

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Mental Health Division

Hollywood Courthouse Department 203

ZM063862

The People of the State of California

vs

Vachon, Michael Eugene

July 12, 2021

8:30 AM

Honorable Charles C. Lee, Judge

Nicholas Mariduena, Judicial Assistant

Renee Garcia (#13609), Court
Reporter(s)

NATURE OF PROCEEDINGS: 1368 PC Competency Hearing 1368 PC Psychiatric Evaluation re Competency (Short Report) filed on 7/6/2021, by

The following parties are present in Court:

Angela Jordan, Deputy District Attorney
Sarah Soher, Deputy Public Defender

Defendant is not present. Appearance is waived.

The matter is called for hearing.

The Court has read and considered the report from Doctor Thomas Rodriguez, dated July 2, 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.

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, July 12, 2022.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

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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, August 2, 2021.

The clerk is ordered to send the packet to Gateways/CONREP by July 16, 2021.

Department of State Hospitals Evaluators is/are ordered to examine Michael Eugene Vachon at LA County Jail (Bkg #6181233).

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 Department of State Hospitals Evaluators.

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

Michael Vachon 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.

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 at 10:45 AM on August 2, 2021 at 8:30 AM in Hollywood Courthouse Department 203.**

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

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Mental Health Division

Hollywood Courthouse Department 203

ZM063862

The People of the State of California

vs

Vachon, Michael Eugene

July 12, 2021

8:30 AM

The clerk is directed to forward a copy of this minute order to:

Director, Gateways/CONREP

621 S. Virgil Avenue

Suite 300

Los Angeles, CA 90005

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES7/12
2023

The People of the State of California

FILED
Superior Court of California
County of Los Angeles

Case No. ZM063862

vs.

'JUL 06 2021

Michael Vachon

CERTIFICATE OF
MEDICAL EXAMINERSherri B. Carter, Executive Officer/Clerk of Court
By Sharon R. Hanks, Deputy
Sharon Hanks

I, Thomas Rodriguez, 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: 58

Date of Examination: 07/02/2021

Case History: The defendant is charged with assault with a deadly weapon, a felony, criminal threats, a felony, and battery, a misdemeanor. I evaluated the defendant at an interview table outside of his MOH pod.

General Physical and Mental Status: The defendant said that he saw a psychologist prior to his arrest. He took psychiatric medications in 2017, but he wasn't sure of the name of the psychiatric medications. He also took medications in 2020 when he was placed on a 5150 psychiatric hold. He denied recently experiencing any psychiatric symptoms. The defendant knew what he was being charged with. However, he said that the allegations were made up and that his neighbors had been harassing him. He planned to use this belief as part of his defense. The defendant said that two of his neighbors were psychiatrists who worked in a prison. He had a basic understanding of the pleas available to him and the roles of the court participants.

On face to face evaluation, the defendant was wearing yellow and blue correctional attire, and his grooming was fair. He spoke quickly, and he was difficult to interrupt. The defendant's thought process was very tangential. He appeared worried and fearful. The defendant appeared guarded at times. He did not appear to be responding to internal stimuli.

The currently available evidence suggests the defendant is incompetent to stand trial. The defendant appears to be experiencing psychotic symptoms, including paranoia, delusions, and thought disorganization. Due to these symptoms, he appears unable to rationally assist in his defense.

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:

Case Name: **Michael Vachon**

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: 07/02/2021


Medical Examiner

DR:10/13

RECEIVED
MENTAL HEALTH

JUN 11 2021

Reserved for Clerk's File Stamp

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

By: Felicia Catron

FILED
Superior Court of California
County of Los Angeles

JUN 11 2021

Sherri R. Carter, Executive Officer/Clerk
By:  Deputy
R. Colette

COURTHOUSE ADDRESS:
NORTH VALLEY DISTRICT-SAN FERNANDO COURT
900 THIRD STREET
SAN FERNANDO, CA 91340

DEPARTMENT

NV-S

PLAINTIFF:
PEOPLE OF THE STATE OF CALIFORNIA

DEFENDANT:
VACHON, MICHAEL

Case Type:

☐ MISDEMEANOR ☒ PRE-PRELIMINARY HEARING FELONY ☐ POST-PRELIMINARY HEARING FELONY ☐ PROBATION VIOLATION FELONY

CUSTODY STATUS (CHECK APPROPRIATE BOX):

☒ REMANDED

☐ OWN RECOGNIZANCE

☐ BAIL/BOND

BOOKING NUMBER: 6181 233

BAIL AMOUNT: \$105,000

TRANSFER TO MENTAL HEALTH DIVISION

DISTRICT CODE: CASE NUMBER: DEFENDANT NUMBER:

LAS PA096596-01

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:

6/25/2021

at 8:30

a.m.

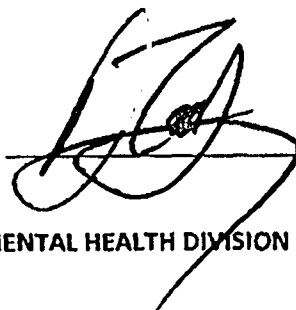
Case is assigned to Judge James E. ...
Department 200

(2-Week Date)

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: 6/11/2021



HAYDEN ZACKY, Judge

TRANSFER TO MENTAL HEALTH DIVISION

CRIM 092 Mandatory (REV 03/21 Pending Approval)

MINUTE ORDER
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE PRINTED: 06/11/21

CASE NO. PA096596

THE PEOPLE OF THE STATE OF CALIFORNIA
VS.
DEFENDANT 01: MICHAEL EUGENE VACHON

BAIL: APPEARANCE DATE	AMOUNT OF BAIL	DATE POSTED	RECEIPT OR BOND NO.	SURETY COMPANY	REGISTER NUMBER
--------------------------	-------------------	----------------	------------------------	----------------	--------------------

CASE FILED ON 05/19/21.

COMPLAINT FILED, DECLARED OR SWORN TO CHARGING DEFENDANT WITH HAVING COMMITTED,
ON OR ABOUT 05/01/21 IN THE COUNTY OF LOS ANGELES, THE FOLLOWING OFFENSE(S)
OF:

COUNT 01: 245(A)(1) PC FEL
COUNT 02: 422(A) PC FEL
COUNT 03: 242 PC MISD

ON 06/11/21 AT 900 AM IN SAN FERNANDO COURTHOUSE DEPT NVS

CASE CALLED FOR MENTAL COMPETENCY REFERRAL ORD

PARTIES: CYNTHIA L ULFIG (JUDGE) ROBIN COLETTE (CLERK)

DENISE LUTZ (REP) BRADLEY LIEBERMAN (DA)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY CELIA CRATCH DEPUTY PUBLIC
DEFENDER

COURT ORDERS DEFENDANT TRANSFERRED TO THE MENTAL HEALTH DIVISION
FOR HEARING ON 6/25/2021.

TRANSFER TO MENTAL HEALTH DIVISION IS SIGNED, FILED AND
SENT WITH COPIES OF THIS MINUTE ORDER, THE FELONY COMPLAINT AND
THE ARREST REPORT VIA EMAIL TO THE MENTAL HEALTH DIVISION.

IF DEFENDANT IS NOT COMMITTED BY THE MENTAL HEALTH DIVISION,
DEFENDANT IS TO BE RETURNED TO THIS COURT ON THE NEXT COURT DAY.

BAIL REMAINS SET AT \$105,000.

COURT ORDERS AND FINDINGS:

-DEFENSE COUNSEL DECLARES A DOUBT AS TO THE DEFENDANT'S MENTAL
MENTAL COMPETENCY REFERRAL ORD
PAGE NO. 1 HEARING DATE: 06/11/21

CASE NO. PA096596
DEF NO. 01

DATE PRINTED 06/11/21

COMPETENCE PURSUANT TO PENAL CODE SECTION 1368. CRIMINAL PROCEEDINGS ARE SUSPENDED. A COUNTY APPROVED PSYCHIATRIST IS APPOINTED PURSUANT TO SECTION 730 OF THE EVIDENCE CODE TO EXAMINE THE DEFENDANT AND PREPARE A REPORT ON THE DEFENDANT'S CURRENT MENTAL STATUS 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.

-THE DEFENDANT IS ORDERED RETURNED TO THIS COURT ON 7/02/2021 AT 8:30 AM, IF NOT COMMITTED BY THE MENTAL HEALTH DIVISION.

NEXT SCHEDULED EVENT:

07/02/21 830 AM FURTHER PROCEEDINGS DIST SAN FERNANDO COURTHOUSE DEPT NVS

PAGE NO. 2

MENTAL COMPETENCY REFERRAL ORD
HEARING DATE: 06/11/21

ADD ON

C

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

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

v.

01 MICHAEL EUGENE VACHON (DOB: 08/08/1962)
Defendant(s).

CASE NO. PA096596

FELONY COMPLAINT FILED
Superior Court of California
County of Los Angeles

The undersigned is informed and believes that:

MAY 19 2021

COUNT 1

Sherri R. Carter, Executive Officer/Clerk
By DR, Deputy
Damian Romero

On or about May 1, 2021, in the County of Los Angeles, the crime of ASSAULT WITH A DEADLY WEAPON, in violation of PENAL CODE SECTION 245(a)(1), a Felony, was committed by MICHAEL EUGENE VACHON, who did willfully and unlawfully commit an assault upon THOMAS PRECIADO with a deadly weapon, to wit, saw.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

* * * * *

COUNT 2

On or about May 11, 2021, in the County of Los Angeles, the crime of CRIMINAL THREATS, in violation of PENAL CODE SECTION 422(a), a Felony, was committed by MICHAEL EUGENE VACHON, who did willfully and unlawfully threaten to commit a crime which would result in death and great bodily injury to WILLIAM BECK, with the specific intent that the statement be taken as a threat.

It is further alleged that the threatened crime, on its face and under the circumstances in which it was made, was so unequivocal, unconditional, immediate and specific as to convey to WILLIAM BECK a gravity of purpose and an immediate prospect of execution.

It is further alleged that the said WILLIAM BECK was reasonably in sustained fear of his/her safety and the safety of his/her immediate family.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

* * * * *

COUNT 3

On or about May 11, 2021, in the County of Los Angeles, the crime of BATTERY, in violation of PENAL CODE SECTION 242, a Misdemeanor, was committed by MICHAEL EUGENE VACHON, who did willfully and unlawfully use force and violence upon the person of CAITLIN KUBE.

* * * * *

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.

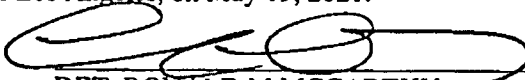
NOTICE: A Suspected Child Abuse Report (SCAR) may have been generated within the meaning of Penal Code §§ 11166 and 11168 involving the charges alleged in this complaint. Dissemination of a SCAR is limited by Penal Code §§ 11167 and 11167.5 and a court order is required for full disclosure of the contents 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 PA096596, CONSISTS OF 3 COUNT(S).

Executed at SAN FERNANDO, County of Los Angeles, on May 19, 2021.


DET. RONALD M MCCARTHY
DECLARANT AND COMPLAINANT

.....
GEORGE GASCÓN, DISTRICT ATTORNEY

BY: 
RONALD E. GOUDY, DEPUTY

AGENCY: LASD - SANTA
CLARITA VLY
PATROL (SCV)

DR NO.: 021066900669999

I/O: RONALD M
MCCARTHY

OPERATOR: CR

ID NO.: 532237 PHONE: (661) 255-1121

PRELIM. TIME EST.: 2 HOUR(S)

DEFENDANT

VACHON, MICHAEL EUGENE

CH NO.

039718443

DOB

8/8/1962

BOOKING

NO.

6181233

BAIL

RECOM'D

\$105,000

Presumptive

CUSTODY

R'TN DATE

05/19/2021

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)

MICHAEL EUGENE VACHON

<u>Ct.</u>	<u>Charge</u>	<u>Charge Range</u>	<u>Allegation</u>	<u>Alleg. Effect</u>
1	PC 245(a)(1)	2-3-4 State Prison		
2	PC 422(a)	16-2-3 State Prison		
3	PC 242	6 Mo.		

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

MICHAEL EUGENE VACHON _____ 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:

MICHAEL EUGENE VACHON _____ in Dept _____

at: _____ A.M.

Date: _____

Committing Magistrate