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Rabbi Norman Lamm  
116 Garfield Street  
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Dear Norman:

I read your article "The Fifth Amendment And Its Equivalent In The Halakhah", appearing in the recent issue of "Judaism". I not only read the article but re-read it. I tell you in all sincerity, without embellishments and exaggeration, that the article is brilliant and shows that you are not only a remarkable student, but also possess a keen incisive mind.

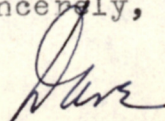
Your article was not only very interesting, but very timely. I need not tell you that the problems of the Fifth Amendment are now before the Courts and will be with us for a long time to come. Only yesterday, our Appellate Division of the Supreme Court, Second Department, handed down a decision with respect to confessions. The decision referred to Section 395 of the Code of Criminal Procedure of the State of New York which, insofar as it was pertinent to the case under review, reads as follows:

"A confession of a defendant whether in the course of judicial proceedings or to a private person, can be given in evidence against him \*\*\* but is not sufficient to warrant his confession without additional proof that the crime charged has been committed."

You will observe the safeguard which the Legislature established to prevent the very things you mention in your article. The confessions referred to are voluntary confessions because forced confessions are thrown out and not considered by the Courts. Your article, too, disregards forced confessions. In all my years of reading law, I have never come upon a more lucid exposition of reasons for disregarding statements of self-incrimination.

I congratulate you on your splendid efforts. I extend to you, Mindella and the baby my best wishes for a Happy Pesach.

Sincerely,



DG: SA