

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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)
UNITED STATES OF AMERICA,)
)
v.) Criminal No. 81-0306 (PLF)
)
JOHN W. HINCKLEY, JR.)
)
_____)

ORDER

For the reasons stated in the Opinion issued this same day, it is hereby

ORDERED that Petitioner John W. Hinckley, Jr.'s petition under D.C. Code § 24-501(k) for limited conditional release is DENIED; it is

FURTHER ORDERED that St. Elizabeths Hospital's proposal for overnight visits outside of the Washington D.C. area (Phase III) under D.C. Code § 24-501(e) is DENIED; and it is

FURTHER ORDERED that St. Elizabeths Hospital's proposal for local day visits (Phase I) and local overnight visits (Phase II) in the Washington, D.C. area under D.C. Code § 24-501(e) is GRANTED subject to the following conditions:

1. Mr. Hinckley is being allowed a limited conditional release under the supervision of his parents. He is not permitted to leave his parents' supervision at any time during the course of the conditional release.

2. Mr. Hinckley will be allowed six local day visits within a 50-mile radius of Washington, D.C. (Phase I) and two 32-hour local overnight visits within a 50-mile radius of Washington D.C. (Phase II). The success of each visit will be thoroughly assessed by the Hospital before a subsequent visit is permitted. All six Phase I visits must be successfully completed before any Phase II visits take place.
3. A detailed itinerary will be developed by the Hospital and submitted, under seal, to the Court two weeks prior to each outing in Phase I and each overnight visit in Phase II with information regarding the locations, purposes, therapeutic goals and time frames of the visit. That itinerary also will be provided to defense counsel and to counsel for the government.
4. Mr. and Mrs. Hinckley will sign and agree to the “Agreement to Assume Supervisory Responsibility for Patient while on Limited Conditional Release.”
5. Mr. Hinckley and his parents will maintain telephone contact with the Hospital at least once a day during each outing.
6. If there are any signs of decompensation or deterioration in Mr. Hinckley’s mental condition, no matter how slight, of danger to himself or others, or of elopement, Mr. Hinckley will immediately be returned to the Hospital.

7. Mr. Hinckley and his parents will sign and agree to adhere to the “Media Plan” which provides that any effort to contact the media, either by Mr. Hinckley or by his parents, in person or by any other means while Mr. Hinckley is on conditional release, will constitute a violation of this conditional release. If approached by the media, the Hinckleys will decline to speak with them, and if the media persists, the Hinckleys will withdraw.
8. If there are any negative incidents regarding the public or the media, Mr. or Mrs. Hinckley will immediately call the Nursing Supervisor’s Office at the Hospital and will return to the Hospital if so directed.
9. Mr. Hinckley will not be allowed any contact with Leslie DeVea, either in person or through any other medium, during the course of the conditional release. Any contact with Ms. DeVea will be considered a violation of Mr. Hinckley’s conditional release, and Mr. Hinckley will be returned immediately to the Hospital.
10. Mr. Hinckley will continue to receive psychotropic medication during these activities, and any failure to self-medicate will be a violation of the conditional release and Mr. Hinckley will be returned immediately to the Hospital.

11. After each outing, Mr. Hinckley's parents will provide the Hospital with a completed "Relapse Prevention Plan Feedback From Responsible Person Supervising Patient While On Conditional Release" form.
12. Mr. Hinckley will fill out the "Relapse Prevention Plan Feedback From Patient While On Conditional Release" form within two hours of returning to the Hospital after each outing.
13. The treatment team will interview Mr. Hinckley and his parents after each outing. The Hospital will write a detailed report following each visit and submit that report under seal to the Court. That report will be provided to both counsel for the defense and counsel for the government.
14. If Mr. Hinckley successfully completes six local day visits under the supervision of his parents (Phase I), and the treatment team believes that Mr. Hinckley has proved himself ready to undertake an overnight visit in the Washington, D.C. area under the supervision of his parents, the treatment team will make a presentation to the Review Board. That presentation will include a description of the security and supervision to be provided during the overnight visit.

15. The Review Board will determine whether such expanded privileges are clinically appropriate. The Review Board will write a report of its findings and will submit the report, under seal, to the Court. The report also will be provided to defense counsel and to counsel for the government.
16. If the two Phase II overnight visits are approved by the Review Board, the Hinckleys will stay at a local hotel, and Mr. Hinckley and his parents will share one suite. Mr. Hinckley will not be permitted to leave the suite unless accompanied by at least one parent. Mr. Hinckley will not be permitted to leave his parents' supervision. Any attempt to do so would constitute a violation of his conditions of release.
17. Should Mr. Hinckley fail to adhere to any of the conditions of release imposed on him by this Order, this conditional release will be terminated immediately.

SO ORDERED.

PAUL L. FRIEDMAN
United States District Judge

DATE:

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