR-21-8227  
27-CR-21-8228  
27-CR-21-8229  
27-CR-21-8230  
27-CR-22-17300  
27-CR-23-5751

DOB (SILS): 6/1/1984; SILS 502903

Charge: FEL, Damage to Property - 1st  
Degree - Value Reduced Over \$1000

## CONDITIONAL RELEASE ORDER

☐ New Order ☒ Amended Order

## You are released on any of the following marked options (and marked conditions):

- ☒ Post bail/bond of \$30,000 with no conditions. ☐ Post bail/bond of \$\_\_\_\_\_ with the following conditions.  
☐ Post cash bail of \$\_\_\_\_\_ with no conditions. ☐ Post cash bail of \$\_\_\_\_\_ with the following conditions.  
☐ You are released with no bond, bail, or conditions. ☒ You are released with no bail on the following conditions.

1. ☒ Obey all laws.
2. ☒ Attend all court appearances and appointments with Psychological Services and Probation, including any Pre-Sentence Investigation interview.
3. ☐ Do not have direct or indirect contact (including through social media) with \_\_\_\_\_.  
Stay away from a three-block radius of any such person is and where they live, work, or go to school,  
☐ except with a police escort to recover your clothing, prescriptions, electronics, and toiletries  
☐ except to facilitate parenting time/child-care, for which ☐ contact through \_\_\_\_\_ or ☐ written contact is permitted.
4. ☐ Do not have parenting time with \_\_\_\_\_ unless allowed by Child Protective Services.  
If a future order from a Family Court or Juvenile Court allows parenting time, you may seek a modification of this order.
5. ☒ Do not possess any firearm or ammunition ☐ or other item used as a weapon.
6. ☒ Release to Anoka County holds, if such warrants are in place.
7. ☒ You cannot leave Minnesota without court permission.
- 8.

## Internal Use Only (as needed):

REVIEWED WITH DEFENDANT WHO WAS RELEASED TO:

☐ Self ☐ Treatment ☐ Other \_\_\_\_\_

Signatures:

Probation Officer \_\_\_\_\_ Date \_\_\_\_\_

Deputy \_\_\_\_\_ Date \_\_\_\_\_

Dayton Klein, Julia

Digitally signed by Dayton Klein,  
Julia

Date: 2023.05.16 14:28:16 -05'00'

Judge

Date

Defendant

Date

HC 2921 (02/2023)

Filed in District Court  
State of Minnesota  
Aug 22, 2023 8:39 am

State of Minnesota

District Court

Hennepin County

Fourth Judicial District

State of Minnesota,  
Plaintiff,

v.

**Order to Fourth Judicial District Court  
Psychological Services**Lucas Patrick Kraskey,  
Defendant.

27-CR-21-6904

27-CR-21-8067; 27-CR-21-8227; 27-CR-21-8228; 27-CR-21-8229; 27-CR-21-8230;  
27-CR-21-8511; 27-CR-22-17300; 27-CR-23-5751

Defendant Information	
<input checked="" type="checkbox"/> Out of Custody <input type="checkbox"/> In Custody – at Facility: _____	
Date of Birth: 06/01/1984	SILS Identifier: 502903
Phone: Home: 612-812-5542, Cell: 612-282-1470	
Email: lucaskraskey56@gmail.com	
Current Address: 2606 Grand St Ne	
Minneapolis MN 55418-2604	
<input type="checkbox"/> Confirmed address with Defendant	
Additional family/collateral contact number and instructions:	

It is hereby ordered:

- ☐ For felony and gross misdemeanor cases, probable cause has been found.  
☐ The defendant is to be released upon completion of the interview process.  
☐ This is part of the targeted misdemeanor program.

1. The Chief of Psychological Services of the Fourth Judicial District or the Chief's designee ("Examiner") shall conduct the following psychological evaluation, assessment and/or consultation regarding the defendant:

- ☒ Competency to participate in proceedings pursuant to Rule 20.01  
☐ Mental state at the time of the alleged act pursuant to Rule 20.02 (M'Naghten Rule)  
☐ Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457  
☐ Repeat Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457  
☐ Consultation (Pre-Sentence) \_\_\_\_\_  
☐ Other (please specify) \_\_\_\_\_

2. Copies of this evaluation shall be provided to the Court and the following individuals:

Defense Attorney: ANDREW JOSEPH REILAND, II  
 Prosecuting Attorney: Heidi Johnston

Phone: 612-348-5838  
 Phone: 612-673-2757  
 Phone:

3. The hearing for the return of the psychological evaluation will be held on **October 31, 2023 at 1:30 PM.**

4. Upon presentation of this order, the relevant custodian of records shall provide (whether mailed, faxed, or personally delivered) to the Examiner all relevant records from the following sources: behavioral, chemical dependency, developmental disability, educational, employment, judicial, law enforcement (including audio/visual recordings), medical, probation/correction, psychological, and social service. A copy of the records so requested shall be delivered to the Examiner within 96 hours of presentation of this order. Records that are faxed shall be sent to 612-348-3452. Mailed records should be sent to Hennepin County District Court, Psychological Services, 300 South Sixth Street, C-509 Government Center, Minneapolis, Minnesota 55487. All agencies maintaining the above-listed records may also communicate verbally with the requesting Examiner.
  - **The Court specifically finds** good cause exists for authorizing the disclosure of the identified records, including chemical dependency records, because other ways of obtaining the information are not available or would not be effective, and the public interest and need for disclosure outweighs the potential injury to the patient, the physician/patient relationship and any chemical dependency treatment facility or organization holding records pertaining to Defendant.
5. During the preparation of the report, the Examiner and any employee of Community Corrections and Rehabilitation may discuss the case and share relevant information in a manner consistent with Minnesota Rules of Criminal Procedure, Minnesota Statutes, and case law.
6. If a sex offender evaluation has been ordered and the defendant is a Repeat Sex Offender as defined in Minnesota Statute § 609.3457, Psychological Services is ordered to comply with both the requirements of §609.3457 and the agreement with Minnesota State Operated Forensic Services. A copy of any Repeat Sex Offender Report produced by Psychological Services shall be forwarded to the Court and the Commissioner of Corrections.
7. In the case of Rule 20 evaluations, the Examiner shall offer in the report an opinion and support for the opinion on whether the defendant:
  - a. Is suitable to refer for consideration of civil commitment and the basis of the possible commitment,
  - b. May be mentally ill and dangerous, and
  - c. Needs immediate hospitalization.
8. In the case of Rule 20 evaluations, the Examiner shall promptly notify the prosecutor, defense attorney and the Court if the Examiner concludes that the defendant:
  - a. Presents an imminent risk of serious danger to another,
  - b. May be imminently suicidal, or
  - c. Needs emergency intervention.

Dated: August 18, 2023

Dayton Klein, Julia  
Aug 21 2023 9:19 AM

District Court Judge

- ✓ Please direct the prosecuting agency to forward a copy of the police report for each case to Psychological Services.
- ✓ If a defendant is to be released upon completion of the interview process, a Conditional Release Order must be filed giving that direction.

**STATE OF MINNESOTA**  
**COUNTY OF HENNEPIN**

**DISTRICT COURT**  
**FOURTH JUDICIAL DISTRICT**  
**CRIMINAL DIVISION**

State of Minnesota,

Plaintiff,

vs.

Lucas Patrick Kraskey,

Defendant.

Court File No. 27-CR-21-6904, 27-CR-21-8067, 27-CR-21-8227, 27-CR-21-8228, 27-CR-21-8229, 27-CR-21-8230, 27-CR-21-8511, 27-CR-22-17300, 27-CR-23-5751

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

This matter came before the undersigned Judge of District Court on October 31, 2023. The hearing was held remotely using the Zoom internet platform. Tom Arneson, Assistant Hennepin County Attorney, represented the plaintiff. Megan Griffin, Assistant Minneapolis City Attorney, also represented the plaintiff. Defendant was represented by Andrew J. Reiland, II, Assistant Hennepin County Public Defender. Prior to the time of the hearing, the parties agreed to the Court handling this matter administratively, without the need for 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 06/01/1984), was charged in MNCIS file 27-CR-21-6904 with 3<sup>rd</sup> Degree Damage to Property (Gross Misdemeanor) arising from an incident alleged to have occurred on January 29, 2021; in MNCIS file 27-CR-21-8067 with 1<sup>st</sup> Degree Damage to Property (Felony) arising from an incident alleged to have occurred on January 29, 2021; in MNCIS file 27-CR-21-8067 with 1<sup>st</sup> Degree Damage to Property (Felony) arising from an incident alleged to have occurred on February 25, 2021; in MNCIS file 27-CR-21-8227 with 1<sup>st</sup> Degree Damage to Property (Felony) arising from an incident alleged to have occurred on February 24, 2021; in MNCIS file 27-CR-21-8228 with 1<sup>st</sup> Degree Damage to Property (Felony) arising from an incident alleged to have occurred on February 23, 2021; in MNCIS file 27-CR-21-8229 with 1<sup>st</sup> Degree Damage to Property (Felony) arising from an incident alleged to have occurred on January 15, 2021; in MNCIS file 27-CR-21-8230 with 1<sup>st</sup> Degree Damage to Property (Felony) arising from an incident alleged to have occurred on February

23, 2021; in MNCIS file 27-CR-21-8511 with 3<sup>rd</sup> Degree Damage to Property (Gross Misdemeanor) arising from an incident alleged to have occurred on March 9, 2021; in MNCIS file 27-CR-22-17300 with 1<sup>st</sup> Degree Damage to Property (Felony) arising from an incident alleged to have occurred on January 27, 2022; and in MNCIS file 27-CR-23-5751 with 5<sup>th</sup> Degree Drug Possession (Felony) arising from an incident alleged to have occurred on March 16, 2023.

2. On August 22, 2023, Judge Julia Dayton Klein 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. Kristen A. Otte, Psy.D., LP, ABPP, Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Kristen A. Otte, Psy.D., LP, 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.

### **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 (10) days of the date of service.

Darren Borg, Assistant Hennepin County Attorney – Criminal Division;

Christopher Freeman, Assistant Hennepin County Attorney – Criminal Division;

Heidi Johnston, Minneapolis City Attorney;

Andrew Reiland, II, 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; residential 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. Psychological Services of Hennepin County District Court, or the Department of Human Services Forensic Evaluation Department if the defendant is civilly committed, shall have access to Defendant's treatment records to prepare the required report(s) on the defendant's mental condition with an opinion as to competency to proceed. By presentation of a copy of this order, whether mailed, sent electronically, discussed verbally, or personally delivered, the custodian of records for any agency, department, or health care provider shall release all information and/or records related to Defendant, including medical, psychological, behavioral, social service, probation/correctional, developmental disability, military, Social Security, employment, and educational records, to the agency requesting the records within 72 hours. This Order shall be sufficient to require an agency, department, entity, or health care provider to release the requested information and/or records related to treatment Defendant has received in connection with that facility. Any of the defendant's records released pursuant to this order may not be disclosed to any other person without court authorization or Defendant's signed consent.
12. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
13. 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 30, 2024. 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. Andrew Reiland, II, Assistant Hennepin County Public Defender;
  - c. Darren Borg, Assistant Hennepin County Attorney;
  - d. Christopher Freeman, Assistant Hennepin County Attorney;
  - e. Heidi Johnston, Minneapolis City Attorney;



- f. 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.
14. 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:**



Browne, Michael  
~~Oct 31 2023 4:21 PM~~  
Judge of District Court

MINNESOTA  
JUDICIAL  
BRANCH

Filed in District Court  
State of Minnesota  
1/12/2024State of Minnesota  
Hennepin CountyDistrict Court  
Fourth Judicial District**Court File Number: 27-CR-22-17300**

Case Type: Crim/Traf Mandatory

**Notice of Judicial Reassignment**

FILE COPY

State of Minnesota vs Lucas Patrick Kraskey

This case is reassigned to:

Judge Matthew Frank  
300 South Sixth Street  
Minneapolis MN 55487-0419  
612-348-2040

All future hearings shall be scheduled before this judicial officer.

Please note that a notice to remove this judicial officer must comply, in adult criminal cases, with Minnesota Rules of Criminal Procedure 26.03 subdivision 14 and Minnesota Statute Sec. 542.16, and in juvenile delinquency cases, with Minnesota Rules of Delinquency Procedure 22.03.

Dated: January 12, 2024

Sara Gonsalves  
Court Administrator  
Hennepin County District Courtcc: ANDREW JOSEPH REILAND, II  
DARREN CHARLES BORG

State of Minnesota

Filed in District Court  
State of Minnesota  
Feb 21, 2024 4:39 pm

District Court

Hennepin County

Fourth Judicial District

State of Minnesota,  
Plaintiff,

v.

Lucas Patrick Kraskey,  
Defendant.Order to Fourth Judicial District Court  
Psychological Services  
27-CR-21-8067  
27-CR-23-5751, 27-CR-22-17300, 27-CR-21-8230, 27-CR-21-8229, 27-CR-21-8228,  
27-CR-21-8227.

Defendant Information	
<input checked="" type="checkbox"/> Out of Custody <input type="checkbox"/> In Custody – at Facility: _____	
Date of Birth: 06/01/1984	SILS Identifier: 502903
Phone: Home: 651-285-1729, Cell: 612-282-1470	
Email: lucaskraskey56@gmail.com	
Current Address: 2606 GRAND ST NE	
Minneapolis MN 55418-0000	
<input type="checkbox"/> Confirmed address with Defendant	
Additional family/collateral contact number and instructions:	

It is hereby ordered:

- ☒ For felony and gross misdemeanor cases, probable cause has been found.  
☐ The defendant is to be released upon completion of the interview process.  
☐ This is part of the targeted misdemeanor program.

1. The Chief of Psychological Services of the Fourth Judicial District or the Chief's designee ("Examiner") shall conduct the following psychological evaluation, assessment and/or consultation regarding the defendant:

- ☒ Competency to participate in proceedings pursuant to Rule 20.01  
☐ Mental state at the time of the alleged act pursuant to Rule 20.02 (M'Naghten Rule)  
☐ Sex Offender Evaluation (psychosexual) pursuant to Minnesota Statute § 609.3457  
☐ Repeat Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457  
☐ Consultation (Pre-Sentence) \_\_\_\_\_  
☐ Other (please specify) \_\_\_\_\_

2. Copies of this evaluation shall be provided to the Court and the following individuals:

Defense Attorney: ANDREW JOSEPH REILAND, II      Phone: 612-348-5838  
 Prosecuting Attorney: CHRISTOPHER ERIC FREEMAN      Phone: 612-348-5300

3. The hearing for the return of the psychological evaluation will be held on **April 30, 2024 at 1:30 PM.**

4. Upon presentation of this order, the relevant custodian of records shall provide (whether mailed, faxed, or personally delivered) to the Examiner all relevant records from the following sources: behavioral, chemical dependency, developmental disability, educational, employment, judicial, law enforcement (including audio/visual recordings), medical, probation/correction, psychological, and social service. A copy of the records so requested shall be delivered to the Examiner within 96 hours of presentation of this order. Records that are faxed shall be sent to 612-348-3452. Mailed records should be sent to Hennepin County District Court, Psychological Services, 300 South Sixth Street, C-509 Government Center, Minneapolis, Minnesota 55487. All agencies maintaining the above-listed records may also communicate verbally with the requesting Examiner.
  - **The Court specifically finds** good cause exists for authorizing the disclosure of the identified records, including chemical dependency records, because other ways of obtaining the information are not available or would not be effective, and the public interest and need for disclosure outweighs the potential injury to the patient, the physician/patient relationship and any chemical dependency treatment facility or organization holding records pertaining to Defendant.
5. During the preparation of the report, the Examiner and any employee of Community Corrections and Rehabilitation may discuss the case and share relevant information in a manner consistent with Minnesota Rules of Criminal Procedure, Minnesota Statutes, and case law.
6. If a sex offender evaluation has been ordered and the defendant is a Repeat Sex Offender as defined in Minnesota Statute § 609.3457, Psychological Services is ordered to comply with both the requirements of §609.3457 and the agreement with Minnesota State Operated Forensic Services. A copy of any Repeat Sex Offender Report produced by Psychological Services shall be forwarded to the Court and the Commissioner of Corrections.
7. In the case of Rule 20 evaluations, the Examiner shall offer in the report an opinion and support for the opinion on whether the defendant:
  - a. Is suitable to refer for consideration of civil commitment and the basis of the possible commitment,
  - b. May be mentally ill and dangerous, and
  - c. Needs immediate hospitalization.
8. In the case of Rule 20 evaluations, the Examiner shall promptly notify the prosecutor, defense attorney and the Court if the Examiner concludes that the defendant:
  - a. Presents an imminent risk of serious danger to another,
  - b. May be imminently suicidal, or
  - c. Needs emergency intervention.

Dated: February 21, 2024

Browne, Michael  
Feb 21 2024 3:51 PM



Michael Browne  
District Court Judge

- ✓ Please direct the prosecuting agency to forward a copy of the police report for each case to Psychological Services.
- ✓ If a defendant is to be released upon completion of the interview process, a Conditional Release Order must be filed giving that direction.



MINNESOTA  
JUDICIAL BRANCH  
MINNESOTA COURT RECORDS ONLINE (MCRO)

**Case Details (Register of Actions)****27-CR-22-18209**

Search executed on 04/29/2024 03:52 PM

**Upcoming Hearing:**Review Hearing on **08/27/2024** at **1:30 PM****Case Information****Case Number:** 27-CR-22-18209**Case Title:** State of Minnesota vs JULIET KAY HIGGINS**Case Type:** Crim/Traf Mandatory**Date Filed:** 09/13/2022**Case Location:** Hennepin County, Hennepin Criminal Downtown**Judicial Officer:** Hoyos, Juan**Case Status:** Dormant**Related Cases**

27-MH-PR-23-117

**Party Information****Jurisdiction**

State of Minnesota

**Attorneys Active**

- **HAIK, DOMINIC JOSEPH** - Lead Attorney
- ARNESON, THOMAS STUART
- COLE, JUDITH L
- POWELL, EVAN DANIEL
- SORENSEN, ROBERT J

**Defendant****HIGGINS, JULIET KAY**

DOB: 09/30/1968

MINNEAPOLIS, MN 55411

**Attorneys Active**

- **CARPENTER, RAISSA** - Lead Attorney
- TIERNEY, COLLIN PATRICK

**Warrants****Inactive Warrants****HIGGINS, JULIET KAY** Bench Warrant

Judicial Officer: Robben, Patrick D.

10/13/2022 11:39 AM Status: Recalled Inactive

10/12/2022 03:24 PM Status: Issued Active

**Bond/Bail Options**

Bond or Cash Bail

Amount: \$40,000.00

## Charges

1

Domestic Assault - By Strangulation

Statute: 609.2247.2

Additional Statute: Domestic Assault - By Strangulation (609.2247.2)

Level of Charge: Felony

Offense Date: 09/11/2022

Community Of Offense: Brooklyn Park

Law Enforcement Agency: Brooklyn Park Police Department

Prosecuting Agency: Hennepin County Attorney

## Interim Conditions

02/21/2023

Interim conditions for HIGGINS, JULIET KAY

Judicial Officer: Mercurio, Danielle

- Post Bail or Bond with No Conditions  
\$40,000.00
- Remain law-abiding
- Conditions, other
- Make all future court appearances
- No use or possession of firearms or dangerous weapons
- No alcohol/controlled substance use
- Post Bail or Bond with Conditions  
\$0.00
- No contact with alleged victim(s)
- Stay a reasonable distance away from victim's residence

01/12/2023

Interim conditions for HIGGINS, JULIET KAY

Judicial Officer: Norris, Lyonel

Expiration Date: 02/21/2023

- Post Bail or Bond with No Conditions  
\$40,000.00

01/11/2023

Interim conditions for HIGGINS, JULIET KAY

Judicial Officer: Daly, Margaret A.

Expiration Date: 01/12/2023

- Post Bail or Bond with No Conditions  
\$40,000.00

10/13/2022

Interim conditions for HIGGINS, JULIET KAY

Judicial Officer: Hoyos, Juan

Expiration Date: 01/11/2023

- No contact with victim(s)
- No alcohol/controlled substance use
- Make all future court appearances
- Remain law-abiding
- Post Bail or Bond with No Conditions  
\$40,000.00
- Stay a reasonable distance away from victim's residence
- Contact with probation
- Follow all instructions of probation

- Do not ship/transport/possess or receive firearm or ammo
- Take medications in the prescribed dosage and frequency
- Do not leave Minnesota without written court approval
- Random testing
- Release with Conditions  
\$0.00
- Conditions, other

09/14/2022

Interim conditions for HIGGINS, JULIET KAY

Judicial Officer: Norris, Lyonel

Expiration Date: 10/13/2022

- No contact with victim(s)
- No alcohol/controlled substance use
- Make all future court appearances
- Remain law-abiding
- Post Bail or Bond with No Conditions  
\$40,000.00
- Stay a reasonable distance away from victim's residence
- Contact with probation
- Follow all instructions of probation
- Do not ship/transport/possess or receive firearm or ammo
- Take medications in the prescribed dosage and frequency
- Do not leave Minnesota without written court approval
- Random testing
- Release with Conditions  
\$0.00

09/13/2022

Interim conditions for HIGGINS, JULIET KAY

Judicial Officer: Burke, Susan N.

Expiration Date: 09/14/2022

- Post Bail or Bond with Conditions  
\$40,000.00
- No contact with victim(s)
- No alcohol/controlled substance use
- No use or possession of firearms or dangerous weapons
- Make all future court appearances
- Remain law-abiding

## Case Events

02/27/2024

Notice of Remote Hearing with Instructions  
Index #49



2 pages

02/27/2024








Found Incompetent  
Judicial Officer: Dayton Klein, Julia

02/27/2024

Hearing Held Remote






02/27/2024






Rule 20 Evaluation Report  
Index #48







02/27/2024	Rule 20 Report Distributed	
02/06/2024	Notice of Remote Hearing with Instructions Index #47	 2 pages
01/23/2024	Notice of Remote Hearing with Instructions Index #46	 2 pages
01/23/2024	Request for Continuance Party: Attorney CARPENTER, RAISSA Index #45	
01/23/2024	Fail to Appear at a hearing Party: Defendant HIGGINS, JULIET KAY	
01/23/2024	Hearing Held Remote	
11/27/2023	Order-Evaluation for Competency to Proceed (Rule 20.01) Judicial Officer: Browne, Michael K Index #44	 2 pages
07/25/2023	Notice of Remote Hearing with Instructions Index #43	 2 pages
07/25/2023	Waiver of Appearance Index #42	
07/25/2023	Found Incompetent Judicial Officer: Dayton Klein, Julia	
07/18/2023	Rule 20 Progress Report Index #41	
06/08/2023	Order-Other Judicial Officer: Dayton Klein, Julia Index #40	 3 pages
06/06/2023	Proposed Order or Document Index #39	 3 pages
06/06/2023	Rule 20 Progress Report Index #38	
05/18/2023	Correspondence Index #37	 2 pages
05/15/2023	Rule 20 Progress Report	




Index #36

<b>04/03/2023</b>	Order for Production of Medical Records Judicial Officer: Browne, Michael K Index #35	 2 pages
<b>03/10/2023</b>	Proposed Order or Document Index #34	 2 pages
<b>03/10/2023</b>	Rule 20 Progress Report Index #33	
<b>02/21/2023</b>	Order for Conditional Release Judicial Officer: Mercurio, Danielle Index #32	 1 page
<b>02/21/2023</b>	Motion Judicial Officer: Mercurio, Danielle Party: Attorney CARPENTER, RAISSA Index #31	
<b>02/21/2023</b>	Hearing Held Remote	
<b>02/14/2023</b>	Motion Judicial Officer: Borer, George Party: Attorney CARPENTER, RAISSA Index #30	
<b>02/14/2023</b>	Bail to stand as previously ordered	
<b>02/14/2023</b>	Fail to Appear at a hearing Party: Defendant HIGGINS, JULIET KAY	
<b>02/14/2023</b>	Hearing Held Remote	
<b>01/24/2023</b>	Notice of Intent to Prosecute Index #29	 1 page
<b>01/24/2023</b>	Bail to stand as previously ordered	
<b>01/24/2023</b>	Finding of Incompetency and Order Judicial Officer: Browne, Michael K Index #28	 4 pages
<b>01/24/2023</b>	Motion Judicial Officer: Browne, Michael K Party: Attorney CARPENTER, RAISSA Index #27	

01/24/2023	Found Incompetent Judicial Officer: Browne, Michael K	
01/24/2023	Hearing Held Remote	
01/24/2023	Rule 20 Evaluation Report Index #26	
01/24/2023	Rule 20 Report Distributed	
01/17/2023	Returned Mail Party: Defendant HIGGINS, JULIET KAY Index #25	 1 page
01/12/2023	Hearing Held In-Person	
01/11/2023	Probation Violation Order for Detention Judicial Officer: Daly, Margaret A. Index #24	 1 page
01/11/2023	Proposed Order or Document Index #23	 1 page
01/11/2023	Conditional Release Violation Report Index #22	
12/14/2022	Notice of Remote Hearing with Instructions Index #21	 2 pages
12/13/2022	Fail to Appear at a hearing Party: Defendant HIGGINS, JULIET KAY	
12/13/2022	Hearing Held Remote	
12/12/2022	Rule 20 Progress Report Index #20	
10/13/2022	Amended Order Judicial Officer: Hoyos, Juan Index #19	 1 page
10/13/2022	Order for Conditional Release Judicial Officer: Hoyos, Juan Index #18	
10/13/2022	Probable Cause Found	

10/13/2022	Order-Evaluation for Competency to Proceed (Rule 20.01) Judicial Officer: Hoyos, Juan Index #17		4 pages
10/13/2022	Hearing Held In-Person		
10/13/2022	Warrant Recalled Judicial Officer: Hoyos, Juan Index #16		
10/12/2022	Order Revoking Interim Conditions of Release Judicial Officer: Robben, Patrick D. Index #15		1 page
10/12/2022	Warrant Issued Index #14		
10/12/2022	Proposed Order or Document Index #13		1 page
10/12/2022	Conditional Release Violation Report Index #12		
09/26/2022	Pre-Plea Worksheet Index #11		
09/23/2022	Notice of Hearing Index #10		1 page
09/23/2022	Pre-Plea Worksheet Index #9		
09/20/2022	Demand or Request for Discovery Index #8		8 pages
09/14/2022	Notice of Hearing Index #7		1 page
09/14/2022	Order for Conditional Release Judicial Officer: Norris, Lyonel Index #6		
09/14/2022	Statement of Rights Index #5		
09/14/2022	Order Granting Public Defender Judicial Officer: Norris, Lyonel Index #4		

09/14/2022	Hearing Held In-Person	
09/14/2022	Identity Verified	
09/13/2022	Application for Public Defender Index #3	
09/13/2022	Pretrial Release Evaluation Form Index #2	
09/13/2022	E-filed Comp-Order for Detention Index #1	

Unknown pages

## Hearings

### Upcoming Hearings

08/27/2024 01:30 PM Review Hearing

### Previous Hearings

02/27/2024	01:30 PM	Hearing Judicial Officer: Dayton Klein, Julia Location: GC-C559	<b>Result:</b> Held On the Record
02/06/2024	01:30 PM	Hearing Judicial Officer: Borer, George Location: GC-C456 Cancelled; Other	
01/23/2024	01:30 PM	Review Hearing Judicial Officer: Dayton Klein, Julia Location: GC-C559	<b>Result:</b> Held On the Record
07/25/2023	01:30 PM	Review Hearing Judicial Officer: Dayton Klein, Julia Location: GC-C559 Cancelled; Waived	
02/21/2023	01:30 PM	Bail Hearing Judicial Officer: Mercurio, Danielle Location: GC-C556	<b>Result:</b> Held On the Record
02/14/2023	01:30 PM	Bail Hearing Judicial Officer: Borer, George Location: GC-C456	<b>Result:</b> Held On the Record
01/24/2023	01:30 PM	Hearing Judicial Officer: Browne, Michael K Location: GC-C459	<b>Result:</b> Held On the Record
01/12/2023	01:30 PM	Hearing Judicial Officer: Norris, Lyonel Location: PSF 141	<b>Result:</b> Held On the Record

Date Updated: 01/11/2023

Reset by Court to 01/12/2023 01:30 PM - Other

Original Hearing Date: 01/12/2023 09:30 AM

**12/19/2022 01:00 PM**Hearing  
Judicial Officer: Hoyos, Juan  
Location: GC-C659  
Cancelled; Other**12/13/2022 01:30 PM**Hearing  
Judicial Officer: Janzen, Lisa K  
Location: GC-C857**Result:** Held On the Record**10/13/2022 10:30 AM**Omnibus Hearing  
Judicial Officer: Hoyos, Juan  
Location: GC-C659**Result:** Held On the Record**09/14/2022 01:30 PM**First Appearance  
Judicial Officer: Norris, Lyonel  
Location: PSF 141**Result:** Held On the Record

Search executed on 04/29/2024 03:52 PM



MINNESOTA  
JUDICIAL  
BRANCH

State of Minnesota  
County of Hennepin

District Court  
4th Judicial District

Prosecutor File No. 22A10107  
Court File No. 27-CR-22-18209

State of Minnesota,

Plaintiff,

vs.

**JULIET KAY HIGGINS DOB: 09/30/1968**

5841 73rd Ave N

#204

Brooklyn Park, MN 55429

Defendant.

**COMPLAINT**

Order of Detention

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

**COUNT I**

**Charge: Domestic Assault - By Strangulation**

Minnesota Statute: 609.2247.2, with reference to: 609.2247.2

Maximum Sentence: 3 YEARS AND/OR \$5,000

Offense Level: Felony

Offense Date (on or about): 09/11/2022

Control #(ICR#): 22034698

Charge Description: That on or about September 11, 2022, in Brooklyn Park, Hennepin County, Minnesota, Juliet Kay Higgins assaulted J.A., a family or household member, by strangulation.

Complainant has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On about September 11, 2022, officers were called to a domestic at an apartment in Brooklyn Park, Hennepin County, Minnesota. When officers arrived, they spoke with the victim, J.A. Victim said that she and her roommate of one year, Defendant Juliet Kay Higgins (DOB: 9/30/1968), got into a verbal argument. Defendant then grabbed victim's hair with one hand and put her other hand on victim's neck while pushing victim up against the sink. While Defendant had her hand around victim's neck, Defendant applied force to victim's neck causing victim to not be able to breathe. Victim saw black spots, was dizzy, and was close to passing out while Defendant strangled her. The amount of pressure Defendant was applying to victim's throat led victim to believe that Defendant was going to crush her throat. Victim thought Defendant was going to kill her. Once Defendant stopped strangling victim, victim had a headache, and her face and head were swollen. Victim's throat hurt and her voice was raspy. While officers were speaking with victim about the incident, officers noticed red marks on both sides of victim's neck and jawline. Once officers placed Defendant under arrest, Defendant yelled at victim several times that she was going to kill her, and that Defendant was going to get a gun and kill victim.

Defendant is currently in custody.

MINNESOTA  
JUDICIAL  
BRANCH



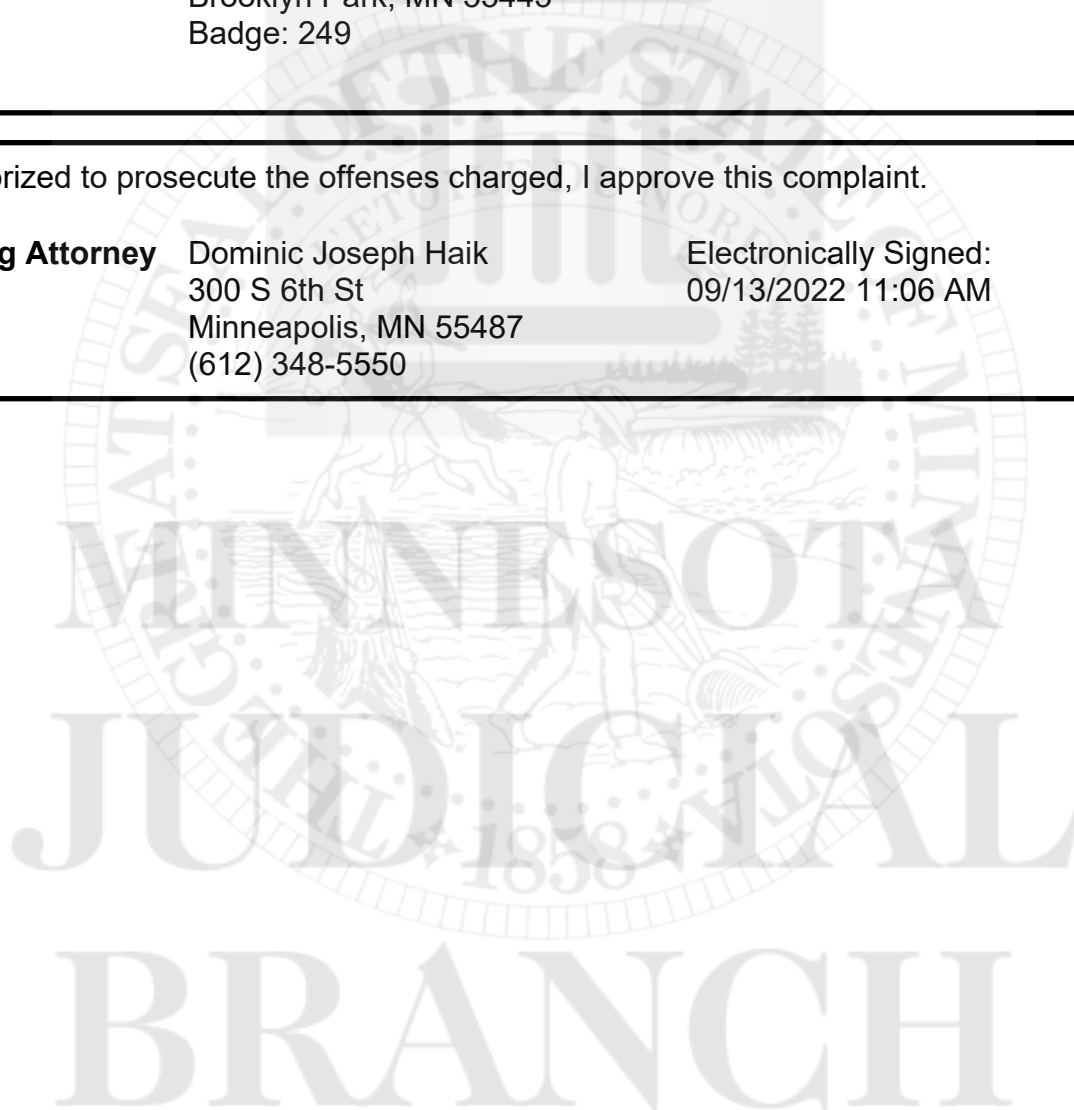
Complainant requests that Defendant, subject to bail or conditions of release, be:  
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or  
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

<b>Complainant</b>	Matias Gomez Detective 5400 85th Ave N Brooklyn Park, MN 55443 Badge: 249	Electronically Signed: 09/13/2022 11:08 AM Hennepin County, Minnesota
--------------------	---	---

Being authorized to prosecute the offenses charged, I approve this complaint.

<b>Prosecuting Attorney</b>	Dominic Joseph Haik 300 S 6th St Minneapolis, MN 55487 (612) 348-5550	Electronically Signed: 09/13/2022 11:06 AM
-----------------------------	--	---



## FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

### ☐ SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear as directed in the Notice of Hearing before the above-named court to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

### ☐ WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

☐ *Execute in MN Only*

☐ *Execute Nationwide*

☐ *Execute in Border States*

### ☒ ORDER OF DETENTION

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$40,000.00

Conditions of Release: No Contact with Victim; No use of drugs/alcohol; No Possession of Weapons; Make All Appearances; Remain Law Abiding

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: September 13, 2022.

**Judicial Officer**

Susan Burke  
District Court Judge

Electronically Signed: 09/13/2022 11:18 AM

Sworn testimony has been given before the Judicial Officer by the following witnesses:

**COUNTY OF HENNEPIN  
STATE OF MINNESOTA**

**State of Minnesota**

Plaintiff

vs.

**JULIET KAY HIGGINS**

Defendant

**LAW ENFORCEMENT OFFICER RETURN OF SERVICE**  
I hereby Certify and Return that I have served a copy of this Order of Detention upon the Defendant herein named.

Signature of Authorized Service Agent:

**Name:** JULIET KAY HIGGINS  
**DOB:** 09/30/1968  
**Address:** 5841 73rd Ave N  
#204  
Brooklyn Park, MN 55429

**Alias Names/DOB:**

**SID:** MN92005526

**Height:**

**Weight:**

**Eye Color:**

**Hair Color:**

**Gender:**

**Race:**

**Fingerprints Required per Statute:**

**Fingerprint match to Criminal History Record:**

**Driver's License #:**

**SILS Person ID #:**

**SILS Tracking No.**

**Alcohol Concentration:**

FEMALE

Black

Yes

Yes

210341

3296263

MINNESOTA  
JUDICIAL  
BRANCH

27-CR-23-1886  
27-CR-22-18209  
**STATUTE AND OFFENSE GRID**

Filed in District Court  
State of Minnesota  
4/28/2025 12:23 PM  
9/13/2022

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	9/11/2022	609.2247.2 Domestic Assault - By Strangulation	Felony	AJ351		MN0270300	22034698
	Penalty	9/11/2022	609.2247.2 Domestic Assault - By Strangulation	Felony	AJ351		MN0270300	22034698



MINNESOTA  
JUDICIAL  
BRANCH

SEP 14 2022

STATE OF MINNESOTA  
HENNEPIN COUNTYDISTRICT COURT  
FOURTH JUDICIAL DISTRICT

State of Minnesota

v.

JULIET KAY HIGGINS

Court File: 27-CR-22-18209

## NOTICE OF HEARING

Your next court appearance is:

Thursday, October 13, 2022  
10:30 AM

with

Judge Juan Hoyos  
Hennepin County Government  
Center  
300 South Sixth Street  
Minneapolis, MN 55487

This appearance is for: Omnibus Hearing

- If you do not appear for this hearing, a bench warrant may be issued for your arrest. For petty misdemeanors, a conviction will be entered if you fail to appear.
- Arrive 15 minutes early to allow time to go through security and meet with your attorney or to apply for a court-appointed attorney if you do not have funds to hire a lawyer.
- You can receive automatic reminders of future court dates via email or text. Set this up at [www.mncourts.gov/hearing-ereinders.aspx](http://www.mncourts.gov/hearing-ereinders.aspx) or scan the QR code to enroll.
- Look for your name on a monitor for further courtroom information.
- Court may take a few hours – please plan for this.
- If your contact information changes, you must let the court know at 612-348-2040.
- If you are appearing on a traffic offense, please bring your driver's license and proof of insurance.
- If you are paying a fine, please bring payment if you can. Credit cards, cash, and checks are accepted.
- Stay in touch with your attorney if you have one. If you are representing yourself, please review [www.mncourts.gov/Help-Topics/Representing-Yourself-in-Court.aspx](http://www.mncourts.gov/Help-Topics/Representing-Yourself-in-Court.aspx).
- If you cannot afford to hire a lawyer and would like to apply for a court-appointed attorney before this appearance visit <https://4thcourtspde.courts.state.mn.us> or scan the QR code to start the application.



Defendant was mailed or given a copy of this notice in court

  
Defendant Signature9/14/2022  
Date

FILE COPY

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

---

State of Minnesota, Plaintiff.**ORDER REVOKING CONDITIONAL  
RELEASE AND APPEARANCE**

vs.

Juliet Kay Higgins, Defendant.  
Dist Ct File 27-CR-22-18209

---

On October 06, 2022, the Department of Community Corrections and Rehabilitation filed a Conditional Release Violation Report, alleging under penalty of perjury that Defendant violated the following interim conditions in this case:

1. Failed to Maintain Contact With Probation

The court finds that there is probable cause to believe Defendant has violated the interim conditions, so the Conditional Release is hereby set aside and vacated. Defendant is ordered to appear before a Judicial Officer of the District Court so that a final determination may be made as to whether Defendant has violated the interim conditions.

☐ **SUMMONS**

I order court administration to summons the defendant to appear before a Judicial Officer.

☐ **WARRANT**

It is further ordered that a bench warrant shall be issued for the defendant's apprehension.

Bail: \_\_\_\_\_ (**Note:** Hold without bail cannot be ordered unless a guilty plea/finding has been entered and the defendant is awaiting sentencing.)

☐ **ORDER OF DETENTION**

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \_\_\_\_\_ (**Note:** Hold without bail cannot be ordered unless a guilty plea/finding has been entered and the defendant is awaiting sentencing.)

BY THE COURT:

---

Judge of District Court

STATE OF MINNESOTA

DISTRICT COURT – FELONY DIVISION

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

State of Minnesota,

Plaintiff,

vs.

Juliet Higgins,

Defendant

**DEMAND FOR PRESERVATION  
AND DISCLOSURE OF EVIDENCE,  
AND MOTION FOR SUPPRESSION  
AND OTHER RELIEF**

MNCIS No. 27-CR-22-18209

\* \* \*

Defendant, by and through counsel, hereby demands preservation of, disclosure of, and access to all evidence related to the case; moves the Court for the relief specified below; and demands a hearing on the same.

**DEMAND FOR PRESERVATION AND DISCLOSURE OF EVIDENCE**

Defendant demands that the State preserve all information and evidence within the reach of the disclosures required under Rule 9.01 of the Minnesota Rules of Criminal Procedure and applicable case law. .

Defendant further demands that the State disclose all such information and evidence, and that it make all disclosures required by Rule 9.01 prior to the probable cause pretrial conference in this case.

Defendant demands access to all items subject to disclosure, and this access shall include, as appropriate, the opportunity to inspect, reproduce, photograph, test, interview, or otherwise document the matters disclosed.

These demands apply to:

1. **Investigative reports** prepared by state agents or employees in the investigation or evaluation of the case, together with the original notes of the arresting officers, if any.
2. **Statements**, as fully described in Rule 9.01, subd. 1(2). This request includes any written or recorded statement made by the Defendant or any alleged accomplice, regardless of when made, and the substance of any non-recorded oral statements by the



Defendant or accomplices. This request includes recorded statements by any other person and any written record containing the substance of statements by them, whether or not they are expected to be called at trial. This request includes statements made to any member of prosecution's staff, victim advocates, and any other person of which the government is aware or should be aware. State v. Adams, 555 N.W.2d 310 (Minn. App. 1996). It also includes disclosure of the fact that an interview with a witness took place, regardless of whether it was transcribed or whether written statements or written summaries were prepared. State v. Kaiser, 486 N.W.2d 384, 386-87 (Minn. 1992) This request also encompasses copies of recorded statements made pursuant to State v. Scales, 518 N.W.2d 587 (Minn. 1994) and any attempted recordings that for whatever alleged reason are inaudible or unavailable.

3. **Audio or video records** produced regarding this case, including squad video, 911 calls, radio runs, police radio communications, scout runs, police transport recordings, and record checks.
4. **Reports related to examinations, tests, or expert testimony**, as fully described in Rule 9.01, subd. 1(4). In addition to disclosure, Defendant also demands the in-person testimony of all analysts who performed tests the results of which the state intends to introduce into evidence at any hearing related to this case. Further, defendant hereby provides notice that he retains his right to cross-examine the analysts under State v. Caulfield, 722 N.W.2d 304, Minn. 2006.
5. **Documents and other tangible objects**, as fully described in Rule 9.01, subd. 1(3)
6. **Search warrants** obtained and executed regarding the case, including inventories and items seized.
7. **Identification procedures** including but not limited to lineups, show-up identifications, photo arrays, or the like, and details on the nature and circumstances of any and all identification procedures that become known to the government in the future.
8. **Witnesses and other persons**, as fully described in Rule 9.01, subd. 1(1).
9. **Conviction records** for all witnesses and other persons, as required to be disclosed under Rule 9.01, subd. 1(1).
10. **Prior convictions** of the Defendant or defense witnesses, to be provided as certified copies. In addition to disclosure, defendant also demands notice if the state intends to use a conviction to impeach any defense witness, including Defendant.

11. **Alleged but uncharged misconduct, prior bad acts, or relationship evidence** which the State intends to introduce at trial in this matter, disclosure to include police reports and any other documentation.
12. **Evidence related to an enhanced or aggravated sentence**, as identified in Rule 9.01, subd. 1(7). In addition to disclosure, defendant also demands notice if the state intends to seek an aggravated or enhanced sentence.

These requests encompass all information or evidence known to the prosecutor on this case personally or if known to any other prosecutor or law enforcement agent, as well as information and evidence about which the prosecutor on this case could acquire actual knowledge through the exercise of due diligence in responding to these inquiries.

Lastly, the defense demands disclosure of all audio or video files on CD ROM or DVD ROM disc, and demands that the state provide any and all software or other files necessary to open, view or play such disc(s).

This demand for preservation and disclosure, in its entirety, continues until final disposition of this case. It therefore encompasses any additional information subject to disclosure that becomes known to the State after the State has begun complying with discovery rules, orders or defense requests. Minn. R. Crim. P. 9.03, subd. 2;

### **DEMAND FOR PRESERVATION AND DISCLOSURE OF EVIDENCE TENDING TO NEGATE OR REDUCE THE DEFENDANT'S GUILT**

Defendant demands that the State preserve and disclose all evidence and information known to the State which tends to negate or reduce the guilt of the Defendant, together with all evidence and information which might tend to mitigate or reduce potential punishment, as required under Minn. R. Crim. P. 9.01 subd. 1(6), under Brady v. Maryland, 373 U.S. 83 (1963), and under subsequent cases. This demand includes but is not limited to the following:

1. Evidence of bias of government witnesses or any consideration given a witness in return for cooperation with the government, including any information regarding pre-existing hard feelings, arguments, grudges, and disputes between the complainant and the Defendant.
2. Information that a government witness and/or informant was under the influence of alcohol, narcotics, or any other drug at the time of the observations about which the witness will testify and/or the informant informed.

3. Information tending to show the unreliability of a government witness, or which would tend to discredit the testimony of a government witness, including a request for any prior inconsistent, non-corroborative, or other witness statements which the witness' trial testimony will not reflect.
4. Information—including docket numbers, dates and jurisdictions—indicating that
  - a. a government witness has had a pending juvenile or criminal case on or since the offense in this case;
  - b. a government witness was arrested, pleaded guilty, had a trial, or was sentenced on or since the date of the offense in the present case;
  - c. a government witness was on juvenile or criminal parole or probation on or since the date of the offense; and
  - d. a government witness now has or has had any other liberty interest that the witness could believe or could have believed might be favorably affected by government action.
5. Information that any government witness is or has been a police informant either at the time of the offense and/or through the day of trial, including the kind of assistance or benefits provided. "Benefit" refers to any monetary compensation, assistance of the prosecutor or the court concerning pending charges against the informant, or any other sort of consideration of value. Here, the demanded disclosure includes but is not limited to:
  - a. the length and extent of the witness' informant status;
  - b. the amounts that have been paid to the informant in connection with this case;
  - c. non-monetary assistance provided or promised to the informant, including, but not limited to, assistance in avoiding or minimizing harm from charges pending against the informant either at the time of the offense and/or any other time through the day of trial;
  - d. all statements made to the informant that promised benefits would not be provided without cooperation in connection with this case;
  - e. the nature of assistance provided to the informant prior to this case, including the number of occasions and form of help.
6. Information which tends to show a government witness' corruption including anything in police officers' personnel files indicative of corruption.

7. Perjury by any government witness at any time, whether or not adjudicated and whether or not in connection with this case.
8. Information that any government witness has made prior false accusations, including but not limited to prior complaints to the police or law enforcement agencies that did not result in a conviction.
9. Information regarding any prior "bad act" of a government witness which may bear upon the veracity of the witness with respect to the issues involved in the trial, including but not limited to the issues of self-defense or defense of others.
10. Any other information tending to show a government witness' bias in favor of the government or against the defendant or which otherwise impeaches a witness' testimony, including civilian-review-board complaints against police officers involving facts similar to those of this case, whether resolved for or against the officer.
11. Names and addresses of all witnesses who do not fully corroborate the government's case or would serve to contradict or impeach the government's evidence.
12. Any indication of threats or acts of aggression toward the defendant by the complainant or decedent, and any information that the complainant had possession of any weapons at the time of the incident. Also, any other information which would indicate that the complainant was the first aggressor and/or that the Defendant acted in self-defense.
13. Names and address of any person who:
  - a. identified some person other than the Defendant as a perpetrator of the alleged offense;
  - b. failed to identify the Defendant as a perpetrator of the alleged offense when asked to do so in any identification procedure;
  - c. gave any description(s) of the perpetrator(s) of the alleged offense which in any material respect differs from my client.
14. Information known to the government which is favorable to the defense, whether or not technically admissible in court, and which is material to the issues of guilt and/or punishment. This includes all information that the Defendant was not involved in the alleged offenses and/or that the requisite elements required to prove any of the charged offenses cannot be met.

Defendant further demands that all officers and investigative agencies concerned abide by their continuing obligation to discover, preserve, and disclose in writing any information or materials that might be viewed as favorable to the Defendant on the issues of suppression, guilt, or punishment, either substantively, as impeachment, or as tending to discredit the government's witnesses. Kyles v. Whitley, 115 S.Ct. 1555 (1995) (imposing upon law enforcement and the prosecutor a "duty to learn" favorable information relating to the Defendant).

These requests encompass all information or evidence known to the prosecutor on this case personally or if known to any other prosecutor or law enforcement agent, as well as information and evidence about which the prosecutor on this case could acquire actual knowledge through the exercise of due diligence in responding to these inquiries.

Lastly, the defense demands disclosure of all audio or video files on CD ROM or DVD ROM disc, and demands that the state provide any and all software or other files necessary to open, view or play such disc(s).

This demand for preservation and disclosure, in its entirety, continues until final disposition of this case. It therefore encompasses any additional information subject to disclosure that becomes known to the prosecutor, staff, or anyone investigation investigating this case after the State has begun its compliance with discovery rules, orders or defense requests. Minn. R. Crim. P. 9.03, subd. 2;

### **MOTION TO COMPEL DISCLOSURE AND ACCESS**

Defendant moves the Court for an Order requiring the State

- 1 To preserve all evidence and other matters subject to disclosure as herein demanded and as otherwise required by Minnesota Rule of Criminal Procedure 9.01.
- 2 To permit Defendant to have access to, inspect, reproduce, photograph, or otherwise document all disclosed items, as described in Minn. R. Crim. P 9.01, subd. 1 & subd. 1a(2).
- 3 To allow defendant to conduct reasonable tests or to provide notice and an opportunity for defense experts to observe the state's own tests if those tests preclude further tests or experiments, as described in Minn. R. Crim. P 9.01, subd. 1(4)(b).
- 4 To assist Defendant in seeking access to specified matters relating to the case which are within the possession or control of an official or employee of any governmental agency, but which are not within the control of the prosecuting attorney, as described in Minn. R. Crim. P. 9.01, subd 2(1).

- 5 For an Order directing the prosecuting attorney to identify and produce any informants who supplied or contributed information to the prosecution which led to the issuance of a Complaint against the Defendant on the grounds:
- a. The privilege of non-disclosure of any informants must give way and disclosure of the identity of an informer is required where disclosure is essential or relevant and material, and helpful to the defense of an accused, or lessens the risk of false testimony, or is necessary to secure useful testimony, or is necessary to a fair determination of the cause; or
  - b. Disclosure is necessary as a means to afford this Defendant an opportunity to establish that if informants did exist, that the information supplied to the prosecutor by them was inaccurate or misrepresentative.

### **MOTION TO SUPPRESS EVIDENCE**

Defendant moves the Court for an Order suppressing, particularly with respect to those items identified in the state's notice under Rule 7.01:

- 1 Any and all evidence obtained as a result of a stop, search, or seizure, on the ground that such evidence was obtained in violation of Defendant's constitutional and statutory protections against unreasonable searches and seizures.
- 2 Any and all confessions, admissions, or statements in the nature of confessions made by Defendant, together with any evidence obtained as a result thereof, on the grounds that any use of such evidence, in any manner, would be in violation of the Defendant's constitutional and statutory rights.
- 3 Any and all identifications of Defendant and evidence of identification procedures used during the investigation, together with any evidence obtained as a result of identification procedures used during the investigation, on the ground that any use of such evidence, in any manner, would be in violation of the Defendant's constitutional and statutory rights.

Defendant further moves this court for an order suppressing other evidence or granting any relief that the court may require to ensure a fair and expeditious trial on this matter.

### **MOTION TO EXCLUDE EVIDENCE**



Defendant moves the Court for an Order restraining the prosecution from attempting to introduce at trial:

- 1 Evidence obtained as a result of stop, search, or seizure, confession or other statement by the Defendant, or identification procedures, as described above, on the grounds that the notices filed by the State are vague, ambiguous, and inspecific, all to the prejudice of the Defendant and contrary to the meaning of Minnesota R. Crim. P. 7.01.
- 2 Evidence that Defendant has been guilty of additional misconduct or crimes on other occasions, on the grounds that the state has not provided notice of its intent to use such evidence or, if it did, that such notice was not specific enough or failed to specify a particular exception to the general rule of exclusion. Defendant also moves for exclusion on the grounds that the evidence is not admissible under any exception to the general rule of exclusion, that such evidence is more prejudicial than probative, or that such evidence has not been proven to be clear and convincing.
- 3 Evidence, argument, or any other reference to prior convictions, if any, of the Defendant.
- 4 Any and all other evidence for which the State has failed to provide notice as required by the Minnesota Rules of Criminal Procedure

Defendant further moves this court for an order excluding other evidence or granting any relief that the court may require to ensure a fair and expeditious trial on this matter.

#### **DEMAND FOR HEARING**

Defendant hereby demands a contested hearing on the above motions, to be held as soon as practicable after the serving and filing hereof.

Respectfully submitted,

OFFICE OF THE HENNEPIN COUNTY PUBLIC DEFENDER  
KASSIUS O. BENSON - CHIEF PUBLIC DEFENDER

By /s/  
Raissa Carpenter  
Attorney ID No. 396413  
Attorney for Defendant  
701 Fourth Avenue South, Suite 1400  
Minneapolis, Minnesota 55415

Dated: This 14th of September, 2022.



**Filed in District Court  
State of Minnesota**State of Minnesota  
Hennepin County

SEP 22 2022

District Court  
Fourth Judicial District  
Court File Number: 27-CR-22-18209  
Case Type: Crim/Traf Mandatory**Notice of Hearing****FILE COPY****State of Minnesota vs JULIET KAY HIGGINS**

You are notified of the following hearing date(s):

<i>Setting</i>
<b>October 13, 2022 Omnibus Hearing 10:30 AM</b>

at the following location:

**District Court Judge Juan Hoyos  
Hennepin County District Court  
GC-TBD  
Hennepin County Government Center  
300 South Sixth Street  
Minneapolis, MN 55487  
612-348-2040**You are expected to appear fully prepared. **You must notify the court if your address changes.****To receive an eReminder for future court dates via e-mail or text, visit  
<http://www.mncourts.gov/Hearing-eReminders.aspx> or scan the QR code to enroll.**

Dated: September 22, 2022

Sara Gonsalves  
Hennepin County Court Administratorcc: Courtnie Higgins  
RAISSA CARPENTER  
DOMINIC JOSEPH HAIK

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

---

State of Minnesota, Plaintiff.**ORDER REVOKING CONDITIONAL  
RELEASE AND APPEARANCE**

vs.

Juliet Kay Higgins, Defendant.  
Dist Ct File 27-CR-22-18209

---

On October 06, 2022, the Department of Community Corrections and Rehabilitation filed a Conditional Release Violation Report, alleging under penalty of perjury that Defendant violated the following interim conditions in this case:

1. Failed to Maintain Contact With Probation

The court finds that there is probable cause to believe Defendant has violated the interim conditions, so the Conditional Release is hereby set aside and vacated. Defendant is ordered to appear before a Judicial Officer of the District Court so that a final determination may be made as to whether Defendant has violated the interim conditions.

☐ **SUMMONS**

I order court administration to summons the defendant to appear before a Judicial Officer.

☒ **WARRANT**

It is further ordered that a bench warrant shall be issued for the defendant's apprehension.

Bail: \$40,000 (Note: Hold without bail cannot be ordered unless a guilty plea/finding has been entered and the defendant is awaiting sentencing.)

☐ **ORDER OF DETENTION**

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: (Note: Hold without bail cannot be ordered unless a guilty plea/finding has been entered and the defendant is awaiting sentencing.)

BY THE COURT:

Robben, Patrick  
2022.10.12  
15:13:55 -05'00'

---

Judge of District Court

Filed in District Court  
State of Minnesota  
Oct 13, 2022 4:27 pm

State of Minnesota

District Court

Hennepin County

Fourth Judicial District

State of Minnesota,  
Plaintiff,

v.

JULIET KAY HIGGINS,  
Defendant.Order to Fourth Judicial District Court  
Psychological Services  
27-CR-22-18209

Defendant Information	
<input checked="" type="checkbox"/> Out of Custody <input type="checkbox"/> In Custody – at Facility: _____	
Date of Birth: 09/30/1968	SILS Identifier: 0217698; 210341
Phone: Home: 612-442-2924	
Email:	
Current Address: 5841 73rd Ave N #204 Brooklyn Park MN 55429	
<input type="checkbox"/> Confirmed address with Defendant	
Additional family/collateral contact number and instructions: Ms. Higgins has an ACT team assigned through SpringPath Mental Health Services. Their general contact is 763-537-7088. She is on Act Team 1.	
Ms. Higgins' caseworker through the ACT team is Megan Hazen:	
763-537-6612 ext. 113 612-490-9541 (cell) <a href="mailto:Megan.hazen@springpathmentalhealth.com">Megan.hazen@springpathmentalhealth.com</a>	

It is hereby ordered:

- ☒ For felony and gross misdemeanor cases, probable cause has been found.  
☐ The defendant is to be released upon completion of the interview process.  
☐ This is part of the targeted misdemeanor program.

1. The Chief of Psychological Services of the Fourth Judicial District or the Chief's designee ("Examiner") shall conduct the following psychological evaluation, assessment and/or consultation regarding the defendant:

- ☒ Competency to participate in proceedings pursuant to Rule 20.01  
☐ Mental state at the time of the alleged act pursuant to Rule 20.02 (M'Naghten Rule)  
☐ Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457  
☐ Repeat Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457  
☐ Consultation (Pre-Sentence) \_\_\_\_\_  
☐ Other (please specify) \_\_\_\_\_

2. Copies of this evaluation shall be provided to the Court and the following individuals:

Defense Attorney: RAISSA CARPENTER

Phone:

Prosecuting Attorney: DOMINIC JOSEPH HAIK

Phone: 612-596-2002

Probation Officer:

Phone:

3. The hearing for the return of the psychological evaluation will be held on December 13, 2022 at 1:30 PM
4. Upon presentation of this order, the relevant custodian of records shall provide (whether mailed, faxed, or personally delivered) to the Examiner all relevant records from the following sources: behavioral, chemical dependency, developmental disability, educational, employment, judicial, law enforcement (including audio/visual recordings), medical, probation/correction, psychological, and social service. A copy of the records so requested shall be delivered to the Examiner within 96 hours of presentation of this order. Records that are faxed shall be sent to 612-348-3452. Mailed records should be sent to Hennepin County District Court, Psychological Services, 300 South Sixth Street, C-509 Government Center, Minneapolis, Minnesota 55487. All agencies maintaining the above-listed records may also communicate verbally with the requesting Examiner.
- **The Court specifically finds** good cause exists for authorizing the disclosure of the identified records, including chemical dependency records, because other ways of obtaining the information are not available or would not be effective, and the public interest and need for disclosure outweighs the potential injury to the patient, the physician/patient relationship and any chemical dependency treatment facility or organization holding records pertaining to Defendant.
5. During the preparation of the report, the Examiner and any employee of Community Corrections and Rehabilitation may discuss the case and share relevant information in a manner consistent with Minnesota Rules of Criminal Procedure, Minnesota Statutes, and case law.
6. If a sex offender evaluation has been ordered and the defendant is a Repeat Sex Offender as defined in Minnesota Statute § 609.3457, Psychological Services is ordered to comply with both the requirements of §609.3457 and the agreement with Minnesota State Operated Forensic Services. A copy of any Repeat Sex Offender Report produced by Psychological Services shall be forwarded to the Court and the Commissioner of Corrections.
7. In the case of Rule 20 evaluations, the Examiner shall offer in the report an opinion and support for the opinion on whether the defendant:
- a. Is suitable to refer for consideration of civil commitment and the basis of the possible commitment,
  - b. May be mentally ill and dangerous, and
  - c. Needs immediate hospitalization.
8. In the case of Rule 20 evaluations, the Examiner shall promptly notify the prosecutor, defense attorney and the Court if the Examiner concludes that the defendant:
- a. Presents an imminent risk of serious danger to another,
  - b. May be imminently suicidal, or
  - c. Needs emergency intervention.

Hoyos, Juan  
Jud District Court Judge  
Oct 13 2022 4:23 PM

Dated: October 13, 2022

---

Juan G. Hoyos  
District Court Judge

- ✓ Please scan and e-mail the order to: **4<sup>th</sup> Psych Services Orders**.
- ✓ Please direct the prosecuting agency to forward a copy of the police report for each case to Psychological Services.
- ✓ If a defendant is to be released upon completion of the interview process, a Conditional Release Order must be filed giving that direction.



MINNESOTA  
JUDICIAL  
BRANCH

**PSYCHOLOGICAL SERVICES**

300 S. 6<sup>th</sup> Street, Suite C-509, Minneapolis MN 55487-0351 • (612) 348-3723 • FAX (612) 348-3452

You have been ordered to participate in a psychological evaluation.  
**A doctor will contact you to schedule your evaluation.**

Many evaluations are now completed in a non-contact office at the Hennepin County Government Center, located in downtown Minneapolis. The address is:

**Psychological Services  
Hennepin County Government Center  
300 South Sixth Street  
C Tower, 5th Floor  
Suite 509  
Minneapolis, MN 55487  
612-348-3723**

Please be aware security screening is in place at the Government Center and you should allow an extra 10-15 minutes prior to your appointment for this process.

Health screening questions will be asked when you check in for your evaluation, and individuals with COVID-19 symptoms will be rescheduled. **Anyone experiencing COVID-19 symptoms should not come to an in-person appointment but should call the examiner as soon as possible.** Everyone needs to follow current rules for wearing a face covering.

Some evaluations are being completed by video technology. The decision about how an evaluation is completed will be made by the assigned examiner based upon a number of factors. **Please, do not assume evaluations can be completed by video technology.**

If you are not contacted by the assigned examiner at least two weeks prior to the return hearing, you should call 612-348-3723.

State of Minnesota  
Hennepin CountyDistrict Court  
Fourth Judicial District

State of Minnesota

vs

## ORDER FOR CASE AMENDMENT

Juliet Kay Higgins

(DOB:09/30/1968)

Case(s): 27-CR-22-18209

Charge(s): Domestic Assault- By Strangulation

Defendant: ☒ Out of custody☐ In custody at: \_\_\_\_\_

Agency person notified: \_\_\_\_\_

Emailed: ☐ No / ☐ Yes☐ Amendment to conditional release/probation☐ Amendment to incarceration☒ Other case amendment

Amendment: CR Warrant issued 10/12/2022 is recalled

Reason: Court Order

If furlough: ☐ Indefinite / ☐ Definite (provide date and time range): \_\_\_\_\_  
☐ Transportation provided by: \_\_\_\_\_

Probation officer of record:

Amendment requested by: Laura Houlding  
(probation officer/clerk preparing form)

Phone:

Phone: 612-596-0904

Amendment ordered by:

Juan Hoyos  
District Court Judge

October 13, 2022

Date



State of Minnesota  
Hennepin CountyDistrict Court  
Fourth Judicial District

Court File Number: 27-CR-22-18209

Case Type: Crim/Traf Mandatory

**Notice of Remote Zoom Hearing****JULIET KAY HIGGINS  
5841 73RD AVE N #204  
BROOKLYN PARK MN 55429****State of Minnesota vs JULIET KAY HIGGINS**

You are notified this matter is set for a remote hearing. This hearing will not be in person at the courthouse.

<i>Hearing Information</i>
<b>January 24, 2023</b>
<b>Hearing</b>
<b>1:30 PM</b>

**The hearing will be held via Zoom and appearance shall be by video unless otherwise directed** with District Court Judge Michael K Browne, Hennepin County District Court.

If you fail to appear a warrant may be issued for your arrest.

The Minnesota Judicial Branch uses strict security controls for all remote technology when conducting remote hearings.

You must:

- Notify the court if your address, email, or phone number changes.
- Be fully prepared for the remote hearing. If you have exhibits you want the court to see, you must give them to the court before the hearing. Visit <https://www.mncourts.gov/Remote-Hearings.aspx> for more information and options for joining remote hearings, including how to submit exhibits.
- Contact the court at 612-348-2040 if you do not have access to the internet, or are unable to connect by video.
- If you need an interpreter, contact the court before the hearing date to ask for one.
- If you cannot afford to hire a lawyer and would like to apply for a court-appointed attorney before this appearance visit <https://pdapplication.courts.state.mn.us> or scan the QR code to start the application.



**To join by internet:**

1. Type <https://zoomgov.com/join> in your browser's address bar.
2. Enter the **Meeting ID and Meeting Passcode (if asked)**:  
Meeting ID: 160 223 0876  
Passcode: 1234
3. Update your name by clicking on your profile picture. If you are representing a party, add your role to your name, for example, John Smith, Attorney for Defendant.
4. Click the **Join Audio** icon in the lower left-hand corner of your screen.
5. Click **Start Video**.

Para obtener más información y conocer las opciones para participar en audiencias remotas, incluido cómo enviar pruebas, visite [www.mncourts.gov/Remote-Hearings](http://www.mncourts.gov/Remote-Hearings).

Booqo [www.mncourts.gov/Remote-Hearings](http://www.mncourts.gov/Remote-Hearings) oo ka eego faahfaahin iyo siyaabaha aad uga qeybgeli karto dacwad-dhageysi ah fogaan-arag, iyo sida aad u soo gudbineyso wixii caddeymo ah.

**To receive an eReminder for future court dates via e-mail or text, visit [www.mncourts.gov/Hearing-eReminders.aspx](http://www.mncourts.gov/Hearing-eReminders.aspx) or scan the QR code to enroll.**



Dated: December 14, 2022

Sara Gonsalves  
Hennepin County Court Administrator  
300 South Sixth Street  
Minneapolis MN 55487-0419  
612-348-2040

cc: Courtnie Higgins  
JULIET KAY HIGGINS  
EVAN DANIEL POWELL  
RAISSA CARPENTER  
DOMINIC JOSEPH HAIK  
ROBERT J SORENSEN

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

State of Minnesota, Plaintiff.

**ORDER REVOKING CONDITIONAL  
RELEASE AND APPEARANCE**

vs.

Juliet Kay Higgins, Defendant.  
Dist Ct File 27-CR-22-18209

On January 11, 2023, the Department of Community Corrections and Rehabilitation filed a Conditional Release Violation Report, alleging under penalty of perjury that Defendant violated the following interim conditions in this case:

1. Obey All Laws

The court finds that there is probable cause to believe Defendant has violated the interim conditions, so the Conditional Release is hereby set aside and vacated. Defendant is ordered to appear before a Judicial Officer of the District Court so that a final determination may be made as to whether Defendant has violated the interim conditions.

☐ **SUMMONS**

I order court administration to summons the defendant to appear before a Judicial Officer.

☐ **WARRANT**

It is further ordered that a bench warrant shall be issued for the defendant's apprehension.

Bail: \_\_\_\_\_ (**Note:** Hold without bail cannot be ordered unless a guilty plea/finding has been entered and the defendant is awaiting sentencing.)

☐ **ORDER OF DETENTION**

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \_\_\_\_\_ (**Note:** Hold without bail cannot be ordered unless a guilty plea/finding has been entered and the defendant is awaiting sentencing.)

BY THE COURT:

---

 Judge of District Court


STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

---

State of Minnesota, Plaintiff.**ORDER REVOKING CONDITIONAL  
RELEASE AND APPEARANCE**

vs.

Juliet Kay Higgins, Defendant.  
Dist Ct File 27-CR-22-18209

---

On January 11, 2023, the Department of Community Corrections and Rehabilitation filed a Conditional Release Violation Report, alleging under penalty of perjury that Defendant violated the following interim conditions in this case:

1. Obey All Laws

The court finds that there is probable cause to believe Defendant has violated the interim conditions, so the Conditional Release is hereby set aside and vacated. Defendant is ordered to appear before a Judicial Officer of the District Court so that a final determination may be made as to whether Defendant has violated the interim conditions.

☐ **SUMMONS**

I order court administration to summons the defendant to appear before a Judicial Officer.

☐ **WARRANT**

It is further ordered that a bench warrant shall be issued for the defendant's apprehension.

Bail: \_\_\_\_\_ (**Note:** Hold without bail cannot be ordered unless a guilty plea/finding has been entered and the defendant is awaiting sentencing.)

☒ **ORDER OF DETENTION**

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$40,000 (**Note:** Hold without bail cannot be ordered unless a guilty plea/finding has been entered and the defendant is awaiting sentencing.)

BY THE COURT:

Daly,

Margaret

Digitally signed  
by Daly, Margaret

Date: 2023.01.11

Judge of District Court 1:19:30 -06'00'



27-CR-23-1886

10008-111913

PROBATE/MENTAL HEALTH DIVISION  
FOURTH JUDICIAL DISTRICT COURT  
C-400 HENNEPIN COUNTY GOVERNMENT CENTER  
MINNEAPOLIS, MINNESOTA 55487-0340

Return Service Requested

Filed in District Court  
State of Minnesota

2023 JAN 17 A 11:36

JULIET KAY HIGGINS  
5841 73RD AVE N #204  
BROOKLYN PARK MN 55429

Not

PRESORTED  
FIRST CLASS



US POSTAGE  
PAID BY BOWEN  
ZIP 55487  
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NOT DELIVERABLE AS ADDRESSED  
RETURN TO SENDER  
UNABLE TO FORWARD

BC: 554870340 \* 2878-04053-22-25

5540830140  
KCCUSBB 554

**STATE OF MINNESOTA**  
**COUNTY OF HENNEPIN**

**DISTRICT COURT**  
**FOURTH JUDICIAL DISTRICT**  
**CRIMINAL DIVISION**

State of Minnesota,

Court File No. 27-CR-22-18209;  
27-CR-23-66; 27-CR-23-574; 27-CR-23-762

Plaintiff,

vs.

Juliet Kay Higgins,

Defendant.

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

This matter came before the undersigned Judge of District Court on January 24, 2023. The hearing was held remotely using the Zoom internet platform. Robert Sorenson, Assistant Hennepin County Attorney, represented the plaintiff in Court File No. 27-CR-22-18209. Defendant appeared in custody and was represented by Raissa Carpenter, Assistant Hennepin County Public Defender. Megan Griffin, Minneapolis City Attorney, appeared on behalf of the plaintiff in Court File Nos. 27-CR-23-66, 27-CR-23-574, and 27-CR-23-762. Pursuant to agreement of the parties, the Court is applying these findings to cases 27-CR-23-66, 27-CR-23-574, and 27-CR-23-762.

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

**FINDINGS OF FACT**

1. Defendant (date of birth 09/30/1968), was charged in MNCIS file 27-CR-22-18209 with Domestic Assault (Felony) arising from an incident alleged to have occurred on 09/11/2022. On 10/13/2022, Judge Juan Hoyos found probable cause to believe that the offense was committed and that Defendant committed it.
2. On 10/13/2022, Judge Juan Hoyos 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., 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. Kristine Kienlen, 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

rationality 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 in 27-CR-23-66, 27-CR-23-574, and 27-CR-23-762 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 (10) days of the date of service.

Dominic Haik, Assistant Hennepin County Attorney – Criminal Division;

Raissa Carpenter, 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; residential 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 July 25, 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. Raissa Carpenter, Assistant Hennepin County Public Defender;
  - c. Dominic Haik, 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.
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:**



Browne, Michael  
Jan 24 2023 4:01 PM

Judge of District Court

v.  
JULIET KAY HIGGINS

SILS : 210341  
DOB :09/30/1968  
Charge: FEL, Domestic Assault - By Strangulation

### CONDITIONAL RELEASE ORDER

☐ New Order ☒ Amended Order

#### You are released on any of the following marked options (and marked conditions):

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Post bail/ bond of \$ <u>40,000</u> with no conditions. | <input type="checkbox"/> Post bail/bond of \$ _____ with the following conditions.             |
| <input type="checkbox"/> Post cash bail of \$ _____ with no conditions.                     | <input type="checkbox"/> Post cash bail of \$ _____ with the following conditions.             |
| <input type="checkbox"/> You are released with no bond, bail, or conditions.                | <input checked="" type="checkbox"/> You are released with no bail on the following conditions. |

- ☒ Obey all laws.
- ☒ Attend all court appearances and appointments with Psychological Services and Probation, including any Pre-Sentence Investigation interview.
- ☒ Do not have direct or indirect contact (including through social media) with J.A.  
Stay away from a three-block radius of any such person and where they live, work, or go to school, except with a police escort to recover your clothing, prescriptions, electronics, and toiletries.
- ☒ Comply with all Court Orders in Court File number 27-MH-PR-23-117.  
If a future order from Family Court or Juvenile Court allows parenting time, you may seek a modification of this order.
- ☒ Do not possess any firearm or ammunition ☒ or other item used as a weapon.
- ☒ Stay away from 5841 73<sup>rd</sup> Ave N, Brooklyn Park, MN

*The following marked conditions require supervision by Probation. Sign releases to confirm your compliance.*

- ☐ Your release will be supervised. Notify your supervising officer of any change in your contact information within 24 hours. If you are currently on probation in Hennepin County, your Probation Officer will supervise you; these conditions are in addition to all current probation conditions. Call Probation at 612-348-3218 within 48 hours of your release.
- ☐ Complete an in-custody substance use disorder assessment with Probation Officer collateral. Follow recommendations.  
You are released: ☐ upon completion of the assessment interview. ☐ to recommended treatment without posting bond/bail. ☐ only upon court order.
- ☐ Within \_\_\_\_\_ days of release, complete a substance use disorder assessment with Probation Officer collateral. Follow recommendations.
- ☐ Do not use any alcohol or non-prescribed controlled substance; provide a list of all medications to your supervising officer.  
☐ You are subject to ☐ random testing and/or ☐ Remote Electronic Alcohol Monitoring (REAM) at your expense.  
You are approved for REAM step-down after 60 days of no violations regarding use and testing, consistent with policies of conditional release, unless this box is checked: ☐
- ☐ You must remain on Electronic Home Monitoring (EHM) and follow EHM rules. If eligible, you are approved for immediate furloughs for job-seeking, work, school, medical care/treatment, legal meetings, and court. Your supervising officer may approve additional furloughs.  
☐ You will remain in custody until placed on EHM.  
☐ You must go to Client and Community Restoration at 3000 2<sup>nd</sup> Street North, Minneapolis, on \_\_\_\_\_ to activate EHM.
- ☐ You cannot leave Minnesota without court permission.
- ☐

#### Internal Use Only (as needed)

REVIEWED WITH DEFENDANT, AND RELEASED TO:

☐ Treatment ☐ Self ☐ Other: \_\_\_\_\_  
Signatures:

\_\_\_\_\_  
Probation Officer

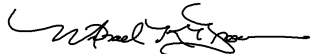
\_\_\_\_\_  
Date

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Deputy'

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Referee of District Court

February 21, 2023  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Judge of District Court

February 21, 2023  
\_\_\_\_\_  
Date

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

State of Minnesota,

Plaintiff,

**NOTICE OF INTENT TO PROSECUTE  
IN SUSPENDED PROCEEDING  
PURSUANT TO RULE 20.01**

vs.

Court Case No. 27-CR-22-18209

Juliet Kay Higgins

C.A. Case No. 22A10107

Defendant.

TO: THE COURT, DEFENDANT, AND CARPENTER, RAISSA, ATTORNEY FOR  
DEFENDANT.**NOTICE OF MOTION**

PLEASE TAKE NOTICE that the State intends to prosecute this case, which has been  
suspended due the Defendant being found incompetent on January 23, 2023.

This notice is filed pursuant to the requirements of Rule 20.01, subdivision 8, and extends  
the suspension of the criminal proceedings in the above-entitled matter.

Respectfully submitted,

MARY F. MORIARTY  
Hennepin County Attorney 01/24/2023  
Dominic Haik 0395395  
Assistant County Attorney  
C2100 Government Center  
300 S 6th St  
Minneapolis, MN 55487  
Telephone: 612-596-2002

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT

Case Type: Criminal

State of Minnesota,

Court File No.: 27-CR-22-18209

Plaintiff,

v.

Defendant,

Juliet Kay Higgins.

**[PROPOSED]  
ORDER FOR RELEASE OF  
MEDICAL RECORDS**

The above-entitled matter came before the Court on a request for an Order for release of medical records filed by the Minnesota Department of Human Services' (DHS) - Forensic Services Forensic Evaluation Department. The request was served on Defendant's counsel and the Hennepin County Attorney's Office at the time of filing.

Defendant was found incompetent to participate in his defense under Minnesota Rule of Criminal Procedure 20.01 and was subsequently civilly committed. The DHS Forensic Evaluation Department, on behalf of DHS, the entity to which Defendant is committed, is providing subd. 7 competency evaluation services in this matter. Like the court appointed examiner ordered to conduct the initial Rule 20.01 evaluation in this matter, the assigned DHS Forensic Examiner should have access to Defendant's treatment records so a comprehensive report can be prepared to provide a well-informed opinion to the Court and the parties regarding Defendant's current mental health condition and competency status.

Based upon the request submitted by the DHS Forensic Evaluation Department, the Court hereby makes and files the following:

**ORDER**

1. The DHS Forensic Evaluation Department shall have access to Defendant's treatment records so they can prepare a comprehensive competency evaluation under Minnesota Rule of Criminal Procedure 20.01, subd. 7.
2. By presentation of a copy of this order, whether mailed, sent via facsimile, or personally delivered, the custodian of records for any agency, department, or health care provider shall release all information and/or records related to Defendant, including medical, psychological, behavioral, social service, probation/correctional/jail records, including behavioral notes, medical notes, psychiatric notes, jail reports, and any records or information maintained by the jail from any third party medical provider/contractor/public health staff, developmental disability, employment and educational records, to DHS - Forensic Services within 72 hours.
3. This Order shall be sufficient to require an agency, department, or health care provider to release the requested information and/or records related to treatment Defendant has received in connection with that facility.
4. Defendant's medical records may not be disclosed to any other person without court authorization or Defendant's signed consent.

Dated: \_\_\_\_\_

BY THE COURT:

\_\_\_\_\_  
Judge of District Court

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT

Case Type: Criminal

State of Minnesota,

Court File No.: 27-CR-22-18209

Plaintiff,

v.

**ORDER FOR RELEASE OF  
MEDICAL RECORDS**

Defendant,

Juliet Kay Higgins.

The above-entitled matter came before the Court on a request for an Order for release of medical records filed by the Minnesota Department of Human Services' (DHS) - Forensic Services Forensic Evaluation Department. The request was served on Defendant's counsel and the Hennepin County Attorney's Office at the time of filing.

Defendant was found incompetent to participate in his defense under Minnesota Rule of Criminal Procedure 20.01 and was subsequently civilly committed. The DHS Forensic Evaluation Department, on behalf of DHS, the entity to which Defendant is committed, is providing subd. 7 competency evaluation services in this matter. Like the court appointed examiner ordered to conduct the initial Rule 20.01 evaluation in this matter, the assigned DHS Forensic Examiner should have access to Defendant's treatment records so a comprehensive report can be prepared to provide a well-informed opinion to the Court and the parties regarding Defendant's current mental health condition and competency status.

Based upon the request submitted by the DHS Forensic Evaluation Department, the Court hereby makes and files the following:

**ORDER**

1. The DHS Forensic Evaluation Department shall have access to Defendant's treatment records so they can prepare a comprehensive competency evaluation under Minnesota Rule of Criminal Procedure 20.01, subd. 7.
2. By presentation of a copy of this order, whether mailed, sent via facsimile, or personally delivered, the custodian of records for any agency, department, or health care provider shall release all information and/or records related to Defendant, including medical, psychological, behavioral, social service, probation/correctional/jail records, including behavioral notes, medical notes, psychiatric notes, jail reports, and any records or information maintained by the jail from any third party medical provider/contractor/public health staff, developmental disability, employment and educational records, to DHS - Forensic Services within 72 hours.
3. This Order shall be sufficient to require an agency, department, or health care provider to release the requested information and/or records related to treatment Defendant has received in connection with that facility.
4. Defendant's medical records may not be disclosed to any other person without court authorization or Defendant's signed consent.

Dated: April 3, 2023

BY THE COURT:

Browne, Michael  
Apr 3 2023 1:39 PMJudge of District Court



STATE OF MINNESOTA  
DISTRICT COURT OF MINNESOTA  
FOURTH JUDICIAL DISTRICT

DISTRICT COURT  
PROBATE/MENTAL HEALTH DIVISION  
4<sup>TH</sup> FLOOR COURTS TOWER  
HENNEPIN COUNTY GOVERNMENT CENTER  
300 SOUTH SIXTH STREET  
MINNEAPOLIS, MN 55487-0340  
(612) 348-6000



May 18, 2023

Amanda Jung  
Competency Education Coordinator  
Anoka Metro Regional Treatment Center  
3301 7<sup>th</sup> Avenue North  
Anoka, MN 55303

RE: Juliet Kay Higgins, Court File Numbers 27-CR-22-18209; 27-MH-PR-23-117

Dear Ms. Jung,

The Court received notification that AMRTC plans to grant Juliet Higgins a provisional discharge and place her in an unspecified assisted living customized living facility.

On September 13, 2022, Ms. Higgins was charged with Domestic Assault by Strangulation. On February 21, 2023, Referee Mercurio ordered Ms. Higgins to be conditionally released with no bail and with the following conditions:

- Obey all laws;
- Attend all future Court appearances;
- No contact with the alleged victim, JA and stay away from a three-block radius of where J.A. lives, works, or goes to school;
- Comply with all Court Orders in Court File No. 27-MH-PR-23-117;
- Do not possess any firearm, ammunition, or other item used as a weapon; and
- Stay away from 5841 73<sup>rd</sup> Avenue N, Brooklyn Park, MN

On February 21, 2023, this Court placed Ms. Higgins under civil commitment, issuing an Order for Commitment as a Person Who Poses a Risk of Harm Due to Mental Illness ("Commitment Order"). See Court File No. 27-MH-PR-23-117. On April 27, 2023, Ms. Higgins was transported from the Hennepin County Jail to



AMRTC.<sup>1</sup> On May 15, 2023, AMRTC notified the Court that it intended to transfer Ms. Higgins to an unspecified assisted living/customized living facility and that this action will go into effect on May 22, 2023.

The Court requests AMRTC address compliance with this Court's Order for Commitment as a Person Who Poses Risk of Harm due to Mental Illness dated February 21, 2023, Court File No. 27-MH-PR-23-117, which requires notice to the "Criminal Division and parties at least **14 days** prior to the Proposed change in status." See Amended Order for Commitment as a Person who Poses a Risk of Harm Due to a Mental Illness dated February 21, 2023 at 5, Court File No. 27-MH-PR-23-117. Moreover, any such proposed change requires the AMRTC to show "1) whether the Respondent is competent, 2) how the proposed plan will meet Respondent's treatment needs, and 3) security risks and how they will be addressed." *Id.*

In the event AMRTC cannot continue to house Ms. Higgins, we note that the conditions of release stated above still apply.

By the Court,

Dayton Klein,

Julia

*Julia Dayton Klein*

2023.05.18

08:54:31 -05'00'

Julia Dayton Klein

Assistant Presiding Judge of Probate Mental Health

cc: Hon. Juan Hoyos, Judge of District Court  
Dominik Haik, Assistant Hennepin County Attorney  
Raissa Carpenter, Assistant Hennepin County Public Defender  
Brittany Lawonn, Assistant Hennepin County Attorney  
Terry Hegna, Esq.

---

<sup>1</sup> The Court notes that Minn. Stat. § 253B.10 requires the Commissioner of Human Services to prioritize patients being admitted from jail or a correctional institution and, in any event, requires patients under civil commitment for competency treatment and continuing supervision under Minnesota Rule of Criminal Procedure 20.01 to be admitted to a state-operated treatment program within 48 hours. Here, Ms. Higgins waited in jail for over two months for placement in a state-operated treatment program.

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT

Case Type: Criminal

State of Minnesota,

Court File No.: 27-CR-22-18209

Plaintiff,

v.

Juliet Kay Higgins,

Defendant.

**[PROPOSED]  
ORDER APPOINTING EXAMINER  
FOR RULE 20.01, SUBD. 7  
EVALUATION**

The above-entitled matter came before the Court via correspondence filed by the Minnesota Department of Human Services' (DHS) - Forensic Services. The correspondence was served on Defendant's counsel and the Hennepin County Attorney's Office at the time of filing.

Defendant was found incompetent to participate in their defense under Minnesota Rule of Criminal Procedure 20.01 and was subsequently civilly committed. The DHS Forensic Evaluation Department is able to conduct continuing competency evaluations in this matter while Defendant is under civil commitment. Like the court appointed examiner ordered to conduct the initial Rule 20.01 evaluation in this matter, the assigned DHS Forensic Examiner should have access to Defendant's treatment and service records so a comprehensive report can be prepared to provide a well-informed opinion to the Court and the parties regarding Defendant's current mental health condition and competency status.

Based upon the correspondence filed by DHS – Forensic Services, the Court hereby makes and files the following:

**ORDER**

1. The DHS Forensic Evaluation Department is appointed to conduct under Minn. R. Crim. P. 20.01, subd. 7:
  - ☐ A single continuing competency evaluation addressing Defendant's mental condition and an opinion as to competency to proceed, to be filed with the court no later than July 18, 2023, which is six months from Defendant's last competency evaluation.
  - ☐ Continuing competency evaluations addressing Defendant's mental condition and an opinion as to competency to proceed, to be filed not less than once every six months, while Defendant remains under civil commitment or until further action by DHS or the Court. The next competency evaluation will be filed with the court no later than July 18, 2023, which is six months from Defendant's last competency evaluation.
2. DHS - Forensic Services shall have access to Defendant's treatment and other records so a comprehensive competency evaluation can be prepared under Minn. R. Crim. P. 20.01, subd. 7.
3. By presentation of a copy of this order, whether mailed, sent via facsimile, or personally delivered, the custodian of records for any agency, department, or health care provider shall release all information and/or records related to Defendant, including medical, psychological, behavioral, social service, probation/correctional/jail records, including behavioral notes, medical notes, psychiatric notes, jail reports, and any records or information maintained by the jail from any third party medical provider/contractor/public health staff, developmental disability, employment and educational records, to DHS - Forensic Services within 72 hours.

4. This Order shall be sufficient to require any agency, department, or health care provider to release the requested information and/or records related to treatment Defendant has received in connection with that facility.
5. Defendant's treatment and other records may not be disclosed to any other person without court authorization or Defendant's signed consent.
6. Costs for competency evaluations as ordered herein will be paid by the Court pursuant to Minn. Stat. § 480.182 (4).

Dated: \_\_\_\_\_

BY THE COURT:

\_\_\_\_\_  
Judge of District Court

MINNESOTA  
JUDICIAL  
BRANCH

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT

Case Type: Criminal

State of Minnesota,

Court File No.: 27-CR-22-18209

Plaintiff,

v.

**ORDER APPOINTING EXAMINER  
FOR RULE 20.01, SUBD. 7  
EVALUATION**

Juliet Kay Higgins,

Defendant.

The above-entitled matter came before the Court via correspondence filed by the Minnesota Department of Human Services' (DHS) - Forensic Services. The correspondence was served on Defendant's counsel and the Hennepin County Attorney's Office at the time of filing.

Defendant was found incompetent to participate in their defense under Minnesota Rule of Criminal Procedure 20.01 and was subsequently civilly committed. The DHS Forensic Evaluation Department is able to conduct continuing competency evaluations in this matter while Defendant is under civil commitment. Like the court appointed examiner ordered to conduct the initial Rule 20.01 evaluation in this matter, the assigned DHS Forensic Examiner should have access to Defendant's treatment and service records so a comprehensive report can be prepared to provide a well-informed opinion to the Court and the parties regarding Defendant's current mental health condition and competency status.

Based upon the correspondence filed by DHS – Forensic Services, the Court hereby makes and files the following:

**ORDER**

1. The DHS Forensic Evaluation Department is appointed to conduct under Minn. R. Crim. P. 20.01, subd. 7:  
  

☒ A single continuing competency evaluation addressing Defendant's mental condition and an opinion as to competency to proceed, to be filed with the court no later than July 18, 2023, which is six months from Defendant's last competency evaluation.  
  
☐ Continuing competency evaluations addressing Defendant's mental condition and an opinion as to competency to proceed, to be filed not less than once every six months, while Defendant remains under civil commitment or until further action by DHS or the Court. The next competency evaluation will be filed with the court no later than July 18, 2023, which is six months from Defendant's last competency evaluation.
2. DHS - Forensic Services shall have access to Defendant's treatment and other records so a comprehensive competency evaluation can be prepared under Minn. R. Crim. P. 20.01, subd. 7.
3. By presentation of a copy of this order, whether mailed, sent via facsimile, or personally delivered, the custodian of records for any agency, department, or health care provider shall release all information and/or records related to Defendant, including medical, psychological, behavioral, social service, probation/correctional/jail records, including behavioral notes, medical notes, psychiatric notes, jail reports, and any records or information maintained by the jail from any third party medical provider/contractor/public health staff, developmental disability, employment and educational records, to DHS - Forensic Services within 72 hours.

4. This Order shall be sufficient to require any agency, department, or health care provider to release the requested information and/or records related to treatment Defendant has received in connection with that facility.
5. Defendant's treatment and other records may not be disclosed to any other person without court authorization or Defendant's signed consent.
6. Costs for competency evaluations as ordered herein will be paid by the Court pursuant to Minn. Stat. § 480.182 (4).

Dated: June 8, 2023

BY THE COURT:



Dayton Klein, Julia  
Jun 8 2023 9:43 AM

Judge of District Court

MINNESOTA  
JUDICIAL  
BRANCH

Filed in District Court  
State of Minnesota  
Jul 25, 2023 12:07 pmState of Minnesota  
Hennepin CountyDistrict Court  
Fourth Judicial District

Court File Number: 27-CR-22-18209

Case Type: Crim/Traf Mandatory

**Notice of Remote Zoom Hearing****JULIET KAY HIGGINS  
1420 14TH AVE N  
MINNEAPOLIS MN 55411**

State of Minnesota vs JULIET KAY HIGGINS

You are notified this matter is set for a remote hearing. This hearing will not be in person at the courthouse.

<i>Hearing Information</i>
<b>January 23, 2024 Review Hearing 1:30 PM</b>

**The hearing will be held via Zoom and appearance shall be by video unless otherwise directed** with Judicial Officer, Hennepin County District Court.

If you fail to appear a warrant may be issued for your arrest.

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**To join by internet:**



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2. Enter the **Meeting ID and Meeting Passcode (if asked)**:  
Meeting ID: 160 223 0876  
Passcode: 1234
3. Update your name by clicking on your profile picture. If you are representing a party, add your role to your name, for example, John Smith, Attorney for Defendant.
4. Click the **Join Audio** icon in the lower left-hand corner of your screen.
5. Click **Share Video**.

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To receive an eReminder for future court dates via e-mail or text, visit [www.mncourts.gov/Hearing-eReminders.aspx](http://www.mncourts.gov/Hearing-eReminders.aspx) or scan the QR code to enroll.



Dated: July 25, 2023

Sara Gonsalves  
Hennepin County Court Administrator  
300 South Sixth Street  
Minneapolis MN 55487-0419  
612-348-2040

cc:

Filed in District Court  
State of Minnesota  
Nov 27, 2023 4:03 pm

State of Minnesota

District Court

Hennepin County

Fourth Judicial District

State of Minnesota,  
Plaintiff,

v.

JULIET KAY HIGGINS,  
Defendant.**Order to Fourth Judicial District Court  
Psychological Services**  
27-CR-22-18209

Defendant Information	
<input checked="" type="checkbox"/> Out of Custody <input type="checkbox"/> In Custody – at Facility: _____	
Date of Birth: 09/30/1968	SILS Identifier: 0217698; 210341
Phone: Home: 612-442-2924	
Email:	
Current Address: 1420 14TH AVE N MINNEAPOLIS MN 55411	
<input type="checkbox"/> Confirmed address with Defendant	
Additional family/collateral contact number and instructions:	

It is hereby ordered:

- ☒ For felony and gross misdemeanor cases, probable cause has been found.  
☐ The defendant is to be released upon completion of the interview process.  
☐ This is part of the targeted misdemeanor program.

1. The Chief of Psychological Services of the Fourth Judicial District or the Chief's designee ("Examiner") shall conduct the following psychological evaluation, assessment and/or consultation regarding the defendant:

- ☒ Competency to participate in proceedings pursuant to Rule 20.01  
☐ Mental state at the time of the alleged act pursuant to Rule 20.02 (M'Naghten Rule)  
☐ Sex Offender Evaluation (psychosexual) pursuant to Minnesota Statute § 609.3457  
☐ Repeat Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457  
☐ Consultation (Pre-Sentence) \_\_\_\_\_  
☐ Other (please specify) \_\_\_\_\_

2. Copies of this evaluation shall be provided to the Court and the following individuals:

Defense Attorney: RAISSA CARPENTER  
Prosecuting Attorney: DOMINIC JOSEPH HAIK

Phone: 612-348-9676  
Phone: 612-596-2002  
Phone:

3. The hearing for the return of the psychological evaluation will be held on **January 23, 2024 at 1:30 PM.**

4. Upon presentation of this order, the relevant custodian of records shall provide (whether mailed, faxed, or personally delivered) to the Examiner all relevant records from the following sources: behavioral, chemical dependency, developmental disability, educational, employment, judicial, law enforcement (including audio/visual recordings), medical, probation/correction, psychological, and social service. A copy of the records so requested shall be delivered to the Examiner within 96 hours of presentation of this order. Records that are faxed shall be sent to 612-348-3452. Mailed records should be sent to Hennepin County District Court, Psychological Services, 300 South Sixth Street, C-509 Government Center, Minneapolis, Minnesota 55487. All agencies maintaining the above-listed records may also communicate verbally with the requesting Examiner.
  - **The Court specifically finds** good cause exists for authorizing the disclosure of the identified records, including chemical dependency records, because other ways of obtaining the information are not available or would not be effective, and the public interest and need for disclosure outweighs the potential injury to the patient, the physician/patient relationship and any chemical dependency treatment facility or organization holding records pertaining to Defendant.
5. During the preparation of the report, the Examiner and any employee of Community Corrections and Rehabilitation may discuss the case and share relevant information in a manner consistent with Minnesota Rules of Criminal Procedure, Minnesota Statutes, and case law.
6. If a sex offender evaluation has been ordered and the defendant is a Repeat Sex Offender as defined in Minnesota Statute § 609.3457, Psychological Services is ordered to comply with both the requirements of §609.3457 and the agreement with Minnesota State Operated Forensic Services. A copy of any Repeat Sex Offender Report produced by Psychological Services shall be forwarded to the Court and the Commissioner of Corrections.
7. In the case of Rule 20 evaluations, the Examiner shall offer in the report an opinion and support for the opinion on whether the defendant:
  - a. Is suitable to refer for consideration of civil commitment and the basis of the possible commitment,
  - b. May be mentally ill and dangerous, and
  - c. Needs immediate hospitalization.
8. In the case of Rule 20 evaluations, the Examiner shall promptly notify the prosecutor, defense attorney and the Court if the Examiner concludes that the defendant:
  - a. Presents an imminent risk of serious danger to another,
  - b. May be imminently suicidal, or
  - c. Needs emergency intervention.

Dated: November 27, 2023

Browne, Michael  
Nov 27 2023 3:49 PM



Michael K Browne  
District Court Judge

- ✓ Please direct the prosecuting agency to forward a copy of the police report for each case to Psychological Services.
- ✓ If a defendant is to be released upon completion of the interview process, a Conditional Release Order must be filed giving that direction.

State of Minnesota  
Hennepin CountyDistrict Court  
Fourth Judicial District

Court File Number: 27-CR-22-18209

Case Type: Crim/Traf Mandatory

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1420 14TH AVE N  
MINNEAPOLIS MN 55411**

State of Minnesota vs JULIET KAY HIGGINS

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<i>Hearing Information</i>
<b>February 06, 2024</b>
<b>Hearing</b>
<b>1:30 PM</b>

**The hearing will be held via Zoom and appearance shall be by video unless otherwise directed** with Judicial Officer George Borer, Hennepin County District Court.

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Passcode: 1234
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Dated: January 23, 2024

Sara Gonsalves  
Hennepin County Court Administrator  
300 South Sixth Street  
Minneapolis MN 55487-0419  
612-348-2040

cc:

State of Minnesota  
Hennepin CountyDistrict Court  
Fourth Judicial District

Court File Number: 27-CR-22-18209

Case Type: Crim/Traf Mandatory

**Notice of Remote Zoom Hearing****JULIET KAY HIGGINS  
1420 14TH AVE N  
MINNEAPOLIS MN 55411**

State of Minnesota vs JULIET KAY HIGGINS

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<i>Hearing Information</i>
<b>February 27, 2024</b>
<b>Hearing</b>
<b>1:30 PM</b>

**The hearing will be held via Zoom and appearance shall be by video unless otherwise directed** with Judicial Officer Julia Dayton Klein, Hennepin County District Court.

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Dated: February 6, 2024

Sara Gonsalves  
Hennepin County Court Administrator  
300 South Sixth Street  
Minneapolis MN 55487-0419  
612-348-2040

cc:

State of Minnesota  
Hennepin CountyDistrict Court  
Fourth Judicial District

Court File Number: 27-CR-22-18209

Case Type: Crim/Traf Mandatory

**Notice of Remote Zoom Hearing****JULIET KAY HIGGINS  
1420 14TH AVE N  
MINNEAPOLIS MN 55411**

State of Minnesota vs JULIET KAY HIGGINS

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<i>Hearing Information</i>
<b>August 27, 2024 Review Hearing 1:30 PM</b>

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Dated: February 27, 2024

Sara Gonsalves  
Hennepin County Court Administrator  
300 South Sixth Street  
Minneapolis MN 55487-0419  
612-348-2040

cc: