

Footnote

The Secret Service argues that release of these names would contravene the holding and principles articulated by the Supreme Court in Jaffe v. Redmond, 518 U.S. 1 (1996). In Jaffee, the Court held that communications occurring between a clinical social worker and patient are protected from compelled disclosure by virtue of a newly created psychotherapist-patient privilege under the Federal Rules of Evidence. *Id.* The Jaffee decision is inapplicable to the facts of this appeal. The Review Board is not seeking to compel disclosure of any doctor-patient privileged communications. To the extent any of the information contained in the Dinneen summaries was derived from a doctor-patient consultation, any claim of privilege has long since been waived. Further, the Secret Service has not produced any evidence of a confidentiality agreement involving any of the subjects listed in the disputed materials.

Cites for Psychiatric Journals:

1. Behavioral Science and the Secret Service: Toward the Prevention of Assassination (J. Takeuchi, F. Solomon, W.W. Menninger eds. 1981).
2. Research and Training for the Secret Service: Behavioral Science and Mental Health Perspectives: A Report of a Committee of the Institute of Medicine (National Academy Press, February 1984).
3. M.H. Coggins, H.J. Steadman, and B.M. Veysey, *Mental Health Clinicians' Attitudes about Reporting Threats Against the President*, 47 Journal of Psychiatric Services (August, 1996).

1. Subdivision G - under "Warren Commission and HSCA criticized....."

The fact that the HSCA requested to see these documents reflected their concern about the Secret Service protective efforts in place during the Kennedy administration. Further, the HSCA specifically stated that one of the reasons they requested these records was to verify that the Secret Service had supplied the Warren Commission with all of the information in their files pertaining to individuals who were threatening to the President. Report of the Select Committee on Assassinations, H.R. Rep. No. 95-1828, 95th Cong., 2d Session, at 229. ("HSCA Report").

The Warren Commission found that the "facilities and procedures of the Protective Research Section of the Secret Service prior to November 22, 1963, were inadequate." The Warren Commission Report: Report of the President's Commission on the Assassination of President John F. Kennedy, at

432 (1964). Further, the Warren Commission found that the Secret Service needed to broaden the number of individuals they considered as a threat to the President. *Id.* at 461. The HSCA also found that the Secret Service was deficient in the performance of its duties. HSCA Report at 227.

2. III A.

Robert Bouck's testimony. *Investigation of the Assassination of President Kennedy: Hearings Before the President's Commission on the Assassination of President Kennedy*, Vol. IV. at 303, 306 (1964) (testimony of Robert Bouck). Further, the Warren Commission received exhibits that detailed the Secret Service guidelines for mental commitment of certain White House visitors. Commission Exhibit 764, Vol. IV, at 587.