

June 24, 1966

Dr. John Davis  
National Institutes of Mental Health  
Bethesda, Maryland 20014

Dear Dr. Davis:

It was very kind of you to recommend me to Mr. Leonard Weinglass. He called me last Thursday - the first day that I was fully in New York - and presented me with a most unusual clinical - legal problem. I do not know how much of the case he described to you, but the convicted prisoner did receive chlorpromazine up to 400 mg per day and meprobamate, 1600 mg per day for more than four weeks prior to the psychiatric evaluation. Just prior to the evaluation, for a period of ten days, all medication was withheld and then as soon as the evaluation had been completed, chlorpromazine was re-instituted for a prolonged period up to the time of the trial.

The lawyer has asked whether such administration might have altered his behavior sufficiently to modify the psychiatric opinion of his sanity, as well as altering his behavior in the courtroom (at which time, he apparently expressed feelings of loss of memory).

Since the medical record was not made part of the court proceedings, an important question seems to be raised. Do prisoners have any privileges with regard to agents that may modify brain function and behavior or are they subject to any drug administrations at the whim of the prison medical staff?

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You will be pleased to know that this case was apparently remanded from the Federal Court to the State Court for re-evaluation for retrial in September, based on the medical data.

Again, I want to thank you for your recommendation and especially for the unusual opportunity to review this most interesting problem.

Sincerely yours,

Max Fink, M.D.  
Professor of Psychiatry

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