

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT

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**State of Minnesota,**

Plaintiff,

Court File No. 27-CR-22-4879

v.

**Manyara Nicole Watkins,**

Defendant.

**ORDER TO COMPEL  
RELEASE OF DATA**

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The above-entitled matter is scheduled for a 6-month review hearing on the December 6, 2022 Rule 20.01 Return calendar before the Honorable Lisa Janzen, Judge of District Court. On June 7, 2022, the Defendant appeared before the Court in custody and the Court found the Defendant not competent to proceed in the criminal file and referred the matter to the Hennepin County Prepetition Screening Program. On November 18, 2022, the Court issued an Order for Commitment in civil file 27-MH-PR-22-677. The Defendant remains in custody on the list to the Commissioner of Human Services, awaiting admittance to a Department of Human Services (“DHS”) facility. On December 2, 2022, the Minnesota Department of Human Services – Direct Care and Treatment (“DCT”) requested a continuance via email in order to complete the evaluation as the Defendant had not been admitted to DCT yet and the Department had been unaware of the updated competency evaluation. Given the current wait times for admittance to DHS facilities from the jail, the Court has requested that the case manager appear at the December 6, 2022 hearing and provide an update, as well as alternative placements.

**CONCLUSIONS OF LAW**

“If a government entity opposes discovery of government data or release of data pursuant to court order on the grounds that the data are classified as not public...[t]he presiding officer shall first decide whether the data are discoverable or releasable pursuant to the rules of evidence and of criminal, civil, or administrative procedure appropriate to the action.” Minn. Stat. § 13.03, subd. 6. “If the data are discoverable the presiding officer shall decide whether the benefit to the

party seeking access to the data outweighs any harm to the confidentiality interests of the entity maintaining the data, or of any person who has provided the data or who is the subject of the data, or to the privacy interest of an individual identified in the data.” *Id.*

With respect to the first prong of the test, according to Minn. R. Crim. P. 9, “the rules are intended to give the defendant and prosecution as complete discovery as is possible under constitutional limitations.” *State v. Kaiser*, 486 N.W.2d 384, 386 (Minn. 1992). Rule 9.01, subd. 1(4)(a) states that “[t]he results or reports of physical or mental examinations, scientific tests, experiments, or comparisons made that relate to the case” must be made discoverable.” Minn. R. Crim. P. 9, subd. 1(4)(a). The Court believes that the details of the Defendant’s competency evaluation and continuing treatment plan fall within the category of results or reports of examinations and tests and that therefore the data are discoverable.

As to the second prong, “[t]he head of the institution to which the defendant is committed...must report to the court periodically, not less than once every six months, on the defendant’s mental conditions with an opinion as to competency to proceed.” Minn. Stat. § 20.01, subd. 7. The Court thus has a duty to continue monitoring defendants that are found not competent through reports from supervising entities. Additionally, “[t]he court and the prosecutor must be notified of any proposed institutional transfer, partial institutionalization status, and any proposed termination, discharge, or provisional discharge of the civil commitment. The prosecutor has the right to participate as a party in any proceedings concerning proposed changes in the defendant’s civil commitment or status.” *Id.* Inherent within Rule 20.01, subd.7 is the understanding that the Court and parties need information about the Defendant’s treatment progress and proposed facility transfers and placements. The benefit of access to the information sought by the Court in fulfilling its duty to monitor the progress of the Defendant’s treatment, as well as to consider the safety and security of both the Defendant and the community, outweighs the confidentiality interests of the Defendant or the supervising entity, Hennepin County Human Services – Behavioral Health.

### **ORDER**

1. A representative of Hennepin County Human Services – Behavioral Health, including any grant contracted providers, shall be present at the hearing scheduled before Judge Lisa Janzen on December 6, 2022 at 1:30 PM and all subsequent review hearings and is authorized to disclose private patient data for Defendant.

2. Hennepin County Behavioral Health shall inform the Court and prosecutor as soon as possible if the Defendant absconds from the Court-ordered placement and supervision of any provisional discharge.

**Date: December 5, 2022**

**BY THE COURT:**



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**Lisa K. Janzen**

**Judge of District Court**

MINNESOTA  
JUDICIAL  
BRANCH