

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Mental Health Division

Hollywood Courthouse Department 113

ZM061420

The People of the State of California

vs

Douglas, Michael

February 22, 2021

8:30 AM

Honorable Robert S. Harrison, Judge

Darlene Dancer, Judicial Assistant

Jesse Pickelsimer (#13885), Court
Reporter(s)

NATURE OF PROCEEDINGS: 1368 PC Competency Hearing /Non-App/PAP Report

The following parties are present in Court:

William Edwards, Deputy Public Defender

Lou Clemens, Deputy District Attorney

Defendant is not present. Appearance is waived.

The matter is called for hearing.

On the motion of counsel for Defendant, Doctor(s) David Rad is/are appointed pursuant to Evidence Code Section 730 to examine Michael Douglas and prepare a report on his current mental status within the meaning of Penal Code Section 1368. The Court orders the Los Angeles County Sheriff's Department or other facility, to allow said Doctor(s) access to a laptop computer during the interview.

Cost of said report shall not exceed \$500.00.

****Retroactive Appointment.**

The Court has read and considered the report from Doctor David Rad, dated February 3, 2021. Said report is admitted in evidence by reference to the case file.

The Court finds that the Defendant is not presently mentally competent to stand trial within the meaning of Penal Code Section 1368 and that he is not able to understand the nature of the proceedings taken against him and is not able to assist counsel in the conduct of a defense in a rational manner. Criminal proceedings remain adjourned.

The Court finds that the Defendant lacks the capacity to make decisions regarding psychotropic medication. If untreated with psychotropic medication, it is probable that the Defendant will suffer serious harm to his physical or mental health.

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It is medically appropriate to treat the Defendant's psychiatric condition with psychotropic medication. This medication is likely to be effective. The treatment facility is authorized to administer involuntary psychotropic medication to the Defendant in an objectively reasonable manner consistent with the facility's policies when and as prescribed by the Defendant's treating psychiatrist.

Pursuant to Penal Code Section 1370(a)(7), the involuntary medication order is in effect for one year or until maximum commitment date. The expiration date is Tuesday, February 22, 2022.

Los Angeles County Community Program Director or designee is ordered to provide a written recommendation for Placement pursuant to Penal Code Section 1370(a)(2)(a). Said report is due Monday, March 15, 2021.

The clerk is ordered to send the packet to Gateways/CONREP by February 26, 2021.

Gateways/CONREP is/are ordered to examine Michael Douglas at L.A. County Jail (Booking #6056660).

Pursuant to HIPAA Section 164.512(e)(1)(i) of the Code of Federal Regulations provides as follows: Permitted Disclosures. A covered entity may disclose protected health information in the course of any judicial or administrative proceeding: (i) In response to an order of a court or administrative tribunal, provided that the covered entity disclose only the protected health information expressly authorized by such order.

This Court expressly orders you to provide complete access to all patient records for the patient involved in a particular case. "Patient records" include written and oral materials.

This access shall be available to the following persons: Court staff, including Los Angeles County Department of Mental Health personnel assigned to the Mental Health Court; County Counsel attorneys and personnel; District Attorney deputies and personnel; Public Defender attorneys and personnel; court appointed psychiatrist, psychologist, attorneys, Department of State Hospital doctors or designee Gateways/CONREP and Gateways/CONREP.

This standing order is effective immediately and shall remain in effect until further notice from this court.

Michael Douglas is disqualified from voting or registering to vote pursuant to Elections Code Section 2211.

The Court orders the above named person not to own, use or possess any dangerous or deadly weapons, including any firearms, knives or other concealable weapons.

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A copy of the Prohibited Persons Notice and Power of Attorney for Firearms Relinquishment, Sale or Disposal Declaration form has been issued to the above named person/attorney pursuant to Welfare and Institutions Code Section 8103.

The Court sets a **Placement Recommendation Hearing - CONREP /Via Video 9:00 am on March 15, 2021 at 8:30 AM in Hollywood Courthouse Department 113.**

Michael Douglas is ordered to appear via video at the next hearing.

A copy of this minute order is electronically transmitted in compliance with Code of Civil Procedure Section 1010.6 to:

Director, Gateways/CONREP
621 S. Virgil Avenue
Suite 300
Los Angeles, CA 90005

CC: VIDEO CLERK

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES
LOS ANGELES SUPERIOR COURT

2/22
113

FILED

The People of the State of California

FEB 04 2021

Case No. ZM061420

vs.

Douglas, Michael

Sherri R. Carter, Executive Officer/Clerk
By *Raquel Escamilla* Deputy

CERTIFICATE OF
MEDICAL EXAMINER

I, David S. Rad, M.D., appointed under Section 1368 of the Penal Code, certify that I examined the person named above to ascertain this person's present ability to understand the nature and purpose of the proceedings against him or her and to assist in his or her own defense in a rational manner. I make the following report.

Gender: Male

Age: 32

Date of Examination: Feb 3, 2021

Case History: Mr. Douglas is charged with two felony counts of Resisting Executive Officer, Based on events that reportedly took place on 11/21/20. He was allegedly behaving aggressively on Long Beach transit bus and resisted...

General Physical and Mental Status:...responding officers.

Mr. Douglas presented with persecutory delusions and signs of hallucinations when I interviewed him. He was transferred to HOH from the FIP unit the day before the interview, and was still dressed in brown jail garb. He went on to disclose long involvement with the mental health system, but insisted that they "are giving me medications for no reason. I'm not hearing voices. Not seeing things." He denied other symptoms of mental illness, such as concerns regarding custody or other inmates, but he appeared hyper-vigilant and had one of his ear plugged with paper. He also became increasingly suspicious towards me, accusing me of withholding information. His presentation was otherwise notable for poor eye-contact and neglected self-care. His thinking periodically veered off topic and needed redirection.

Mr. Douglas's presentation was the same when discussing competency material. He was aware of the charges against him and went on to outline an account of the events leading to his arrest that was consistent with information in the provided material. He needed some guidance when discussing aspects of the proceedings, but demonstrated sufficient understanding of this as well. He initially argued in his defense in a manner that was not clearly psychotic and stated that he would like to review discovery material with his attorney in order to determine the seriousness of his legal predicament. However, when some of the available information was discussed with him, he irritably stated, "it seems like someone put the police on me. I don't know how they got my name, how they figured out my blood type." He followed this by unrelated comments regarding being off probation and parole, and I could not focus him..

The person named above is competent in that he or she is presently able to understand the nature and purpose of the proceedings against him or her and to conduct or assist in his or her defense in a rational manner. Yes No

Remarks: ...on a meaningful conversation regarding reality-based defense options.

1244080

This section is to be completed if the physician believes the person is not competent.

1. Discussion of medications and side effects

The following group(s) of medications, commonly used to treat this person's psychiatric condition, and their possible side effects were discussed with this person:

Antipsychotics Mood Stabilizers Antidepressants Other:

Discussion of medications commonly used to treat this person's psychiatric condition was not possible because:

- 2. a. It is medically appropriate to treat this person's psychiatric condition with medications Yes No
- b. Such medications are likely to be effective Yes No
- c. This person has capacity to make decisions about such medications Yes No
- d. If untreated with medications, this person probably will suffer serious harm to physical or mental health Yes No

3. Opinion on dangerousness, as defined in appropriate statute, given the limited information available

- a. This person is a danger to others Yes No
- b. This person is a danger to self Yes No

- 4. a. Such medications will likely make this person competent to stand trial Yes No
- b. Such medications are unlikely to have side effects that interfere with this person's ability to understand the nature of the criminal proceedings or to assist counsel in the criminal proceedings or to assist counsel in the conduct of a defense in a reasonable manner Yes No
- c. Less intrusive treatments are unlikely to have substantially the same results as medications Yes No

Additional Information:

Date: Feb 3, 2021

Medical Examiner: David Rad, M.D. Digitally signed by David Rad, M.D.
Date: 2021.02.03 11:19:14 -0500

DR: 4/20

DR: 4/20

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES		RECEIVED MENTAL HEALTH JAN 13 2021
COURTHOUSE ADDRESS: 275 Magnolia Avenue Long Beach, CA 90802		Reserved for Clerk's File Stamp FILED Superior Court of California County of Los Angeles By: Alma Becerra JAN 13 2021 Sharon E. Smith, Clerk By: <i>Alma Becerra</i> Deputy
DEPT. NUMBER: S18	PLAINTIFF: PEOPLE OF THE STATE OF CALIFORNIA	v.
DEFENDANT: MICHAEL DOUGLAS		
CUSTODY STATUS (CHECK APPROPRIATE BOX):		
REMANDED <input checked="" type="checkbox"/>	OWN RECOGNIZANCE <input type="checkbox"/>	BAIL/BOND <input type="checkbox"/>
BOOKING NUMBER: _____	BAIL AMOUNT: \$ 25,000.00	
TRANSFER TO MENTAL HEALTH DIVISION		DISTRICT CODE: CASE NUMBER: DEFENDANT NUMBER: NA115786-01

MENTAL COMPETENCE (Penal Code Section 1368)

A doubt having arisen as to the mental competence of the above-named defendant and criminal proceedings having been suspended pursuant to Penal Code Section 1368, the defendant is ordered transferred to the Mental Health Division, Hollywood Courthouse, for examination and/or hearing on:

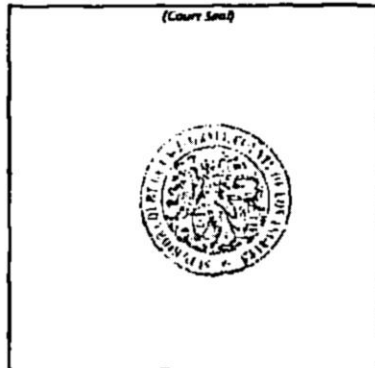
02/01/2021 at 8:30 a.m.
(2 Week Date)

Case is assigned to Judge Robert Harrison
Department 113

A packet of documents including a copy of the minute order declaring a doubt, a copy of the accusatory pleading (complaint, information, or citation), a copy of the arrest report, a copy of the bond (if defendant is out of custody on bond), and this form are ordered transferred to the Mental Health Division within 24 hours of this order.

Scan the complete packet of documents with this order and send via email to: HWD1368PC@LACourt.org.
Scan and email the arrest report as a separate PDF document.

Date: 01/13/2021



C. L. Taylor
Chat L Taylor
Judicial Officer

TRANSFER TO MENTAL HEALTH DIVISION

Distribution: Original - Criminal Court File Scanned Copy - Mental Health Court File Copy - Sheriff Copy - Defendant (Out of Custody)

CASE NO. NA115786
DEF NO. 01

DATE PRINTED 01/13/21

COURT ORDERS AND FINDINGS:

-DEFENSE COUNSEL DECLARES A DOUBT AS TO THE DEFENDANT'S MENTAL COMPETENCE PURSUANT TO PENAL CODE SECTION 1368. CRIMINAL PROCEEDINGS ARE ADJOURNED. A COUNTY APPROVED PSYCHIATRIST IS APPOINTED PURSUANT TO SECTION 730 EVIDENCE CODE TO EXAMINE THE DEFENDANT AND PREPARE A REPORT WITHIN THE MEANING OF SECTION 1368 OF THE PENAL CODE. THE COURT ORDERS THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT TO ALLOW THE APPOINTED DOCTOR TO HAVE ACCESS TO A LAPTOP COMPUTER DURING THE INTERVIEW.

NEXT SCHEDULED EVENT:

02/08/21 830 AM 1368 PC RPT/NON-APPEAR DIST GOV DEUKMEJIAN-LNG BEACH DEPT S18

PAGE NO. 2

1368 PC HRG/TRIAL SETTING
HEARING DATE: 01/13/21

124410

WJIC

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

<p>THE PEOPLE OF THE STATE OF CALIFORNIA, v. 01 COPALESKEY KEITH FLENNORY (DOB: 06/07/1988), aka MICHAEL DOUGLAS</p>	<p>Plaintiff, Defendant(s).</p>
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CASE NO. NA115786

FELONY COMPLAINT

DEFENSE COPY

The undersigned is informed and believes that:

COUNT 1

On or about November 21, 2020, in the County of Los Angeles, the crime of RESISTING EXECUTIVE OFFICER, in violation of PENAL CODE SECTION 69, a Felony, was committed by COPALESKEY KEITH FLENNORY, who did unlawfully attempt by means of threats and violence to deter and prevent TREVOR LARSON, who was then and there an executive officer, from performing a duty imposed upon such officer by law, and did knowingly resist by the use of force and violence said executive officer in the performance of his/her duty.

COUNT 2

On or about November 21, 2020, in the County of Los Angeles, the crime of RESISTING EXECUTIVE OFFICER, in violation of PENAL CODE SECTION 69, a Felony, was committed by COPALESKEY KEITH FLENNORY, who did unlawfully attempt by means of threats and violence to deter and prevent HARRISON MOORE, who was then and there an executive officer, from performing a duty imposed upon such officer by law, and did knowingly resist by the use of force and violence said executive officer in the performance of his/her duty.

It is further alleged as to count(s) 1 and 2 that said defendant(s), COPALESKEY KEITH FLENNORY, was convicted of the following felonies, within the meaning of Penal Code section 1203(e)(4):

<u>Case No.</u>	<u>Charge Code/Statute</u>	<u>Conv. Date</u>	<u>County of Court</u>	<u>State</u>	<u>Court Type</u>
NA107231	HS 11352	09/06/2017	Los Angeles	CA	Superior
YA090200	PC 273.5	10/15/2014	Los Angeles	CA	Superior
NA098702	HS 11360	04/23/2014	Los Angeles	CA	Superior

NOTICE: Conviction of this offense will require the defendant to provide DNA samples and print impressions pursuant to Penal Code sections 296 and 296.1. Willful refusal to provide the samples and impressions is a crime.

NOTICE: The People of the State of California intend to present evidence and seek jury findings regarding all applicable circumstances in aggravation, pursuant to Penal Code section 1170(b) and *Cunningham v. California* (2007) 549 U.S. 270.

NOTICE: A Suspected Child Abuse Report (SCAR) may have been generated within the meaning of Penal Code §§ 11166 and 11168 involving the charges alleged in this complaint. Dissemination of a SCAR is limited by Penal Code §§ 11167 and 11167.5 and a court order is required for full disclosure of the contents of a SCAR

NOTICE: Any allegation making a defendant ineligible to serve a state prison sentence in the county jail shall not be subject to dismissal pursuant to Penal Code § 1385.

NOTICE: Conviction of this offense prohibits you from owning, purchasing, receiving, possessing, or having under your custody and control any firearms, and effective January 1, 2018, will require you to complete a Prohibited Persons Relinquishment Form ("PPR") pursuant to Penal Code § 29810.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT, CASE NUMBER NA115786, CONSISTS OF 2 COUNT(S).

Executed at LONG BEACH, County of Los Angeles, on November 24, 2020.

ANDREA J CRAIG
DECLARANT AND COMPLAINANT

.....
JACKIE LACEY, DISTRICT ATTORNEY

BY: Marilyn Seymour
MARILYN SEYMOUR, DEPUTY

01/14/21

AGENCY: LONG BEACH PD
DR NO.: 200055994

I/O: ANDREA J CRAIG
OPERATOR: GG

ID NO.: 10711 PHONE: (562) 570-7775
PRELIM. TIME EST.: 45 MINUTE(S)

<u>DEFENDANT</u>	<u>CII NO.</u>	<u>DOB</u>	<u>BOOKING NO.</u>	<u>BAIL RECOM'D</u>	<u>CUSTODY R'TN DATE</u>
FLENNORY, COPALESKEY KEITH	027809609	6/7/1988	6056660	\$25,000	11/24/2020

Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.

FELONY COMPLAINT -- ORDER HOLDING TO ANSWER -- P.C. SECTION 872

It appearing to me from the evidence presented that the following offense(s) has/have been committed and that there is sufficient cause to believe that the following defendant(s) guilty thereof, to wit:

(Strike out or add as applicable)

COPALESKEY KEITH FLENNORY

<u>Ct.</u>	<u>Charge</u>	<u>Charge Range</u>	<u>Allegation</u>	<u>Alleg. Effect</u>
1	PC 69	16-2-3 County Jail		
2	PC 69	16-2-3 County Jail	PC 1203(e)(4)	PSP

I order that the defendant(s) be held to answer therefore and be admitted to bail in the sum of:

COPALESKEY KEITH FLENNORY _____ Dollars

and be committed to the custody of the Sheriff of Los Angeles County until such bail is given. Date of arraignment in Superior Court will be:

COPALESKEY KEITH FLENNORY _____ in Dept _____

at: _____ A.M.

Date: _____
_____ *Committing Magistrate*