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FILED

MAY - 6 2016

SHASTA COUNTY SUPERIOR COURT
REDDING BRANCH
BY N. CARR

April 26, 2016

Honorable Presiding Judge
Superior Court of California
County of Shasta
1500 Court Street
Redding, CA 96001

RE: Robert Allen Gibbs
Case #CRF150005736, 15-34152, 14-04854,

CC: DA
attly
Prob

RECEIVED
MAY 06 2016
CLERK OF THE
SUPERIOR COURT

Dear Presiding Judge:

Mr. Robert Gibbs is a 44-year-old single Caucasian male who was evaluated at the Shasta County Jail on 04/26/16 pursuant to Section 1368 to determine if Mr. Gibbs is competent to stand trial and assist his attorney in a rationale manner. Mr. Gibbs was charged with multiple counts of criminal threats in violation of Section 422 of the Penal Code, a felony. He threatened five different law enforcement officers with a threat to harm them, which would result in death and great bodily injury. He was also charged with threatening to go to school and kill kids in the group. He has previous charges of domestic violence in the past. He was charged with Divert or obstruct the natural flow of a river or stream, in violation of section of the Fish and Games code, a Misdemeanor. The investigation reports from Shasta County Sheriff's department from September 2015 and department of Fish and Game, were reviewed in preparing this report. Also reviewed was prior 1368 evaluation report from Mark Saunders, PH.D dated March 15,2016.

The Sheriff's officer brought in Mr. Robert Gibbs to the examination room #4 at the Shasta County Jail. He was in his jail attire. He was alert, oriented and appropriate. He communicated well and related well. He showed no behavioral problems, agitation or irritability. He said he had been in jail since September 2015. When asked about the charges, he said, "Charged with criminal threat, reckless driving and domestic violence charges from three years ago to last year." This examiner explained to Mr. Gibbs the purpose of this evaluation and to determine his competency to stand trial and assist his attorney in a rational manner.

Mr. Gibbs said, "I was found competent in August '15." When asked why he is going for another 1638 evaluation, he said that he was not getting along with his lawyer. He said, "I was not given a choice of another lawyer." He said the lawyer does not want to make the judge angry. He said the prosecutor gets more money while the public defender gets less. He said the lawyers do not do what they are supposed to do. He does not think lawyers represent him properly. He thinks the judge is biased. Apparently, he was not cooperating with his layer or with court proceedings. He said his lawyer or investigator does not visit him. He said Dr. Mark Saunders found him competent in August.

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He said he is different from others. He is not paranoid. He said he suffers from PTSD. He said it is due to lifetime abuse as a child by his parents and others. He was institutionalized from age 9 to 14, and then he was with his dad, and was again institutionalized from age 15 to 24. Since then he says he has stayed out of trouble and he had his own business.

He said he has emotional problems. He does not make the right friends. He grew up in prison and institutions. Due to this he picks up the wrong people. He is not a violent person. He sees himself as intelligent and creative.

Mr. Gibbs said his dad worked for PG&E and mom had her own business. He said he got his GED in prison. He didn't go to college. He said he could have gone to college. He was in Juvenile Hall for being a runaway from home. He said he has three half-sisters but he is not close. He said, "I don't have anyone in the world. I have learned a lot from being in jail."

Mr. Gibbs said he developed properties. He had 166 acres of land at Whiskey Town where he has built a redwood cabin. He has built roads; he developed land and sold it. He lives alone. He has a 2-year-old daughter from a relationship. He said the mother of the 2-year-old is not cooperating and she has falsified statements about him. He gets Social Security Disability since 2006. He would like to get more Social Security money to have nice clothes and go to school. At that point this examiner directed him to the charges against him and he said, "I overreacted. People are angry at me and retaliating against me. I used to take care of my daughter. They are not allowing me to be a good father." He said he was charged with threatening a parole agent. In 2013, a Shasta Sheriff and Fish and Game law enforcement people falsely charged him. "They put a rifle to my head and searched my home without a warrant. They said I was growing marijuana while it was not true." He said he was charged with diverting a stream of water. He said he is suing the law enforcement in federal court. He said, law enforcement department told him that they couldn't be sued due to qualified immunity, but he later found out that they can be sued. * *

Mr. Gibbs said the Deputy Attorney General of California is a friend of his from ongoing contact with his case. He told the Deputy Attorney General, Mr. John Feser, that he was traumatized all his life. He told the Deputy Attorney General that he has resentment towards the community and mostly towards law enforcement. He doesn't trust anyone. He said the day the Deputy Attorney General called for him he was depressed and feeling suicidal and was angry at the time. He lost his temper. He said he was upset about losing the custody of his daughter.

Mr. Gibbs said through Craig's List he got in touch with his girlfriend who was charged with molesting children according to him. She has gone on probation per his statement. He said he was not serious about hurting law enforcement people. Mr. Gibbs said the more contact he had with the police the angrier he became. He also got angry at the community. He was feeling helpless. He wanted law enforcement to take him seriously and one way to do was to threaten the kids. Again he said he felt that way for a short period of time. He said he was not getting help to deal with his family issues and his personal emotional issues. He said he took an anger management class and went into the community. He said the community, the child protective services and custody judge were not giving him any help and then he said, "Now they are taking me seriously." He said the Deputy Attorney

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General was a friend and he said there is no help available in Shasta County. He said, "I want a social worker and counseling. I want the county to recognize that I am not a bad person. They slammed the door against my face. They made it hard for my family and me. They didn't expect John Feser, the Deputy Attorney General, to take me seriously. He said Mr. Feser was challenging him and telling him that he was not going to hurt anybody. He felt no one was listening to him. He expected help to deal with his family and feelings rather than being challenged. He wants help for himself and family. He repeatedly said he was not planning on hurting anybody.

Mr. Gibbs said he feels his family was ignored. He said he was feeling suicidal during the time that his girlfriend was gone. He said the boss of the Deputy Attorney General refused to settle the case against Fish and Game Department in spite of the Assistant Attorney General's recommendation. Mr. Gibbs admitted to feeling suicidal and felt like wanting to jump off the jail building when he was brought in but not anymore. He said he was not mentally stable when he came in. He said as a kid he was diagnosed with bipolar. He says he thinks he has more like Asperger's and PTSD. He denied having any manic episodes, but has depression. He said he had only one contact with his attorney in seven months. He is not represented properly. He said he is willing to take three years of sentencing with half already being served and he will take three years of probation. He is willing to take a prison sentence and go on probation. He is willing to see a psychiatrist, take anger management classes and get counseling.

PSYCHOSOCIAL HISTORY:

Mr. Gibbs is the only biological child to his parents. He has four other step-siblings. He has lived in Oklahoma and Arizona besides California. He has been institutionalized as a child and as a teenager. He said the relationship with his parents was difficult. He denied any drug or alcohol use. He used marijuana and meth as a teenager. He has no friends. He wants to be alone. He got a GED in prison. He was hospitalized at Metropolitan State Hospital and was given Zyprexa. He doesn't have any ongoing medical problems. He has done odd jobs but he says he has mainly developed properties, improved them and sold them. He has one son 19 years old now from a previous relationship.

Mr. Gibbs was sentenced as an adult when 17 in Arizona for trafficking in LSD and served five years in prison. He had some legal difficulties while he was in Humboldt County. As mentioned before, he was at Metropolitan State Hospital for six months.

MENTAL STATUS EXAMINATION:

Mr. Gibbs looks normal for his stated age, alert and oriented. He came in in jail attire, poorly shaven. He maintained good eye contact. His speech was somewhat pressured but he was able to stop and follow the directions of the examiner. He was not distracted. He was able to concentrate well. Throughout the interview he was talking about how incompetent the attorneys are, not helping him and judge being biased. He expressed a lot of anger towards the community and the law enforcement

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Agencies for not helping him. He wants attention and this is the way he is trying to seek attention, by threatening law enforcement. He shows poor insight and judgment. He has no paranoia, hallucinations or exhibited any manic behavior. In fact, he appears somewhat depressed from what he is going through and due to his family situation. He reported nightmares of being abused. **

He said that he has not learned from his mistakes. He said he would try to change for the sake of his daughter. He wants to be a different man. He wants help. He wants to be around good people. He said he realizes he is isolating too much. Throughout the interview he was calm and cooperative.

DIAGNOSIS:

Axis I Bipolar disorder by history
Axis II Personality disorder, schizoid type
Axis III None
Axis IV Current incarceration and family stress
Axis V Current GAP score of 60

IMPRESSION AND RECOMMENDATIONS:

Following the review of the reports and evaluation of Mr. Robert Gibbs, I find him competent to stand trial and assist his attorney in a rational manner. If he is defiant and oppositional in court that is partly because of his own belief system, which has nothing to do with his mental illness. He strongly believes that he deserves to be served better by the community, law enforcement officers and the legal system. There is some attention seeking behavior in him due to these belief systems. I do not see him as being dangerous to self or others. His attitude towards society has lot to do with his past abuse and neglect. He has anger issues. He is going to cooperate he said with his lawyer and face the consequences of the charges against him. He refuses to take any medications at this time. I have talked to medical staff and find that Mr. Gibbs has shown no major psychiatric problems but has personality issues.. He can be very rational and logical. He understands the court proceedings. He knows his attorney. Only issue is his attitude towards judiciary system.

Thank you for referring Mr. Robert Gibbs to this office. If you have any questions please do not hesitate to contact me at 530-945-2959.

Yours sincerely,



Aravind K. Pai, M.D.

AKP/sm