

## BETH DIN TZEDEK

OF THE ORTHODOX JEWISH  
COMMUNITIES

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## בית דין צדק

לכל מקהלות האשכנזים

שע"י "העדה החרדית"

פעיה"ק ירושלים תובב"א

רח' שטראוס 26/א

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20<sup>th</sup> of Iyyar, 5767  
[Tue, 8 May 2007]

Mr. Avi Dichter  
Interior Defense Minister  
Jerusalem

Regarding: The ruling of Protected Nondisclosure  
in the criminal file against Rav Chaim Aharon Turchin

It has been brought to our attention, that on the 7<sup>th</sup> of Nissan, 5767 [Mon 26<sup>th</sup> March 07], a ruling was made of "Protected Nondisclosure" in the criminal file 4875/06, which is ongoing in the Shalom Court of Law in Jerusalem against Rav Chaim Aharon Turchin. This ruling of Protected Nondisclosure extends to all that relates to the informational content and specific investigation material in the investigatory file, the identity of informers giving over the above information, and more. A copy of the ruling was also presented to us.

**From legal advice which we have received, an extremely severe situation emerges: The Police, with you as their head, with baseless considerations, are abusing their designated authority to impose a ruling of Protective Nondisclosure upon the investigations material and upon the identity of those informers giving over the information within the file.**

Our legal advisors have clarified to us that throughout the years until the present day, practically every single ruling of Protected Nondisclosure has been made only with regard to severe offenses, such as: attacks upon defense, murder, drugs, organized crime, ammunition, and all similar crimes.

According to the data presented to us, it is generally unacceptable and also against usual Police practice to release a ruling of Protected Nondisclosure with regard to the sort of crimes with which C. A. Turchin is accused. According to the claim of the prosecution and the plaintiffs, and according to the written accusation against him, these crimes include assault and similar charges, and the events surrounding rivalry between him and his enemy and business competitor. These claims, parenthetically, appear to us to be completely baseless, from our familiarity with the people involved during countless discussions held before us in the matter of this rivalry.

...We view with extreme severity the release of this ruling of the Protective Nondisclosure, which merely continues the Police's chain of harmful actions towards the chareidi public, actions opposed to all laws of natural justice.

**...We view the ruling of Protective Nondisclosure which has emerged, and the new policy taken, as no other than placing the chareidi public outside the law. From now on, this ruling prevents them from duly defending themselves against slanderous accusations imposed upon them. And this as the Police's declared policy, with you at their head.**

The imposition of this ruling of Protective Nondisclosure in general, and the reasons for it as noted on the ruling in particular, express the unparalleled harsh and dangerous statement about the chareidi public, presented--implicitly and explicitly in an official ruling--as a violent lawless and chaotic group, liable to commit severe crimes. The chareidi public is described in this way as similar to terror organizations, organized crime, and so on, for whom there is a police need to "plant" within these groups "police informers" of all sorts and even to defend the latter with extreme, far-reaching legal means. This severe action has absolutely no relevant justification whatsoever.

In point of fact, it is well known to us that these "informers" are of the lowest human and ethical level, and usually possess rich criminal histories in the past and sometimes in the present. Thus, the Police action is completely negligent and perverse, essentially and also practically. For this ruling is a breach appealing to the most dubious criminal elements to exploit the desire of the Police for information at any price, for the calculated settling of accounts with rivals through the means of cooperation and giving over incriminating information, as it were, to the Police. And this is to be done, receiving reward and recompense with "legal" benefits of the most dubious sort, as has been done in the past. We feel very strongly that this is the case here as well.

A legal expert has advised us that the ruling of Protected Nondisclosure in a criminal case, except for the kind of crimes listed above, is unheard of within enlightened, civilized nations around the world. Such a ruling has its place only in dictatorial, tyrannical states, where human rights are trampled as a matter of routine, and the law court's verdicts are decreed at the outset even before they have begun.

The ruling of Protective Nondisclosure which emerged in the matter of C. A. Turchin and the Police's new policy against the chareidi public, represent a severe assault upon basic human rights, a particularly severe attack upon natural human laws of justice, a mortal blow against democratic principles, an injury directed completely against the chareidi public. And in every way, this ruling is a crossing of the red line—an infringement upon a normal relationship between legal authorities and this community.

**We therefore request the immediate cancellation of the ruling of Protective Nondisclosure produced regarding C. A. Turchin, and that you, as the one in charge of the Police, immediately and completely order the cancellation of the Police's new policy, which is meant wholly to utilize the ruling of Protective Nondisclosure against the chareidi public.**

We are full of hope and faith that we will receive the anticipated answer to our request. However, it is our responsibility to let you know that in the light of the severity of these matters, we cannot be satisfied with less than the complete fulfillment of our above request, that is: The cancellation and cessation of the rulings of Protective Nondisclosure against the chareidi public. And it is our wish that we will not be required, for the sake of the achievement of our complete request, to make use of suitable alternate steps which we do not see fit to elaborate upon here, including setting up a voice of protest to be heard from afar, even from overseas.

In the hope of being answered, we sign here in the Holy City of Jerusalem, may it be rebuilt and established.

The Signatory of the Beth Din Tzedek