

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

**ORDER DELEGATING CERTAIN
JUDICIAL RELEASE AUTHORITY**

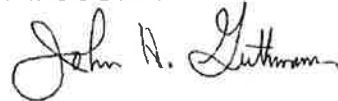
IT IS HEREBY ORDERED:

- A. Pursuant to Rule 6.02(1) of the Minnesota Rules of Criminal Procedure, judicial release authority is hereby delegated to screeners designated by the Executive Director of Project Remand to work in the jails located in Ramsey County.
- B. Project Remand shall ensure that all screeners are fully trained to conduct a MNPAT pretrial release evaluation and comply with the requirements of this Order.
- C. Defendants arrested for new criminal or traffic offenses or warrants for failure to appear shall be interviewed by Project Remand screeners immediately after booking and charging for the purpose of completing a MNPAT pretrial release evaluation and determining eligibility for release. Defendants arrested on a probation violation shall not be interviewed or considered for release pursuant to this Order.
- D. Project Remand screeners are authorized to release a Defendant without bail, bond, or conditions of release only if a Defendant was either arrested on new charges and new charges have been filed by complaint or citation, **or** the Defendant was arrested on warrant(s) for failure to appear for first appearance or arraignment, **and** the Defendant **both**:
 - 1. Scores 11 or lower on the MNPAT pretrial release evaluation, **and**
 - 2. Is not charged with:
 - i. A qualified domestic violence-related offense as defined in Minn. Stat. § 609.02, subd. 16.
 - ii. Misdemeanor violation of a harassment restraining order, violation of an order for protection, or indecent exposure.
 - iii. Gross Misdemeanors filed under Minnesota Statute 169A, including DWI and test refusal charges, and gross misdemeanor indecent exposure.

- iv. A felony, with the exception of an arrest for one of the following offenses: aggravated forgery (609.625); check forgery/offering a forged check (609.631); criminal damage to property (609.595); financial transaction card fraud (609.821); forgery (609.63); fraud in obtaining credit (609.82); gambling (609.76); identify theft (609.527); insurance fraud (609.611); issuance of dishonored check (609.535); issuance of worthless check (604.113); lawful gambling fraud (609.763); medical assistance fraud (609.466); misusing credit card to secure services (609.545); motor vehicle tampering (609.546); obtaining signature by false pretenses (609.635); possession of/receiving stolen property (609.53); possession of shoplifting gear (609.521); residential mortgage fraud (609.822); state lottery fraud (609.651); telecommunications and information services fraud (609.893); theft (609.52); uttering a forged instrument (609.625, subd. 3); wrongfully obtaining assistance (256.98, subd. 1); or wrongfully obtaining unemployment benefits (268.182).
- E. Project Remand's release authority under this Order extends only to matters involving new charges filed by complaint or citation in Ramsey County, or Defendants arrested on warrant(s) for failure to appear for first appearance or arraignment, for such a complaint or citation.
- F. Notwithstanding the eligibility of a defendant for release pursuant to paragraphs A-E above, a period of preventive detention is hereby allowed until the first court appearance or for 48 hours, including Sundays and holidays, whichever occurs first when:
1. A suicidal or mentally ill defendant is in custody, such symptoms have been medically verified, and transfer to a qualified medical facility has been arranged; or
 2. There has been a verified threat of future harm to specific individuals and there has been confirmation of the fear of such threat.
- G. This order shall take effect on December 1, 2018 and it supersedes and replaces any previous order delegating release authority.

Dated: November 29, 2018

BY THE COURT:



Guthmann, John (Judge)
Nov 29 2018 10:19 AM

John H. Guthmann
Chief Judge, Second Judicial District

FILED IN DISTRICT COURT
STATE OF MINNESOTA

NOV 29 2018