

Memorandum

Date: 10/27/09
Re: Kenk, Bernard [Name of Inmate] Docket in case # 07 ~~EWCR~~ 1027(SCR)
JID#: 210717 As: Letter
DOB: [REDACTED] Date: 11/12/08 SCR/USDJ

This memorandum is to advise the court that the above referenced inmate is a patient in treatment at the inpatient Mental Health Forensic Unit at the Westchester County Department of Corrections, Valhalla, New York facility. The Forensic Unit is accredited by the New York State Office of Mental Health [OMH] and operates under the auspices of the Joint Commission Accreditation of Healthcare Organizations [JCAHO] as a psychiatric facility.

Inmates treated on the Forensic Unit are in need of inpatient psychiatric treatment, and as stipulated by the New York State Mental Hygiene Code, may be treated on an involuntary basis, as they may be a danger to themselves, others or otherwise gravely disabled. The direct release to the community of inmates who are patients on the Forensic Unit may be medically counter indicated, and may also pose a danger to the public.

If the court is contemplating release of the above named inmate, *the inmate should be escorted directly to the Westchester Medical Center, Behavioral Health Center emergency room for a psychiatric evaluation and treatment.*

If the court has questions regarding the above referenced inmate, please call the Forensic Unit at: **914-231-1158**

Thank you.



Robert S. Mahler, M.D.
Medical Psychiatric Director

Westchester

gov.com

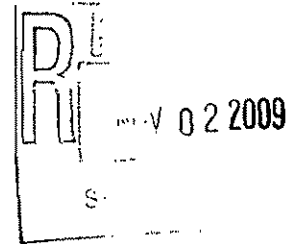
Docket in case # 07 ~~CV~~/CR 1027(scr)

As: *Letter*

Andrew J. Spano
County Executive

Date: *11/2/09*

SCR / USDJ



Department of Correction

Joseph R. Spano
Commissioner

November 2, 2009

BY HAND DELIVERY

Hon. Stephen C. Robinson
United States District Judge
Hon. Charles L. Briant Jr. Federal Building and Courthouse
300 Quarropas Street, Courtroom 621
White Plains, New York 10601

Re: **Bernard B. Kerik**

Dear Judge Robinson:

At the request of defense counsel, enclosed is a copy of a memorandum of Dr. Robert Mahler and limited release signed by Mr. Kerik.

Should you or your staff have any questions, I may be contacted at (914) 231-1102 or by e-mail to jdp5@westchestergov.com.

Respectfully,

Justin D. Pruyne
Special Assistant to Commissioner
Department of Correction

JDP/

cc w/enclosures by e-mail:

Eric Tischwell, Esq., *Kramer Levin Naftalis & Frankel LLP*
Michael S. Bosworth, Esq., *Assistant United States Attorney*





November 2, 2009

Hon. Stephen C. Robinson
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

RE: Bernard Kerik, [REDACTED]

Honorable Judge Robinson,

In connection with the limited release signed by Bernard Kerik and attached to this correspondence, the following is respectfully submitted to update the Court with regard to Mr. Kerik's admission to the Forensic Unit and my memorandum of October 27, 2009.

Following a comprehensive evaluation of Mr. Kerik and after consultation with the treatment team, Mr. Kerik was admitted to the inpatient Forensic Unit on October 22, 2009 for observational purposes and psychiatric assessment in the context of psychosocial stressors. His admission into the unit was completely voluntary and his hospital course over the past ten (10) days revealed no significant findings that would warrant ongoing admission. He was discharged from the unit earlier this morning as he poses no risk to himself or others due to any psychiatric illness.

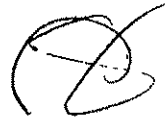
My memorandum to the Court dated October 27, 2009 was standard operating procedure sent with all inmates to court housed on the Forensic Unit, as the unit is a licensed inpatient hospital.

Please do not hesitate to contact me at 914.231.1367 should you have any questions regarding this correspondence.

Sincerely,

Robert Mahler, MD
Section Chief/Forensics

I, Bernard B. Kerik, hereby authorize the inpatient Mental Health Forensic Unit at the Westchester County Department of Corrections, Valhalla, New York facility (the "Forensic Unit") to provide to the Southern District of New York with a statement limited to the reason I am being housed at the Forensic Unit and the purpose of the Memorandum from Dr. Robert S. Mahler, dated October 27, 2009.



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Bernard B. Kerik