

JUN 07 2023

JUN 02 2023

State of Minnesota

Hennepin County

District Court

Fourth Judicial District

State of Minnesota,  
Plaintiff,

v.

JIMMY EDWARD SPEARS, III,  
Defendant.

Order to Fourth Judicial District Court  
Psychological Services  
27-CR-20-1893

Defendant Information	
<input type="checkbox"/> Out of Custody <input checked="" type="checkbox"/> In Custody – at Facility: <u>HC Jail</u>	
Date of Birth: 09/22/1986	SILS Identifier: 637629; 0331584
Phone: Home: Unknown, Cell: 773-717-3121	
Email: unknown@courts.state.mn.us	
Current Address: 929 CENTRAL AVE NE MINNEAPOLIS MN 55413	
<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: CHRISTINA MARIE MORIARTY  
Prosecuting Attorney: DAVID E ROMAKER

Phone: 612-348-5061  
Phone:  
Phone:

3. The hearing for the return of the psychological evaluation will be held on July 14, 2023 at 1:30pm

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: June 2, 2023

  
Lisa K. Janzen  
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.