

MEMORANDUM

July 24, 2017

TO: David Marwell

VIA: Jeremy Gunn_____

FROM: Doug Horne

SUBJECT: Possible Subpoenas of Jerrol Custer and Ed Reed

1. On April 18, 1996 and February 6, 1997 I submitted memos to Jeremy explaining why I believed it was important to take Jerrol Custer's deposition. My second memo (a draft dated February 6, 1997) recommended a subpoena, since he had just rebuffed us for the second time on the telephone.

2. In the latter half of February, 1997 Jeremy and I discussed the matter further, and he suggested that I prepare a draft memo for you to send to the Review Board which would provide justification for issuing a subpoena.

3. I did not tackle that assignment as promptly as I would have wished. However, now that the ARRB has just had one final year of activity authorized, I feel this is an opportune time to refocus on this issue. Accordingly, I am submitting to you, under cover of this memo, my proposed draft of a memo which is designed for you to submit to the Board Members for their consideration.

4. Issuing subpoenas to uncooperative witnesses obviously requires this agency's most careful consideration. For this reason, I have provided, in the draft memo, specific questions which would be posed to the two Navy x-ray technicians, as well as the context in which these proposed questions are asked. I believe that without benefit of this level of detail, the Board Members may not see the need to issue subject subpoenas.

You will note that I now feel that both autopsy x-ray technicians should receive a subpoena; they were both at the autopsy, neither individual has cooperated with us, and therefore I feel they should both be treated equally by the ARRB.

Horne t:\medical\cusreed.wpd

File: 4.0.2 (JFK Medical)