

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

v.

JOHN W. HINCKLEY, JR.

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) Criminal No. 81-0306 (PLF)
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ORDER

This matter is before the Court on the government's motion to permit documents to be placed on the record. The government seeks to place on the record redacted versions of two documents previously submitted to the Court *in camera*, and upon which they rely to request a modification to Mr. Hinckley's conditions of release. Those documents are (1) the report of Dr. Robert Phillips dated October 31, 2006, and (2) the letter from St. Elizabeths Hospital dated September 18, 2006. Mr. Hinckley opposes this request, arguing that there is no valid purpose to placing the documents on the record.

The Court agrees with the government that these documents should be placed on the record. Redacted versions of doctor's reports and other documents related to the Hospital's and Mr. Hinckley's previous requests for expanded conditions of release have been placed on the public record in previous years. The only difference now is that rather than the Hospital or Mr. Hinckley making a request for expanded conditions, the government has requested an alteration to the continuing conditions of release under the Court's December 30, 2005 Order. Although the party bringing this matter to the attention of the Court is different, the relevance of these

documents and their contents to the Court's decision is the same. Mr. Hinckley's parents have acted as his custodians during his conditional release, and their health therefore is a matter of concern for this Court and in determining the conditions of Mr. Hinckley's release. The fact that some of the matters discussed in the letter and report pertain to their health cannot be the basis for maintaining these documents under seal. The Court also notes that the health of Mr. Hinckley's parents already has been discussed in public filings and will almost certainly be the subject of any future public hearings before this Court. The Court is confident that the parties can agree to redactions that will permit these papers to be filed with all necessary information and with the least possible embarrassment to the Hinckleys.

Accordingly, it is hereby

ORDERED that the government's motion to permit documents to be placed on the (public) record [238] is GRANTED; and it is

FURTHER ORDERED that the parties shall meet and discuss redactions to (1) the report of Dr. Robert Phillips dated October 31, 2006, and (2) the letter from St. Elizabeths Hospital dated September 18, 2006; and that on or before December 8, 2006, the parties shall file with the Court a joint agreement on the redactions to these filings, along with copies of the proposed redacted filings. If no agreement is reached by this date, the parties may submit a status report on the discussions concerning the redactions and the matters to be resolved by the Court.

SO ORDERED.

DATE: November 21, 2006

_____/s/_____
PAUL L. FRIEDMAN
United States District Judge