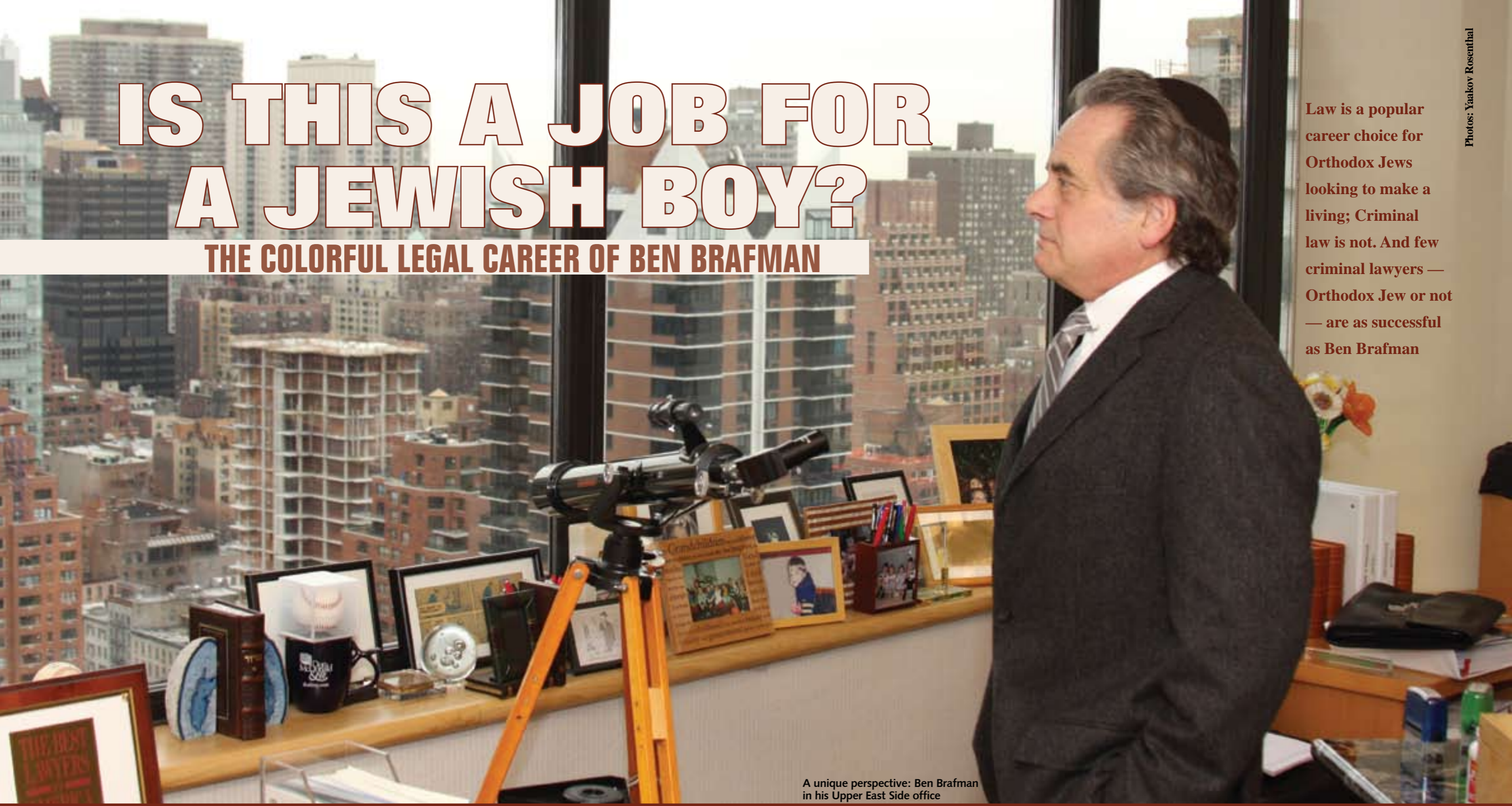


# IS THIS A JOB FOR A JEWISH BOY?

## THE COLORFUL LEGAL CAREER OF BEN BRAFMAN

Law is a popular career choice for Orthodox Jews looking to make a living; Criminal law is not. And few criminal lawyers — Orthodox Jew or not — are as successful as Ben Brafman

Photos: Yaakov Rosenthal



A unique perspective: Ben Brafman in his Upper East Side office

by Barbara Bensoussan

Everyone has heard the joke about the Jewish mother pushing her two baby boys in the double stroller when she runs into a friend of hers. “They’re so cute,” coos the friend. “How old are they?”

The Jewish mother beams. “The doctor is two,” she replies promptly, “and the lawyer is one.”

In more *yeshivish* circles, perhaps she would have responded, “The Rosh Yeshivah is two, and the *posek* is one.”

But for those babies who grow up to labor as Zevulun rather than Yissachar, the legal field is often a natural choice for a *parnassah*; the intricacies of secular law rarely faze a young man whose mind has been honed by Gemara study. And of those who have chosen law as a profession, few have been more successful than Ben Brafman, the go-to criminal lawyer for everyone from religious Jews to business leaders, politicians, football stars and even mobsters.

“There aren’t too many Orthodox

lawyers in criminal law,” Brafman tells me as we settle into the couches in the sitting area of his spacious corner office, located on the twenty-sixth floor of a Third Avenue high-rise. Crowding the windowsills and walls are framed photos of family, including his ten grandchildren, and friends reflecting an unusually broad spectrum of acquaintances; there are signed photos of many well-known celebrities; framed articles about him from popular magazines and newspapers (including an article from Israel’s *Maariv* daily, entitled “Benny Superstar”); and even

pictures of Rebbes whom Brafman is close to. A life-size plaster policeman, complete with cell phone, badge, and nightstick, stands guard next to his desk, so lifelike I do a double take, wondering if Brafman finds it necessary to hire security personnel. “My wife’s idea,” Brafman grins. “She figures he’s good for keeping me safe.”

Abridging my inspection of his inner sanctum, I begin by asking how he got into the field of criminal law.

“I found it interesting,” Brafman replies succinctly. “Most *frum* people go

into business law — contracts and such. They never see the inside of a courtroom because their cases are almost always settled out of court. Criminal law is much more compelling; you’re defending people before a judge or jury. You’re dealing with their lives.”

“Interesting” is certainly an understatement where Brafman’s cases are concerned. Some of them are downright gruesome, involving assault, murder, and crimes too lurid to mention in a Jewish magazine. He has dealt with clients of every

conceivable race, creed, and social class. His reputation as a tough guy who’ll fight very hard to win is helpful when attracting people desperate for top-notch representation, but I suspect it’s Brafman’s ability to connect with clients and support them emotionally that retains them for the long haul — even if he sometimes has to yell at them for their own good.

I have long held a pet theory that accountants know more about the nitty-gritty of their clients’ lives than their psychoanalysts, but the same can be said all

the more for criminal lawyers. Like many psychoanalysts, Brafman acquires clients when their lives hit the skids. “If I had to write a book about my career, I think I’d call it *Tsuris*,” he says. “I get phone calls at all hours of the day and night. I have talked more people out of committing suicide than most psychiatrists.”

The fact is, he says, that his clientele is mainly “regular” people who’ve had a “lapse in judgment.” “Most of my clients aren’t hardened criminals,” he insists. “They’re otherwise ‘normal’ people who messed up or ran into some very bad luck. The real sociopaths and career criminals are usually defended by court-appointed lawyers, not private ones like me.”

“Professional criminals are much less traumatized when they’re caught,” he says. “They know they were doing something wrong and they’re emotionally prepared for the consequences. But my clients are generally first-time offenders who are absolutely terrified by the situation they find themselves in. They see their families falling apart and they’re horrified when their names are in the newspapers.” For many, being accused of criminal wrongdoing “is worse than being diagnosed with cancer.” He goes on to explain: “When people contract a life-threatening disease, they find moral support in the community and their families. When you get arrested, you’re generally shunned by the community, and even family support often falters.”

Although many of his celebrity clients are accustomed to seeing their names in the paper, they fear that bad publicity can destroy their careers. “They have a lot to lose,” Brafman says. “For example, many make a lot of money on endorsements, but nobody wants you to endorse a product or company when your reputation is turned bad by an arrest or conviction.” Many of these big names are very young, some barely out of their teens, kids who suddenly find themselves with tremendous fame and fortune. “Their lives spin out of control,” says Brafman, “because they shoot to the top so very fast; they often find themselves with tons of money, always in the public eye, and there is strong pressure to keep up with a brand-new high lifestyle.”

This is even the case with some Jewish clients who became successful very fast and/or at a young age. “There is often a common thread here,” Brafman points out, “be it success in entertainment, sports, or business. People start to get dependent on having lots of money and living a certain lifestyle. If

they can’t keep it up, many of them turn to various forms of ‘self-help’ to cope, which then leads to bigger problems.” When high-profile cases come to trial, Brafman says, they often turn into a “media circus,” not because of *what* happened, but because of *whom* it happened to.

“G-d works in mysterious ways,” he says. “Sometimes a single, small mistake can have grave consequences. Sometimes the imbalances in the system can lead to people getting punished severely who really do not deserve it, while other people who deserve to be punished get off the hook. As one of my close friends put it, ‘Rule Number One is: Have mazel. Rule Number Two: See Rule Number One!’”

What kind of cases is Brafman called upon to defend? About eighty percent of his caseload involves noncelebrity professionals accused of white-collar crimes like embezzlement, money laundering, securities fraud, and tax evasion. There are



Shlomo (Sol) Brafman, a man of profound integrity

**“My father was a man of profound integrity,” he says with obvious love**

some drug cases, but most involve teenagers, first-time offenders. Sometimes his job is “damage control” — save what you can, fight as hard as you can to help prove your client is innocent, or at least minimize the damage if he or she is found guilty. “As a lawyer in these cases, you are up against the government,” Brafman says. “And the government has infinite resources. You have to be very tough, but you also have to be a *mentsch*. You have to be tough *and* gentle.”

One senses the combination of toughness and *menshlichkeit* in Brafman; his manner

is relaxed, yet an intensity beneath the surface drives his relentless schedule and his willingness to fight the system for the benefit of his clients. Nobody rises to the top of such a competitive field without deep ambition and grueling effort, even given prodigious natural talents.

I can’t resist asking how Brafman can justify defending clients he knows to be guilty in his heart of hearts. “My job is not to pass judgment, but to keep the system honest and to ensure that an accused has all of his or her rights protected,” he answers. “I am also compassionate by nature and truly believe that a ‘good’ person can do something bad and still be very much worth saving.” He adds that the court system, while imperfect, is basically fair, although he would like to see greater leniency for first-time, nonviolent offenders. “In Israel the courts are more lenient than in the United States, especially in the sentencing of first-time offenders in nonviolent cases,” he says.

#### How Ben Brafman Became “Benny Superstar”

On my way up to Brafman’s office suite, I found myself sharing the elevator with the kind of people rarely encountered in Boro Park: WASP lawyers with impeccable pin-striped suits, perfectly combed white hair, pink complexions, and country club intonations. In contrast, Brafman has been described by *The New York Times* as “scrappy . . . a Brooklyn guy raised without luxuries or Ivy League polish, but with a relentless work ethic.”

Brafman does not present as scrappy today, although his modest background gives him a common touch appreciated by many clients. His professional persona is nothing less than polished, from his starched, striped shirt to the polished shoes to the smooth, yet amiable, way he presents himself. He speaks freely, but with a certain guardedness, in the manner of someone who has had years of experience dealing with a fickle press corps that’s all too ready to pounce on the careless revelation or exaggerate the facts (on the other hand, he himself has been accused of expertly working the press to sway public opinion on certain cases).

Brafman the Upper East Side lawyer of today came from less well-heeled beginnings; rather than being a child of privilege, he was the offspring of two people whose worlds were destroyed by the war. “My mother’s parents were murdered in Auschwitz,” he relates. “When she was fifteen, she was sent alone to the US, the only one of her family who got a visa.” Rose Friedman-Brafman came to Williamsburg, where she managed to locate a second cousin who gave her a place to live. Rose

**Brafman worked his way through college. He started out waiting tables in the Catskills and eventually even performed stand-up comedy at some of the kosher hotels. His sense of humor continues to serve him well, often helping to break tension in the courtroom and win the goodwill of juries**



was a talented seamstress known for sewing all the dresses for family *simchahs*. But “she never fully trusted life in the United States,” Brafman says. “She lived in fear her entire life.” On the day of her *levayah* he said in her eulogy: “This is the first day my mother is not afraid.”

Brafman’s father, Sol, left Vienna soon after Kristallnacht, where he reportedly ran to save Torah scrolls from a burning shul. He later fought with distinction for three years in the Philippines as a US Army infantry sergeant before returning to the United States and finding work as a garment cutter.

The couple started out in Williamsburg, where Brafman was born, then moved to Crown Heights and later Belle Harbor. Speaking about his father, Brafman paints a picture of an intelligent, *ehrlicher Yid* who was forced by life circumstances into a draining, unrewarding profession unworthy of his talents. “My father was a man of profound integrity,” he says with obvious love. “He was the president of every shul he attended — in Belle Harbor he served as president of the shul for *thirty* years. My parents always struggled financially, but they instilled in me and my brother and sisters the importance of *tzedakah*, and they

always somehow found the money to send us to yeshivah.”

So young Ben was sent to Torah Vodaath, where he admits to having been an uninspired student; it was his brother, Aaron, who became Yissachar to Ben’s Zevulun. Today, Rabbi Aaron Brafman serves as *menahel* at Yeshiva of Far Rockaway.

Brafman worked his way through college. He started out waiting tables in the Catskills and eventually even performed stand-up comedy at some of the kosher hotels. His sense of humor continues to serve him well, often helping to break tension in the courtroom and win the goodwill of juries.

Brafman attended Brooklyn College at night, finding himself inspired by political science classes. He later worked in the office of Stephen Solarz, then a New York state assemblyman. Graduating with distinction from Ohio Northern University Law School, he went on to earn a master’s in criminal justice at NYU Law School.

Brafman’s first job was with McGuire and Lawler, then a leading criminal defense firm, where he stayed for two years before becoming an assistant district attorney in Manhattan. “I was working in Robert

Morgenthau’s office,” he says. “It was the best office in the criminal justice system. I spent four years in the Rackets Bureau, dealing with fraud, organized crime, and police corruption.” Those years consecrated to public service left Brafman a seasoned veteran of the courtroom. “Being thrown into the system allowed me to learn a tremendous amount in a short time,” says Brafman. “I developed into a good trial lawyer, and people took notice of me.” He must have been a quick study; he won twenty-three out of twenty-four cases.

But the salary of a public servant was beginning to stretch thin. Brafman and his wife, Lynda, a graduate of Stern College, were living in Forest Hills and had begun a family, and as his children entered yeshivah, he felt the need — all too familiar among yeshivah parents — to bring in more income. “I took a gamble,” he says. “I borrowed \$15,000 from my wife’s grandfather, and I told him: If I can’t repay it in six months, I’ll take a job with a big law firm.”

Brafman started his firm in 1980, sharing office space in a townhouse on 74<sup>th</sup> Street and Madison Avenue in Manhattan. Having attracted attention as a strong trial lawyer, he quickly received invitations to

serve as co-counsel with other lawyers and was very soon pulling in clients of his own. "I paid back the 15K in two months," he is proud to say today.

But it wasn't easy; Brafman was now responsible not only for the lawyering side of the profession but for the business side: overhead, rent, employees, paperwork. He says he spent the first twenty years of his career working brutal eighty-hour weeks while simultaneously trying to be a good husband and father to his son and daughter. "I would be dead if not for Shabbos," he admits.

Today, close to thirty years later, Brafman has moved to Third Avenue and manages a staff of eleven people, including four other attorneys, two paralegals, assistants, and summer interns. "I have always tried to hire women as lawyers, because for so many years they never had a chance in criminal law," he comments. "Years ago I could count the female criminal lawyers I knew on one hand. But I think women make terrific litigators and have critical insight in some cases that men simply do not have." Of the attorneys working for him today, two are men and two are women, reflecting trends in the larger society: Currently, the proportion of men to women among active criminal lawyers is approaching fifty-fifty.

Brafman sees himself not only as an employer but as a *mechanech*. "I try to teach my staff to be good people, not just good lawyers," he says. "If you approach your clients like a mechanic, you'll do a bad job; the relationship with them is all-important." He gets very involved with his cases, even losing sleep over them. "I often wake up at three in the morning and grab a pencil to write down an idea," he says. "The job demands very hard work and a certain degree of creativity."

Brafman's skills as a criminal defense trial lawyer have recently led him to some complex civil cases as well. "Many contract lawyers don't have good trial skills." He explains: "They rarely see the inside of a courtroom." Admirers and detractors alike point to his personal charm before a jury and his persuasiveness.

What makes for a good trial lawyer? Not theatrics, which, according to Brafman, often do more harm than good. What works is "passionate, forceful argument that helps a jury focus on the right evidence or legal issue.

"I have a good memory," Brafman says. "I can carry a zillion facts in my head. A good lawyer needs to be able to organize all that information

intelligently and think quickly on his feet." The years of fact-gathering for a wide variety of cases have made him something of a mini-expert on a wide variety of industries, from entertainment to hospitals, car dealerships, construction, accounting, securities, and many more.

**Trials are emotionally exhausting as well; he has been known to shed tears as verdicts are handed down, even good verdicts. When his most famous client, Puff Daddy, was cleared of all charges, Brafman openly wept**

A good trial lawyer must also be capable of terrific endurance; Brafman maintains a schedule that makes boot camp seem like a vacation. While a Blackberry and computer have made it possible for him to do some work from home, he is frequently on the road, with cases in California, Florida, Detroit, and other cities (he complains that travel has become much more time-consuming since 9/11 and stricter security regulations). His schedule is especially tight when cases go to trial, with trials lasting as long as six months. "Trials are very draining," he says. "I have to space them. There's so much unscripted stuff that happens; sometimes I'm thrown hundreds of pages of information to digest overnight." Trials are emotionally exhausting as well; he has been known to shed tears as verdicts are handed down, even *good* verdicts. When his most famous client, Puff Daddy, was cleared of all charges, Brafman openly wept. And whenever he finishes a day in court, he has to stop by the office to catch up on all the missed phone calls and e-mails clamoring for his attention. "I haven't had lunch in thirty years," he shrugs.

**Benny Super-Jew** In the crazy world of criminal justice, Brafman credits Judaism with maintaining both his health and his sanity. "It grounds me," he says. "Shabbos forces me to stop." Fortunately, his non-Jewish clients have always been very respectful of his Orthodox lifestyle. They know he's available 24/6.

Brafman clearly has strong family ties, describing his spouse as a quiet, private person and a terrific wife, mother, and grandmother. He is also proud of his fluent

Yiddish and almost-passable Hebrew. His in-laws, whom he describes warmly as "among my closest friends," live only a few blocks from his home in Lawrence, as do his daughter (a talented artist), her husband, and their five sons — all of whom are very close to Grandpa Benny. One of his sisters resides in Lawrence as well, and his brother lives a stone's throw away in Far Rockaway; his wife's brother lives across the street. (Brafman's other sister lives in New Jersey.) While some might chafe amid so much togetherness, Brafman seems to relish the closeness. He even flies very frequently to Israel to spend Shabbos with his son, who lives in Jerusalem with his wife and another five Brafman grandchildren. His son teaches in Derech (a division of Ohr Somayach) and heads the Center for Business Ethics, presenting programs and seminars on legal and Torah ethics for corporations and high schools. "I have the Israel trips down to a science," Brafman says. "I work on the planes, I sleep a little, and the flight goes by. I go back and forth to Israel like other people commute to New Jersey. It's hard, but I see my daughter and her family every week, so if I have to cross an ocean to see my son and his family, then I'll do that too!"

Brafman's wife, Lynda, worked for many years as the beloved preschool librarian at HAFTR and was known to a generation of Five Towns children as Morah Lynda. The Brafmans are known to have deep pockets when it comes to worthy causes; when pressed for a favorite charity, Brafman rolls his eyes and says, "There are too many favorites to list." These include Yeshiva of Far Rockaway, Beth Sholom Synagogue of Lawrence (he has dedicated the *aron kodesh* both there and in the Yeshiva of Far Rockaway as memorials to his parents), American Friends of Hebron, Kulanu (a yeshiva for the disabled whose founding meeting took place in the Brafman home), and the Israel Cancer Research Foundation (ICRF). (Lynda Brafman is a cancer survivor. Brafman says the year he spent every single Sunday accompanying his wife to chemo treatments served to "put his priorities into perspective.")

Sometimes the smaller but more personal contributions receive the biggest thanks, such as when Brafman sent flowers to each of Chevron's fifty families before Shavuot. A nephew who's a *sofer* in Kiryat Sefer has also received Brafman commissions to write *sifrei Torah* for different shuls. "The amount of quiet *chesed* and generosity that goes on in the Five Towns is absolutely breathtaking," Brafman says, adding that the image of his neighborhood as too wealthy to have a heart is just plain wrong! And when push comes to shove, the things Brafman is most proud of are not the large donations he

has made, but the private acts of kindness that he prefers not to reveal publicly.

Brafman even donates his time and speaking skills to charity; his ease before an audience and sense of humor have made him a popular emcee of many charity dinners. The ICRF uses his talents twice every year, and he frequently emcees other *tzedakah* events as well, including his synagogue's annual dinner. The one thing he refuses to do, however, is go to charity board meetings. "First of all, I have no time," he says. "Second, I have no patience to sit and listen to the fighting that goes on at these meetings. I fight all day long."

Brafman's Orthodox credentials combined with his high profile have made him the go-to lawyer when a *frum* person runs up against the law. Many important Rebbes call him when community members are in trouble. "Sometimes I get these funny situations," Brafman notes, "where I can be on the phone talking to one of the great Rebbes of our day about a local issue, while a super-celebrity rapper is holding on the other line!"

"I don't really like dealing with *frum* cases," he frowns. "They're painful. I wish I'll never have to deal with any more such cases." In a federal prison system of two million inmates, maybe fifty are *frum* Jews. "The perception, however, is that there are many more," he says, "because *frum* people are so interconnected that one person's problems become the *lashon hara* of an entire community." There is nothing more heartbreaking, according to Brafman, than being in a prison on visiting day and hearing a kid with *peyos* say to his father as visiting hour ends, "*Tati, kim aheim!*"

Some *frum* cases involve business infractions. Very often, when people find their businesses growing very fast, they don't have enough know-how to properly manage the growth. Others, Brafman says, push the envelope when it comes to legal compliance: "They think they're smarter than the system," he says, shaking his head.

"Many years ago," he explains, "Jews in Europe lived in corrupt systems where you had to lie and cheat to survive. In those countries, the government and the police were the enemy. This created a mentality in which it was considered okay to break the law, as long as it was for a mitzvah or survival, or as long as it was only a crime against the government."

But the definition of a "mitzvah," according to Brafman, is sometimes stretched or distorted. One client of his, for example, was charged with manipulating health insurance so low-income *frum* families could afford it. He thought he was doing the community a service, but the government thought otherwise. "It's like



A life-size plaster policeman, complete with cell phone, badge, and nightstick, stands guard next to Brafman's desk

giving a mortgage to a guy who really can't afford it," Brafman says. "In the long run you only create more problems, and lying to help him get the mortgage could land everyone in jail."

Brafman is also called upon to help out when young people are charged with crimes like drug possession or drunk driving. "The majority of these are kids from good homes who made a mistake *one* time and will never make it again," he says. "I could show you thirty kids today who, I managed to save — often without their even ending up with a criminal record — kids who went on to become successful family people.

"These are my *nachas* cases," Brafman says. "I dance at their *simchahs*, and they whisper in my ear: '*Thank you for giving me back my life.*'"

**Mussar for the Community** As a *frum* person often in the spotlight, Brafman recognizes that everything he does may be viewed by the media as a reflection not only on himself but on all Jews; he understands that an Orthodox Jew often has the power to make a *kiddush Hashem* or *chillul Hashem* by how he acts or what he says. As an example, he cites what may be his greatest

professional moment: the acquittal of Puff Daddy after a brutal, eight-week trial in New York, described by many as the "trial of the decade." Brafman seized that moment to make an important public statement.

When Brafman, his client, and the late Johnnie Cochran left the courthouse late that Friday afternoon, hundreds of reporters were waiting for the victorious lawyers to address them. Never known to be shy, Brafman took the microphone and said, "I know that when you win the Superbowl, the winning quarterback generally says, 'Now that I won, I'm going to Disneyland!' Well, this quarterback is going to synagogue — Shabbos is coming!" Brafman later got calls from Jews all over the world who claimed that his comment helped them explain the rules of not working on Shabbos to their own employers. "You never know who's listening and how your words will be received by someone else," says Brafman. "People need to think before they speak or act." On the other hand, he adds wryly, "if people ever really did stop to think before they acted, I would be out of business!"

Brafman was twice invited to give a talk on "Ethics and the Law" in Boro Park, a speech that attracted more than

1,800 people each time and was later made available on tape. “*Frum* people often make three very bad assumptions,” he said in his remarks. “First, they rationalize — they think it’s okay to break the law if it’s for a ‘good cause.’ Second, they think they won’t get caught. Third, they think people will be sympathetic to them when caught.” But all these assumptions, according to Brafman, are wrong, wrong, wrong! It’s *not* okay, you *will* get caught, and people will *not* be sympathetic! Non-Jews and secular Jews perceive the Orthodox as people “who

should not be allowed to pick and choose which halachos to follow.” In fact, he says, “if a person dresses in a way that suggests he is an observant Jew, courts may very well hold that person to a higher standard.” Furthermore, since very few chassidic Jews ever serve on juries, there is little likelihood a chassidic Jew will ever be judged by a “jury of his peers.”

Brafman also points out that people don’t expect to go to jail for white-collar crime, especially first-time offenders. In reality, however, courts often jail people

longer for major fraud than for violent crime. Those convicted of massive fraud can be sentenced to as much as fifteen years in prison and longer, even for a first-time offense. “Ironically, you can get less time for robbing a liquor store with a gun,” he says.

In the United States today, he maintains, *frum* people have no excuse not to be law-abiding. “The US is a country that’s very good to our people,” he emphasizes. “We can worship wherever and however we like, we can make a living, we can send our children to yeshivos. There are no more excuses!”

Brafman disapproves of what he perceives to be the yeshivah system’s failure to prepare students with solid life skills. “A young man wearing a yarmulke is a reflection on the *frum* community. The yeshivos bear a responsibility to teach him to behave like a mensch and be honest. Furthermore, today we are living in a very complex, regulated world, and young people often lack very basic skills, such as how to fill out applications for jobs or mortgages, or even balancing their checkbook.”

Brafman also criticizes the intense interest many *frum* people show in his cases. “We should be bigger people than that,” he says reproachfully. “Why rejoice in other people’s problems? Why engage in *rechilus* and *lashon hara*?” In shul, he sits only with his grandchildren, thereby avoiding having to rudely refuse to talk about his work. His wife doesn’t discuss his cases with other people; in fact, she doesn’t even ask him about them, so when yentas try to get information from her, she can honestly say she doesn’t know. She has teased him that if she ever writes his biography, she would entitle it *The Man Who Knew Too Much*.

In the meantime, of all his “hats,” Ben Brafman’s favorite seems to be that of Grandpa Benny to his ten grandchildren. “It’s easy to communicate with or entertain adults,” he says. “But if you can explain something to an eleven-year-old, or have a six-year-old laughing uproariously at one of your stories, then you’ve really accomplished something!” Surely a man who has spent thirty-five years dealing with criminal justice must find it refreshing to spend time with little people whose slates are still so clean and have yet to learn any malice.

Brafman hopes the Orthodox community will keep its slate clean as well, so he’ll no longer get SOS calls from frantic Rabbis and Jewish leaders. Indeed, he opines, “My life would be much easier if I never had another *frum* client — too much heartache, especially when you know the family.”

Fortunately, with his reputation and stature, Brafman would do just fine even without any more business from the *frum* side of town. ■

## LEGAL ISSUES FOR FRUM JEWS

Is it risky for a religious-looking Jew to go to trial? Some would advise such a litigant to “cop a plea,” i.e., bargain with the government for reduced punishment in exchange for cooperation. On the other hand, there are halachic ramifications to cooperating with the government if it means denouncing fellow Jews.

Brafman: “I absolutely do not always advise chassidic or religious-looking clients to plead guilty. Each case is evaluated on its own merits. Some cases simply cannot be tried before any jury, as the evidence is so overwhelming that even a jury of twelve chassidim would convict!”

That said, Brafman reports that in almost thirty-five years of selecting juries, he has seen perhaps five identifiably chassidic jurors. If chassidim are genuinely concerned about being tried by a jury of their peers, he says, they should start signing up for jury duty.

As for the issue of *mesirah* (informing on Jews), it is generally not a problem. “An individual can plead guilty,” Brafman explains, “and the law today does not allow that plea to be used against anybody else.”

What about religious Jews sentenced to prison? Brafman says most are sent to the Otisville Camp in upstate New York, because it best accommodates their needs. “In recent years,” he says, “the Bureau of Prisons has, in my judgment, bent over backward to accommodate the needs of *shomer Shabbos* inmates.” I mention the case of a Satmar inmate who wouldn’t eat the OU-glatt-certified meat provided by the prison, only *chassidische shechitah*. Brafman responds: “When I started out as a lawyer, there were real problems because the system didn’t know or care about these issues. Today they do their best to accommodate all ‘reasonable’ requests, recognizing that you are dealing with a prison, not a hotel.”

Brafman adds dryly, “If a specific prisoner is insisting on an even better *hechsher* than *glatt kosher*, maybe that’s an issue he should have focused on before he got involved in matters that sent him to prison.”

