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THE

LAWYERS ASSAIL CHANGES IN LAW

Legal Aid Calls Proposals Unfair to Defendants

By IVER PETERSON

The New York Legal Aid Society registered its opposition yesterday to the proposed criminal procedures law now before the Assembly's Codes Committee, on grounds that it would reduce some of the rights of defendants that are protected under the present law.

Leon Polsky, a criminal lawyer in charge of the society's appeals bureau, said the proposed law would permit "unjust and improvident pretrial imprisonment" and allow conviction on uncorroborated testimony of other criminals. He said the proposed law failed to spell out requirements for a speedy trial and did not, in the society's opinion, assure that a defendant would know of his rights before pleading guilty.

The Legal Aid Society is a semiofficial association of lawyers under contract to the state to provide defense counsel for defendants who cannot hire their own lawyer.

2 More Hearings Planned

Mr. Polsky gave his testimony at a public hearing on the proposed law held this morning at 80 Centre Street by the Assembly Committee on Codes. The committee will hold two more such meetings in Buffalo and Albany this month. It will then make its recommendations on the proposed law before the Legislature's next session in January.

Testimony was also heard this morning from spokesmen for associations of the Transit Police, the Correction Officers and Housing Authority Police, who urged the committee members to amend the proposed law to give their members the right to make arrests while off duty. Although the issue was not clear, the spokesmen maintained that the proposed law would limit such special police to making arrests only when they were on the job.

Mr. Polsky concentrated his fire on a provision of the proposed law which, he maintained, would allow a person to be indicted and jailed pending trial simply on "hearsay testimony" that the accused committed the crime.

Under the proposed law, Mr. Polsky said, a court would consider "legally sufficient" a sworn statement from someone saying that the victim of a crime had told him that the accused had committed the crime.

Testimony of Victim Needed

Such second-hand testimony is considered "hearsay" in legal terms. Under the present law, the victim of a crime must personally swear to the charges against the defendant.

Mr. Polsky also criticized the proposed law for discarding a part of the present law that required that the testimony of a known criminal against an accused must be substantiated by other evidence.

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