

<input checked="" type="checkbox"/> District Court <input type="checkbox"/> County Court El Paso County, Colorado Court Address: 270 S Tejon Colorado Springs CO 80903	<p style="text-align: center;">DATE FILED: June 8, 2020</p> <p style="text-align: center;">DATE FILED: June 08, 2020</p> <p style="text-align: center;">▲      <b>COURT USE ONLY</b>      ▲</p> <hr/> Case Number: 20CR1358 and 20CR3170
People of the State of Colorado  v.  Defendant: Letecia Stauch	Division                      Courtroom
<b>ORDER FOR EVALUATION OF IN-CUSTODY DEFENDANT</b>	

On June 5<sup>th</sup>, 2020 [date],      Defense Attorney      [party/court] raised the question of the above-named defendant's competency to proceed.

This Court has made a preliminary finding of  competency  incompetency, and      [party] objected on      [date] to such finding.

--OR--

This Court has insufficient information to make a preliminary finding concerning competency or incompetency.

Accordingly, **IT IS ORDERED THAT:**

1. The Colorado Department of Human Services (CDHS) will perform an evaluation of the defendant and to submit a report regarding  competency to proceed. The Office of Behavior Health (OBH) Court Services Department will coordinate this evaluation.
2. The District Attorney's Office is ordered to provide the Colorado Mental Health Institute at Pueblo (CMHIP) with all materials that would be provided to the defense in discovery, including all charging documents and offense reports, within 72 hours after the District Attorney's Office receives this order.
3. The evaluation shall be performed as follows [check only one]:

**Jail-Custody Evaluation:** The evaluation is to be performed in the place where the defendant is now in custody. The defendant is presently in custody at      [name of jail].

**CDHS-Custody Evaluation:** The defendant is ordered placed in the custody of the Colorado Mental Health Institute at Pueblo for the time necessary to conduct the evaluation, based on the following criteria found at section 16-8.5-105(1)(b) [check all that apply]:

The Court has found the defendant may be a danger to self or others as defined in section 27-65-102, C.R.S.

The Court has found that an inadequate competency evaluation and report has been completed or two or more conflicting competency evaluations and reports have been completed.

The Court has found that an observation period is necessary to determine if the defendant is competent to stand trial.

The Court has received a recommendation from CMHIP court services evaluator that conducting the evaluation at CMHIP is appropriate because the evaluator conducting the evaluation for CMHIP determines that the defendant has been uncooperative or the defendant has clinical needs that warrant transfer to CMHIP.

The Court has received written approval for the evaluation to be conducted at CMHIP from the executive director of the Department of Human Services or his or her designee.

The Sheriff is ordered to transport the defendant to the facility identified by OBH within 3 of days of receiving notice from OBH that the defendant has been offered admission. The Sheriff further ordered to return the defendant to the county jail where the defendant was being held promptly, but no later than 3 business days, after notification by OBH that the competency evaluation has been completed.

**"Hold and Wait" Evaluation:** The evaluation is to be performed by CDHS at CMHIP or a location identified by CDHS. The Sheriff is ordered to retain custody of the defendant and ordered to transport the defendant to the agreed upon location for the evaluation, and to provide copies of all jail and medical records requested by CMHIP, at or before the time of the scheduled evaluation. The Sheriff will remain at the location of the evaluation until the evaluator has completed the evaluation, after which the Sheriff will return the defendant to the jail or other facility where the defendant is being held.

4. The Sheriff is ordered to provide CDHS and its competency evaluator access to and copies of the jail records, including medical and mental health records.
5. This matter is set for review on September 17, 2020 [date]. CDHS is ordered to provide the Court with an original and two copies of the evaluation report at least five days before that date.

Date: 10-10-20

Suzanne R. Werner  
 Judge  Magistrate

### CERTIFICATE OF SERVICE

I certify that on 6-10-20 (date), I provided copies of this *Order for Evaluation of In-Custody Defendant* to the following:

**County Sheriff:**  Hand-Delivered,  E-filed, or  Mailed to:

**Colorado Mental Health Institute at Pueblo:**  e-mailed to: courtservices@state.co.us

**District Attorney:**  Hand-Delivered,  E-filed, or  Mailed to:

**Defense Counsel:**  Hand-Delivered,  E-filed, or  Mailed to:

**Other:** \_\_\_\_\_:  Hand-Delivered,  E-filed, or  Mailed to:

Rodney Parker  
Clerk