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THE WHITE HOUSE  
WASHINGTON

January 15, 1987

NOTED BY DTR

MEMORANDUM FOR DONALD T. REGAN  
CHIEF OF STAFF TO THE PRESIDENT

FROM: PETER J. WALLISON *PJW*  
COUNSEL TO THE PRESIDENT

SUBJECT: John Hinckley

The following is a synopsis of the facts surrounding John Hinckley's release from St. Elizabeth's Hospital last Christmas.

On December 28, 1986, Hinckley was taken by representatives of St. Elizabeth's Hospital on an "accompanied visit" to the Prison Fellowship House, a halfway-type facility operated by Charles Colson in Reston, Virginia. He was transported in a hospital vehicle departing at 7:00 a.m. and stayed at the Prison Fellowship House until his return at 7:00 p.m. He was in the custody of representatives of St. Elizabeth's Hospital at all times. Members of Hinckley's family were also in attendance.

The Secret Service was aware of the plan to transport Hinckley to and from the Prison Fellowship House prior to the actual visit. According to the Public Information Officer for the Secret Service, agents regularly conduct liaison with area hospitals to keep track of the whereabouts of persons such as Hinckley who might be a threat to the President. Hinckley, being a special case, is monitored especially closely. The Secret Service objected strenuously when informed of the December 28 plan, but the hospital proceeded nonetheless. According to the Public Information Officer, the Secret Service knew at all times where Hinckley was and what he was doing on December 28.

The court order of commitment in Hinckley's case prohibits his release from hospital custody without prior notice, hearing and court order. For this reason, the United States Attorney for the District of Columbia must always be notified prior to any unaccompanied release of Hinckley. In this case, however, the U.S. Attorney's Office was not notified because at no time was it proposed that Hinckley be released from the custody of hospital representatives.

We have been advised that Joseph DiGenova, the U.S. Attorney in Washington, D.C., learned earlier in 1986--on an informal basis--that St. Elizabeth's Hospital planned to seek an unaccompanied release for Hinckley for therapeutic purposes. DiGenova reportedly informed the hospital of his vigorous opposition to this plan, and made clear that he would ask for a public hearing in the matter. The hospital backed down, we have been told, and substituted the December 28 plan.

The term of Hinckley's criminal insanity commitment is indefinite; he will be released only upon proof to the court's satisfaction that he has regained his mental health and is no longer a danger to himself or to others. No one expects such a finding in the foreseeable future.

As you know, the President was in California on December 28, 1986. The Secret Service did not notify you or the President because they judged that there was no increased risk as a result of Hinckley's accompanied visit to the Prison Fellowship House. The Secret Service apparently made the same judgment with respect to informing Sarah Brady; nonetheless, we are told that she is upset about not having been informed.