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**ATTACHMENT**

**To**

**APPENDIX 11**

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COUNCIL OF THE DISTRICT OF COLUMBIA  
WASHINGTON, D.C. 20004

KATHY PATTERSON  
COUNCILMEMBER, WARD 3

CHAIRPERSON  
COMMITTEE ON THE JUDICIARY

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May 21, 2003

Charles Maddox  
Inspector General  
717 14<sup>th</sup> St. NW, Fifth Floor  
Washington D.C. 20005

Dear Mr. Maddox:

I write concerning the ongoing inspection by your office of the Office of the Chief Medical Examiner. It is my understanding from staff discussions that the report is nearing completion. I write to highlight one particular issue and to urge that it be thoroughly investigated as part of your review.

The issue is the allegation that actions by Chief Medical Examiner Dr. Jonathan Arden served to delay for 12 to 16 hours the determination that Mr. Pascal Charlot was a victim of the Washington area sniper when he was shot to death on October 3, 2002. This is extraordinarily serious in that this was the only sniper death in which witnesses reported seeing a dark-colored sedan in the vicinity, and did not report the presence of a white panel truck.

My understanding of the timeframe on this determination, based on information provided by staff within the OCME, follows:

- Gunfire was reported at 9:15 p.m. according to the MPD form 120. Mr. Charlot was pronounced dead at 9:56 p.m. The MPD 120 describes treatment received at the scene including intubation tube, chest tubes and IV's, a sutured surgical incision of a gunshot wound to the left upper chest and right hand, and a heavy bandage on the hand.
- The body was brought to the morgue. According to the mortuary technician, Dr. Arden called by telephone and requested a description of the wounds. The technician told Dr. Arden the findings were consistent with a rifle wound. Dr. Arden was asked by MPD to come to the morgue and declined, and did not ask other medical staff to inspect the wound.
- The following morning at 8:30 Dr. Arden informed staff, after viewing the body, that the wounds were consistent with handgun wounds, and explained that it

therefore had not been necessary for him to come in overnight to make a determination.

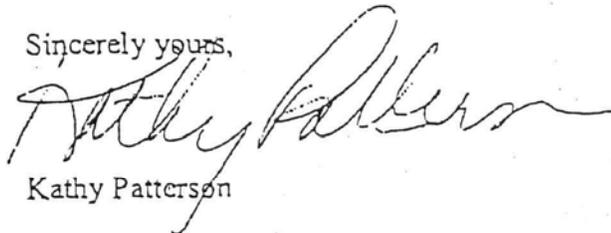
- At 9:30 a.m. [REDACTED] began the autopsy and noted that there was no bandage on the hand, no photographs had been taken of the hand prior to removal of the bandage, and the bandage had not been preserved.
- [REDACTED] joined by [REDACTED], determined that multiple fragments found on the x-ray indicated the wound was caused by a high-powered rifle. After a third doctor concurred, [REDACTED] made at least two telephone calls to Dr. Arden, who was out of the office, urging him to come back to the office to review their findings and declare the death a sniper case. Dr. Arden declined to return to the office.
- At about 3 p.m., Dr. Arden returned to the office. He then reviewed the body and clothing and concurred that the case was a sniper case.

During a budget hearing on April 10, 2003, I asked Dr. Arden about the timeframe for determining the shooting was a sniper death. In sworn testimony he stated that the cause and manner of death were never in question. He said Mr. Charlot was quickly identified as a sniper victim and evidence was recovered and given to MPD. The obvious concern here is that more timely determination that Mr. Charlot was a victim of the sniper might have enabled the Metropolitan Police Department to focus attention on the dark-colored sedan seen by witnesses.

I assume that your staff already has the information included here, but I wanted to be certain that was the case, and also to let you know that I consider this a serious issue meriting investigation.

Thank you for your consideration.

Sincerely yours,



Kathy Patterson