

Secret Service has failed to identify even one of the Board's releases as a "privileged communication"  
-- they presume it.

any statements in record about purpose of PRS list --anything from WC exhibits

FOIA 1978, 1981

all examples in USSS pleadings and exhibits on:

where they state: "confidential communications"

any examples that on their face are confidential communications

1. examples of confidential communications
2. examples from doctors letters that suggest an inconsistency with SS publish the record
3. examples of SS saying that it carefully segregates information on a need to know basis.

April 96 letter p. 3

The Secret Service persists in treating the issue of the release of names as if this were an issue of releasing "privileged communications." *See, e.g.*, USSS June 1 letter at 4.

The following quotes appear in the Secret Service's April 15, 1996 letter to David Marwell from Jane Vezeris:

p. 2: Re: Protective Intelligence information:

"The release of this kind of information will undermine non-disclosure assurances we give to those we must rely upon to provide the extremely important evaluative information."

p. 3: "The Secret Service carefully safeguards the confidentiality of its protective intelligence files. These records have consistently been segregated from all other criminal investigative files of the Secret Service, and data therefrom is not co-mingled in the Service's criminal investigative computer database, is not shared with other law enforcement agencies through shared databases, is not maintained by the investigating Secret Service field offices as are other Secret Service criminal investigative files, is not generally available to the subjects of those records, and is not generally available to Secret Service employees outside the controlling headquarters division." (Letter from Jane Vezeris to David Marwell, April 15, 1996 at 3).

"In order to acquire this type of information, the Secret Service gives assurances to these sources that this information will be used only for one purpose, to assess the level of risk posed by an individual to Secret Service protectees and that it will not be released for other purposes." (Letter from Jane Vezeris to David Marwell, April 15, 1996 at 3).

Re: Doctors' Letters:

Excerpt One: "Patient records or records from psychiatric evaluations were released with the promise of confidentiality to assist the Secret Service."  
(Letter from Dr. George L. Wilkinson to Eljay B. Bowron, Director of United States Secret Service, October 15, 1996).

Excerpt Two: "I am concerned that the nature of the material subject to release by the Secret Service in response to the mandate of the Assassination Records Review Board would violate the ethical standards of my profession and would be contrary to the assurances given by the Secret Service, when obtaining this information, that it would be for the specified purpose of conducting a protective intelligence assessment only." (Letter from Dr. Jan Fawcett to Director Eljay Bowron, October 25, 1996)

INteresting side note to above quote - this doctor also stated in the same letter: "It would be most dissappointing to see a setback in the growing and mutually rewarding relationships that I have seen developing.....as a result of this request for sensitive and confidential clinical information regarding individuals who were never the subject of a threat assessment during the entire process of the JFK assassination investigations." (emphasis added by K. Herd)

Excerpt 3: "Contained in the assassination records at issue are information derived from {sic}USSS investigative files that describe the circumstances by which individual subjects of protective interest came to Secret Service attention and confidential medical and mental health information that is highly sensitive, personal and protected by privilege." (Letter from Dr. Robert T.M. Phillips to Lewis C. Merletti, Director, United States Secret Service, May 11, 1998, at 1).