



U.S. Department of Justice

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Federal Bureau of Prisons

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Metropolitan Detention Center
80 29th Street
Brooklyn, New York 11232

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS
ELECTRONICALLY FILED

September 10, 2008

SENT VIA FAX TO (212) 805-6717
The Honorable Richard M. Berman
United States District Judge for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 650
New York, New York 10007

**RE: United States v. Siddiqui
08-cr-826 (RMB)
Reg. No. 90279-054**

SEP 10 2008

Dear Judge Berman:

This is in response to the Court's September 8, 2008 Order concerning Aafia Siddiqui, Reg. No. 90279-054, a pretrial detainee at the Metropolitan Detention Center in Brooklyn, New York (MDC Brooklyn). Specifically, the Court directed the Federal Bureau of Prisons "to perform a psychological exam at MDC of Defendant forthwith and to apprise the Court and counsel of results ASAP." Subsequently, on September 9, 2008, the Court issued an amended Order stating: "the 'psychological exam' ordered by the Court on September 8, 2008 shall include a forensic evaluation conducted at the Metropolitan Detention Center ("MDC")."¹

Pursuant to the Court's Order, MDC Brooklyn Psychiatrist Diane McLean, M.D., performed a psychological examination of Ms. Siddiqui on September 9, 2008, at 12:50 p.m. Ms. Siddiqui received an Axis I diagnosis of Depressive Type Psychosis. A detailed description of Ms. Siddiqui's psychological examinations and mental status monitoring follows.

Upon Ms. Siddiqui's arrival at MDC Brooklyn on August 4, 2008, Chief Psychologist Diana Guerrero-Cohen, Ph.D., conducted an intake screening. Thereafter, Psychology staff conducted routine mental status monitoring of Ms. Siddiqui on the following dates: August 8, August 14, August 15, August 21, August 22, August 23, August 24, August 27, August 29, September 1, September 2, September 3, September 4, September 5, and September 8, 2008.

¹ As there was some confusion surrounding the intent of the Order, Supervisory Staff Attorney Rina Desai called and spoke with Christina Murray. During that conversation, Ms. Murray confirmed that having an MDC Brooklyn psychologist or psychiatrist evaluate Ms. Siddiqui would constitute compliance with the Order.

On September 2, 2008, at 4:04 p.m., Dr. McLean conducted a psychiatric evaluation of Ms. Siddiqui. Ms. Siddiqui reported depressed mood, anxiety and ruminative thoughts concerning her son's welfare; poor sleep; and moderate appetite. She also reported seeing her daughter in her cell, and was unable to apply appropriate reality testing to this phenomenon. In addition, she reported that she did not wish to speak with a psychiatrist or take any psychotropic medication, stating, "It wouldn't fix the problem. What I need is to talk with my son and for him to be released." Dr. McLean educated Ms. Siddiqui on antidepressants, hallucinatory phenomena, and anti-psychotic medication. Ms. Siddiqui continued politely to report that she did not wish to take psychotropic medication, and stated, "I'm fine." Dr. McLean then discussed her plan to continue to follow up with Ms. Siddiqui; Ms. Siddiqui indicated agreement with the plan. Ms. Siddiqui received an Axis I diagnosis of chronic Depressive Type Psychosis.

Pursuant to the Court's Order, on September 9, 2008, at 12:50 p.m., Dr. McLean conducted a second psychiatric evaluation of Ms. Siddiqui. During the interview, Ms. Siddiqui spoke through a blanket she had placed over her body, including her face. She politely reported that she did not wish to speak with a psychiatrist or a psychologist. She also reported that she did not wish to be medically examined, stating, "I'm fine; no one cares about me here." Dr. McLean reassured Ms. Siddiqui as to the benign purpose of the medical examination and psychiatric interview; however, Ms. Siddiqui continued politely to refuse the examination. She did not answer Dr. McLean's questions concerning sleep, appetite and food intake; however, the log book indicates that she slept and ate according to the Ramadan schedule. At this time, Ms. Siddiqui stated, "I do not want to kill myself." She then politely refused to continue the interview, preventing Dr. McLean from assessing the presence or absence of hallucinations. Dr. McLean then discussed her plan to continue to follow up with Ms. Siddiqui; Ms. Siddiqui indicated agreement with the plan but reiterated that she did not wish to speak with a doctor and asked to be left alone. Ms. Siddiqui then received an Axis I diagnosis of chronic Depressive Type Psychosis.

Should you have any questions or concerns, please contact the Legal Department at (718) 840-4200, extension 4740 or 4744.

Sincerely,

Cameron Lindsay
Warden

cc: Christopher L. LaVigne, AUSA, via fax (718) 637-0128
Elizabeth M. Fink, Esq., via fax (718) 783-5853

<u>Counsel may wish to factor this</u>	
<u>information into their written</u>	
<u>submissions.</u>	
SO ORDERED:	<u>Richard M. Berman</u>
Date: <u>9/11/08</u>	Richard M. Berman, U.S.D.J.