January 24, 1955.

Hon. Herbert H. Lehman
United States Senate
Washington, D. C.

My dear Senator Lehman:

Thank you for your letter of January 15th, concerning Mr. Burack's complaint.

He has been fully interviewed concerning this incident. I, of course, have no objection to your sending him a copy of my letter to you.

With great respect, I must disagree with your statement that the execution of the warrant during the night was not justified. It depends upon the point of view with which you approach it. As a matter of law and the duty of the policeman, he was not only justified, but required to execute the warrant, as it was endorsed for night service. He, therefore, cannot be criticized for what he did.

On the other hand it was, as I pointed out and as you agree, unfortunate that the warrant was executed at such an early hour of the morning. This aspect of it we are trying to deal with as I indicated to you in my letter of January 11th, by suggesting to the Chief Magistrate that the procedure be revised. If this is done in such a manner so that service is limited to particular periods, incidents like this can be obviated. I am sure that the Chief Magistrate will look upon this sympathetically.

With best personal regards, I am,

Faithfully yours,

F. W. H. Adams
POLICE COMMISSIONER.