

Samuel Dash Papers

A Finding Aid to the Collection in the Library of Congress

Prepared by Melinda K. Friend with the
assistance of Daniel Oleksiw, Kimbery L.
Owens, and Karen A. Stuart



Manuscript Division, Library of
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Washington, D.C.

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Collection Summary

Title: Samuel Dash Papers

Span Dates: 1748-2004

Bulk Dates: (bulk 1965-2002)

ID No.: MSS85201

Creator: Dash, Samuel

Extent: 87,000 items; 253 containers plus 2 classified; 101 linear feet

Language: Collection material in English

Repository: Manuscript Division, Library of Congress, Washington, D.C.

Abstract: Lawyer, educator, and author. Correspondence, memoranda, legal material and opinions, writings, speeches, engagement file, teaching file, organization and committee file, clippings, photographs, appointment calendars, and other papers relating primarily to Dash's legal career after 1964, and more particularly his role in governmental investigations.

Selected Search Terms

The following terms have been used to index the description of this collection in the Library's online catalog. They are grouped by name of person or organization, by subject or location, and by occupation and listed alphabetically therein.

People

Clinton, Bill, 1946-

Clinton, Bill, 1946- --Friends and associates.

Clinton, Hillary Rodham.

Curran, James J.--Trials, litigation, etc.

Dash, Samuel.

Dash, Samuel. Intruders : unreasonable searches and seizures from King John to John Ashcroft. 2004.

Dash, Samuel. Justice denied : a challenge to Lord Widgery's report on Bloody Sunday. 1972.

Giamatti, A. Bartlett--Trials, litigation, etc.

Mandela, Nelson, 1918-

Nixon, Richard M. (Richard Milhous), 1913-1994.

Rose, Pete, 1941- --Trials, litigation, etc.

Sheffield, Bill.

Starr, Kenneth, 1946-

Widgery, John Passmore, Baron Widgery, 1911-

Organizations

Alaska. Legislature. Senate.

American Bar Association.

Georgetown University. Institute of Criminal Law and Procedure.

Judicial Conference of the District of Columbia Circuit.

Legal Aid Agency for the District of Columbia.

Puerto Rico. Dept. of Justice.

United States. Congress. House.

United States. Congress. Senate.

United States. Congress. Senate. Select Committee on Presidential Campaign Activities.

United States. Office of Independent Counsel.

Subjects

Advertising--Lawyers.

Arraignment.

Asbestos--Law and legislation--United States.

Assassination--Puerto Rico--History--20th century.

Baseball--Betting--United States.
Baseball--Corrupt practices--United States.
Bloody Sunday, Derry, Northern Ireland, 1972.
Campaign funds--United States.
Civil rights demonstrations--Northern Ireland.
Community health services--Law and legislation.
Crime prevention.
Criminal justice, Administration of--Standards.
Criminal justice, Administration of.
Criminal law.
Criminals--Rehabilitation.
Drug addiction.
Drugs.
Elections--Corrupt practices--United States.
Electronic surveillance.
Ethics.
Eyewitness identification.
Forensic sciences.
Governmental investigations--United States.
Impeachments--Alaska.
Juvenile delinquency.
Law schools--Washington (D.C.)
Law--Societies, etc.
Law.
Mental health laws.
Plea bargaining.
Pre-trial release.
Presidents--United States--Election--1972.
Prison industries.
Professional ethics.
Prosecution.
Public contracts--Corrupt practices--Alaska.
Searches and seizures--England.
Searches and seizures--United States.
Special prosecutors--United States.
Tobacco--Law and legislation--United States.
Watergate Affair, 1972-1974.
Whitewater Inquiry, 1993-2000.

Places

Alaska--Politics and government--1959-
Arkansas--Politics and government--1951-
Puerto Rico--Politics and government--1952-1998.
South Africa.
United States--Politics and government--1945-1989.
United States--Politics and government--1989-
United States--Trials, litigation, etc.

Occupations

Authors.
Educators.
Lawyers.

Administrative Information

Provenance

The papers of Samuel Dash, lawyer, educator, and author, were given to the Library of Congress by his wife, Sara G. Dash, in 2005.

Transfers

Video and sound recordings have been transferred to the Motion Picture, Broadcasting, and Recorded Sound Division where they are identified as part of these papers.

Copyright Status

Copyright in the unpublished writings of Samuel Dash in these papers and in other collections of papers in the custody of the Library of Congress has been dedicated to the public.

Access and Restrictions

Restrictions apply governing the use, photoduplication, or publication of items in this collection. Consult reference staff in the Manuscript Division for information concerning these restrictions. In addition, many collections are stored off-site and advance notice is needed to retrieve these items for research use.

Security Classified Documents

Government regulations control the use of security classified items in this collection. Manuscript Division staff can furnish information concerning access to and use of classified material.

Preferred Citation

Researchers wishing to cite this collection should include the following information: Container number, Samuel Dash Papers, Manuscript Division, Library of Congress, Washington, D.C.

Biographical Note

<i>Date</i>	<i>Event</i>
1925, Feb. 27	Born, Camden, N.J.
1943-1945	Pilot, United States Army Air Force in Italy
1946	Married Sara Goldhirsh
1947	B.S., Temple University, Philadelphia, Pa.
1949	Founder and first president, Harvard Voluntary Defenders, Harvard University, Cambridge, Mass., an early student clinical program to aid indigent defendants
1950	J.D., <i>cum laude</i> , Harvard University, Cambridge, Mass.
1951-1952	Trial attorney, Appellate Section, Criminal Division, United States Department of Justice, Washington, D.C.
1952-1956	Assistant and later district attorney, Philadelphia, Pa.

- 1955-1962 Member, Advisory Committee on the Model Penal Code, American Law Institute
- 1957-1958 Director, Philadelphia Bar Association Endowment Study of Electronic Eavesdropping, Philadelphia, Pa.
- 1958-1963 Partner in law firm, Dash and Levy, Philadelphia, Pa.
- 1958-1965 Member, Pennsylvania Supreme Court and Superior Court Criminal Procedural Rules Committee
- 1959 Published with Richard F. Schwartz and Robert E. Knowlton, *Eavesdroppers*. New Brunswick, N.J.: Rutgers University Press
- 1963-1965 Executive director, Philadelphia Council for Community Advancement, a poverty program experiment sponsored by the city of Philadelphia, Pa.
- 1965-1971 Executive director, Committee on Laws Pertaining to Mental Disorders, Judicial Conference of the District of Columbia Circuit
- 1965-2003 Professor of law, Georgetown University, Washington, D.C.
Director, Institute of Criminal Law and Procedure, Georgetown University Law Center, Washington, D.C.
- 1966-1972 Special consultant, Standards on Prosecution Function and Defense Function, Project on Standards for Criminal Justice, American Bar Association
- 1967-1972 Council member, Section of Criminal Justice, American Bar Association; chairman in 1971; delegate in 1972
- 1968-1975 Member, Board of Trustees, Public Defenders Service, Washington, D.C.
- 1970-1971 Chairman, Section of Criminal Law, American Bar Association
- 1972 Observer and mediator, International League for Human Rights, during the tribunal of inquiry into the "Bloody Sunday" incident in Northern Ireland
Published *Justice Denied: A Challenge to Lord Widgery's Report on "Bloody Sunday."* New York: Defense and Education Fund of the International League for the Rights of Man
Observer, International League for the Rights of Man and American Jewish Committee, during contact with members of the Human Rights Committee in Moscow, as well as scientists, engineers, and Jewish activists in Moscow, Leningrad, Kiev, and Kharkov, Soviet Union
- 1972-circa 1990 Consultant to attorney general and government of Puerto Rico
- 1973-1974 Chief counsel and staff director, United States Senate Select Committee on Presidential Activities (Watergate Affair)
- 1975 Member, Special Committee on Crime Prevention and Control, American Bar Association

1975-1978 Member, Governing Board, Common Cause

1976 Published *Chief Counsel: Inside the Ervin Committee-The Untold Story of Watergate*. New York: Random House

1976-1977 Principal investigator for Commonwealth of Pennsylvania, examination of the firing of a special prosecutor investigating police corruption, Philadelphia, Pa.

1977 Fulbright scholar and visiting professor, University of Melbourne and Monash University School of Law, Australia

1977-1981 Consultant, Law Reform Commission of Australia

1981-circa 2003 Director, Appellate Litigation Clinic, Georgetown University Law Center, Washington, D.C.

1981- ? Member, United States Court of Appeals Judicial Conference, Standing Committee on *Pro Se* and *Pro Bono* Matters

1984-1990 Member, Standing Committee on Ethics and Professional Responsibility, American Bar Association

1984-1992 Special counsel to president of the Senate of Puerto Rico, Cerro Maravilla investigation

1985 Chief counsel, Alaska state senate, impeachment inquiry of Governor Bill Sheffield
First American permitted by South Africa to interview Nelson Mandela during his incarceration

1987-1990 Chairman, Special Committee on Criminal Justice in a Free Society, Section of Criminal Justice, American Bar Association

1988-1987 Member, Task Force to Revise Standards on Prosecution Function and Defense Function

1990-1992 Member, Special Committee on the Drug Crisis, American Bar Association

1991- ? Mediator, United States District Court Mediation Program, United States District Court for the District of Columbia

1994 -1998 Ethics advisor to Kenneth Starr, Whitewater Inquiry independent counsel

circa 1997 Mediator, Appellate Mediation Program, United States Court of Appeals, District of Columbia Circuit

2002 Member, Code of Ethics Subcommittee, United Way of the National Capital Area

2004 Published *The Intruders: Unreasonable Searches and Seizures from King John to John Ashcroft*. New Brunswick, N.J.: Rutgers University Press

2004, May 29 Died, Washington, D.C.

Scope and Content Note

The papers of Samuel Dash (1925-2004) span the years 1748-2004, with the bulk of the material dating from 1965 to 2002. The papers are in English and are organized into the following series: [Consultations and Cases](#), [Government Investigations](#), [Organizations and Committees](#), [Teaching File](#), [General Correspondence](#), [General Office File](#), [Speech and Engagement File](#), [Writings File](#), [Grand Jury File \(Closed\)](#), [Top Secret](#), and [Sensitive Compartmented Information](#).

The [Consultations and Cases](#) file contains material related to legal matters where Dash acted as an expert witness, mediator, lawyer, or as an ethics consultant to various legal firms, individual lawyers, and governments. Of note is his work regarding asbestos and tobacco litigation cases, United States House and Senate investigative committees, the Independent Counsel Act, the attorney general and government of Puerto Rico, Pete Rose in *Rose v. Giamatti*, and James J. Curran, Jr., in *United States v. Curran*.

The [Government Investigations](#) series includes material related to Richard M. Nixon and the Watergate Affair, murder incidents at Cerro Maravilla in Puerto Rico, the impeachment inquiry of Governor Bill Sheffield of Alaska, and the Whitewater Inquiry into Bill and Hillary Rodham Clinton. From 1973 to 1974, Dash served as the chief counsel and staff director of the United States Senate Select Committee on Presidential Campaign Activities investigating President Richard M. Nixon and his closest advisors in what became known as the Watergate Affair. Dash's files consist of legal documents, reports, newspaper clippings, photographs, and interviews. A large body of correspondence mostly from the public also contains letters from committee members and attorneys. In 1984, Dash became the special counsel to the president of the senate of Puerto Rico during a reinvestigation of the 1978 Cerro Maravilla incident where two Puerto Rican independence advocates were murdered. His files include correspondence, memoranda, interviews, as well as material related to the Freedom of Information Act request that grew into the case *Senate of Puerto Rico ex rel. Judiciary Committee v. United States Department of Justice*. In 1985, Dash served as the chief counsel to the Alaska state senate during its impeachment inquiry of Governor Sheffield regarding a multi-million dollar lease agreement with one of Sheffield's friends. Dash's files include correspondence, grand jury material, interviews, statements, and transcripts. From 1994 until 1998, Dash was the ethics advisor to Independent Counsel Kenneth Starr during the Whitewater Inquiry involving the real estate dealings of President Bill Clinton, his wife Hillary Rodham Clinton, and their former associates in Arkansas. Dash and Starr also dealt with the president's relationship with Monica Lewinsky and the independent counsel's recommendation that the president be impeached. His files include legal material, correspondence, letters from the public, press releases, and reports. Of note is the correspondence and newspaper clippings relating to Dash's resignation and criticism of Kenneth Starr in 1998.

The [Organizations and Committees](#) series reflects Dash's participation in a myriad of associations. Over his long membership in the American Bar Association, Dash served in the Sections of Criminal Law and Criminal Justice as well as on various standing committees. Reflected under the records of this organization is Dash's work on the issues of standards in criminal justice, criminal law, drugs, ethics, professional responsibility, model rules of professional conduct, advertising by lawyers, crime prevention, juvenile delinquency, and electronic surveillance. As director of the Institute of Criminal Law and Procedure at Georgetown University Law Center, he oversaw the Appellate Litigation Clinic and other projects encompassing criminal prosecution, drug addiction, forensic science, eyewitness identification, pretrial release, plea bargaining, offender rehabilitation, the role of prison industries, and defendant pre-arraignment. Dash's participation in the Judicial Conference of the District of Columbia Circuit and in the Legal Aid Agency for the

District of Columbia led to his involvement with projects studying the law and its relationship to community health services, mental disorders, and juvenile processes.

The [Writings File](#) is largely comprised of articles and the research material and drafts for two of Dash's works, *Justice Denied: A Challenge to Lord Widgery's Report on "Bloody Sunday"* and *The Intruders: Unreasonable Searches and Seizures from King John to John Ashcroft*. *Justice Denied* explores the inquiry by the Widgery tribunal into the shooting of twenty-seven civil rights protestors, thirteen of whom died at the scene, in Derry, Northern Ireland, by soldiers of the British First Parachute Regiment on 30 January 1972. Dash's report challenges the findings of the Widgery tribunal which largely exonerated the soldiers of any wrongdoing. Further material related to this incident and Northern Ireland is located in the [Organizations and Committees](#) series under the International League for Human Rights. *The Intruders*, Dash's last book, concerns search and seizure law and the erosion of the protections of the Fourth Amendment and the exclusionary rule supported by articles, book excerpts, and current and historical case law. Dash's 1985 article about his interview with an incarcerated Nelson Mandela is supplemented by material in the General Office File showing Dash's continuing relationship with Mandela and South Africa.

The [Teaching File](#) contains syllabi, lecture notes, course outlines, and class lists for courses taught by Dash at Georgetown University Law Center including Criminal Justice, Criminal Law, Criminal Procedure, Legislative Investigations, and Professional Responsibility. Further information on Dash's involvement with Georgetown University and its law school is found in the [General Office File](#) and in [Organizations and Committees](#).

The papers are rounded out by [General Correspondence](#) comprised of both professional and personal correspondence, the [General Office File](#) containing subject files, biographical material, and appointment calendars, and the [Speech and Engagement File](#) covering Dash's career from 1961 to 2003. The [Grand Jury File \(Closed\)](#) contains documents removed from the Whitewater Inquiry and [Top Secret](#) and [Sensitive Compartmented Information](#) files comprised of memoranda removed from the Watergate Affair files.

Organization of the Papers

The collection is arranged in eleven series:

- [Consultations and Cases, 1897-2003](#)
- [Government Investigations, 1951-2003](#)
- [Organizations and Committees, 1764-2003](#)
- [Teaching File, 1925-2003](#)
- [General Correspondence, 1967-2003](#)
- [General Office File, 1895-2004](#)
- [Speech and Engagement File, 1961-2003](#)
- [Writings File, 1748-2004](#)
- [Grand Jury File \(Closed\), circa 1995-circa 1998](#)
- [Top Secret, 1970](#)
- [Sensitive Compartmented Information, 1970](#)

Description of Series

<i>Container</i>	<i>Series</i>
BOX 1-57	<p><u>Consultations and Cases, 1897-2003</u></p> <p>Correspondence, memoranda, legal briefs and opinions, reports, depositions, exhibits, newspaper clippings, statements, testimony, transcripts, printed matter, notes, drafts, and articles pertaining to consultations or legal cases in which Dash acted as expert witness, ethics consultant, mediator, or lawyer.</p> <p>Arranged alphabetically by name of case or consultant and therein by type of material.</p>
BOX 58-104	<p><u>Government Investigations, 1951-2003</u></p> <p>Correspondence, memoranda, reports, newspaper clippings, statements, testimony, transcripts, depositions, printed matter, and legal briefs pertaining to government investigations in which Dash served as an investigator or consultant.</p> <p>Arranged alphabetically by name of investigation and therein by topic, type of material, or name of person or organization.</p>
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- BOX X 253 Grand Jury File (Closed), circa 1995-circa 1998
Sealed grand jury material related to the Whitewater Inquiry.
- BOX TS 1 Top Secret, 1970
Memorandum.
Arranged and described according to the series, container, and folder from which the item was removed.
- BOX SCI 1 Sensitive Compartmented Information, 1970
Memorandum and a monograph.
Arranged and described according to the series, containers, and folders from which the items were removed.

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BOX SCI 1 Government Investigations

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