

December 13, 1995

BY HAND

The Honorable Frank W. Hunger
Assistant Attorney General for the Civil Division
United States Department of Justice
10th and Constitution Avenue, N.W. Room 3143
Washington, D.C. 20530

Re: Assassination Records Review Board Subpoena Request No. 4 (Harry Connick)

Dear Mr. Assistant Attorney General:

The Assassination Records Review Board requests that the Department of Justice issue a subpoena duces tecum to Mr. Harry Connick. Mr. Connick is the District Attorney of New Orleans Parish, Louisiana.

On June 28, 1995, at the Review Board's public hearing in New Orleans, Mr. Connick promised to give to the Review Board all materials relating to former New Orleans District Attorney Jim Garrison's investigation and prosecution of Clay Shaw, with the exception of any grand jury materials.¹

Shortly thereafter, a private party mailed to the Review Board documents that appear to be grand jury materials that the private party reportedly had obtained many years ago from the District Attorney's office. Mr. Connick requested that the Review Board return the grand jury materials to his office and has issued a subpoena to the Review Board demanding return of the materials. The Review Board is working with the Federal Programs Branch of the Department of Justice to resolve the issues that have arisen concerning the grand jury materials.² Unfortunately, and presumably as a result of

¹See testimony of District Attorney Harry Connick at Appendix A.

²See October 27, 1995, letter to Camille G. Buras, Esq., First Assistant District Attorney, from the Federal Programs Branch, at Appendix B.

this dispute, Mr. Connick has failed to deliver to the Board the assassination records that he promised to produce in June.

Thus, the Review Board would like for the subpoena to require Mr. Connick to produce those materials that he promised to the Review Board at its June 28, 1995, public hearing in New Orleans.

Thank you for your assistance in this matter.

Sincerely,

T. Jeremy Gunn
General Counsel

cc: Art Goldberg, Esq.

Enclosures

SUBPOENA DUCES TECUM
FOR THE PRODUCTION OF DOCUMENTS
AND APPEARANCE FOR TESTIMONY
BEFORE THE ASSASSINATION RECORDS REVIEW BOARD

TO: Harry Connick
District Attorney
Parish of New Orleans
619 South White Street
New Orleans, Louisiana 70119

YOU ARE HEREBY REQUIRED AND DIRECTED, PURSUANT TO 44 U.S.C. § 2107, TO APPEAR BEFORE:

T. Jeremy Gunn, General Counsel of the Assassination Records Review Board at 600 E Street, N.W., second floor, in the city of Washington, D.C., on the 11th day of January, 1996 at 10:00 a.m., or at such other time and place to which the parties shall mutually agree, to testify under oath regarding: records relating to the former New Orleans District Attorney Jim Garrison's investigation and prosecution of Mr. Clay Shaw.

YOU ARE HEREBY REQUIRED to bring with you, to produce and to make available for inspection and copying or reproduction at said time and place all books, records, correspondence, electronic recordings, photographs, motion pictures, and documents that are in your possession, custody, or control and which are described in Exhibit A attached hereto in accordance with the attached definitions and instructions.

The production of documentary material in response to this subpoena must be made under a sworn certificate, in the form set forth, by the person to whom this subpoena is directed or, if not a natural person, by a person or persons having knowledge of the facts and circumstances relating to such production.

Inquiries concerning compliance with this subpoena should be directed to T. Jeremy Gunn, General Counsel, Assassination Records Review Board, 600 E Street, N.W., 2nd Floor, Washington, D.C. 20530 (202) 724-0088.

ISSUED AT _____

THIS _____ DAY OF _____, 199_____

By: _____

FRANK W. HUNGER
Assistant Attorney General

Exhibit A (Connick)

YOU ARE HEREBY REQUIRED to bring all documents and records in your possession, custody, or control, including, without limitation, handwritten notes, memoranda, drawings, photographs, tape recordings, and correspondence that relate to former New Orleans District Attorney Jim Garrison's investigation and prosecution of Clay Shaw, with the exception of any grand jury materials still extant in the District Attorney's possession.0