

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF WINONA

THIRD JUDICIAL DISTRICT

IN THE MATTER OF THE CIVIL COMMITMENT OF:

DAVID AUSTIN RUSSELL,

RESPONDENT

PETITION for JUDICIAL COMMITMENT

Karen Bunkowski, whose office address is 202 West Third Street; Winona, Minnesota, to the best of her knowledge, information, and belief, respectfully represents that:

1. She is interested in the Respondent as a Supervisor with Winona County Health and Human Services.
2. The Respondent was born on March 13th, in 1980.
3. The Respondent resides at: 727 South Broad St, Mankato, MN 56001.
4. The Respondent has settlement in Winona County, Minnesota, for the purpose of judicial commitment.
5. The Respondent's spouse and nearest kindred are:

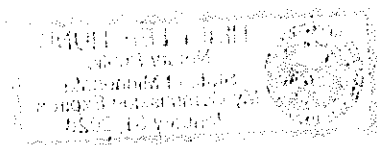
<u>NAME</u>	<u>RELATIONSHIP</u>	<u>AGE</u>	<u>ADDRESS</u>
Cheryl Davis	Mother	Unknown	570 Prairie Island Rd. Winona MN
Timothy Russell	Brother	Unknown	Winona MN
Pamela Traver	Sister	Unknown	Winona MN
Patrick Davis	Brother	Unknown	Unknown

6. The Respondent is not a veteran.
7. The Respondent is believed to be mentally ill because **she** has an organic disorder of the brain or a substantial psychiatric disorder of thought, mood, perception, orientation, or memory which grossly impairs judgment, behavior, capacity to recognize reality, or to reason or understand, which (a) is manifested by instances of grossly disturbed behavior or faulty perceptions; and (b) poses a substantial

likelihood of physical harm to himself or others as demonstrated by; (i) a failure to obtain necessary food, clothing, shelter, or medical care as a result of the impairment; or; (ii) an inability for reasons other than indigence to obtain necessary food, clothing, shelter, or medical care as a result of the impairment and it is more probable than not that the person will suffer substantial harm, significant psychiatric deterioration or debilitation, or serious illness unless appropriate treatment and services are provided; or; (iii) a recent attempt of threat to physically harm himself or others; or; (iiii) recent and volitional conduct involving significant damage to substantial property. This impairment excludes (a) epilepsy, (b) mental retardation, (c) brief periods of intoxication caused by alcohol or drugs, or (d) dependence upon or addiction to any alcohol or drugs. Evidence of the Respondent's conduct is described in the attached letter from Amy Engel, BSW.

8. The following less-restrictive alternatives were considered and rejected for the following reasons:
 - a. **Voluntary Outpatient Care:** The Respondent has been provided with numerous services and treatments recently on an outpatient basis. The Respondent lacks insight into problems and does not continue with treatment as is recommended.
 - b. **Voluntary Inpatient Care:** The Respondent necessitates court-mandated, inpatient treatment.
 - c. **Informal Admission Into a Treatment Facility:** As evidenced by the Respondent's recent behavior, he is unable to actively pursue treatment.
 - d. **Appointment of a Conservator or Guardian:** Catholic Charities Winona, Brittany Dannehy.
 - e. **Release Before Commitment:** The Respondent is in imminent danger to himself and others if left in the community.
 - f. **Stayed Commitment:** The Respondent could possibly benefit from a stayed commitment in the future, but at this time, requires extensive treatment.
9. Respondent is further believed to be mentally ill as evidenced by the physician's statement furnished herewith.
10. Petitioner is unable to procure a physician's statement because: NA, provided
11. Respondent is not presently charged with an offense.

12. Respondent was hospitalized at Prairie St. Johns, 510 4th St South, Fargo ND .
13. Respondent was last treated at Horizon Home IRTS, Mankato, MN.
14. Respondent may require treatment with neuroleptic medication and does not have the capacity to consent to such treatment.
15. Respondent does not have a durable power of attorney for health care under Minnesota Statute, Chapter 145C, or a declaration under Minnesota Statute, § 253B.03, subdivision 2b, relating to treatment with neuroleptic medication.
16. Respondent has a guardian with the power to consent to health care decisions on the Respondent's behalf.
17. Respondent owns the following property: NA.



WHEREFORE, petitioner prays that judicial commitment be made of the Respondent according to law, and further request that the Respondent be detained at Prairie St. Johns in Fargo ND and/or to the custody of the Commissioner of Human Services, pending the hearing of this matter and for purposes of observation, evaluation, diagnosis, care, treatment, and confinement pursuant to Minnesota Statute 253B.07 subdivision 2b.

Karen L. Bunkowski
Karen Bunkowski, Petitioner

STATE OF MINNESOTA)
)ss.
COUNTY OF WINONA)

Karen Bunkowski, being first duly sworn says that she is the Petitioner in the above-entitled proceedings; that she has read the fore-going petition and knows the contents thereof; that the same is true of her own knowledge, except as to those matters therein stated on information and belief, and as to those matters she believes it to be true.

Karen L. Bunkowski
Karen Bunkowski, Petitioner

Subscribed and sworn to before me
this 5th day of January 2024 .
Heidi L. Hund
Notary Public

