

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,

Plaintiff,

vs.

Emanuel Omar Black,

Defendant.

Court File No. 27-CR-22-9720, 27-CR-23-16226, 27-CR-23-17424, 27-CR-23-23670, 27-CR-23-25310, 27-CR-23-17576; 27-CR-22-12076, 27-CR-24-2150

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER REGARDING
COMPETENCY

This matter came before the undersigned Judge of District Court on January 30, 2024. The hearing was held remotely using the Zoom internet platform. Michelle Doffing, Minneapolis City Attorney, represented the State. Defendant appeared in custody and was represented by Elizabeth Scott, Assistant Hennepin County Public Defender.

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

FINDINGS OF FACT

1. Defendant (date of birth 11/05/1996), was charged in MNCIS file 27-CR-22-9720 with Theft (Misdemeanor) and Trespass (Misdemeanor) arising from an incident alleged to have occurred on May 21, 2022; in MNCIS file 27-CR-23-16226 with Theft (Misdemeanor) arising from an incident alleged to have occurred on July 30, 2023; in MNCIS file 27-CR-23-17424 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on August 16, 2023; in MNCIS file 27-CR-23-23670 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on November 3, 2023; in MNCIS file 27-CR-23-25310 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on November 27, 2023; in MNCIS file 27-CR-23-17576 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on August 19, 2023; in MNCIS file 27-CR-22-12076 with Trespass (Misdemeanor) arising from an incident alleged to have occurred on June 8, 2022; and in MNCIS file 27-CR-24-2150 with Interrupt/Disrupt/Interfere with Emergency CB Radio (Misdemeanor), 4th Degree Damage to Property (Misdemeanor), and Transit-

Obstruct/Interfere with Operation of Vehicle (Misdemeanor) arising from an incident alleged to have occurred on January 26, 2024.

2. On November 28, 2023, Judge Thomas J. Conley ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn. R. Crim. P. 20.01.
3. Dr. Amy Crockford, Psy.D., LP, Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Amy Crockford, Psy.D., LP, Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

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

ORDER

1. The misdemeanor charges are dismissed pursuant to Rule 20.01.
2. 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.
3. 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.
4. 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.
5. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances.

6. 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.
7. 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.
8. 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 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.
9. 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