

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

DANIEL GREER

Plaintiff,

-v-

CONNECTICUT DEPARTMENT OF
CORRECTION; CHESHIRE CORRECTIONAL
INSTITUTION; and ROLLIN COOK,
Commissioner for the Department of Correction
in the State of Connecticut,

Defendants.

Civil Action No.
MARCH 13, 2020

**AFFIDAVIT OF RABBI ISRAEL DEREN IN SUPPORT OF
DANIEL GREER’S MOTION FOR PRELIMINARY INJUNCTION**

I, Israel Deren, affirm as follows:

1. I am an ordained Rabbi, Regional Director of Chabad Lubavitch institutions in Connecticut and Western Massachusetts and Senior Rabbi in Stamford.
2. I have been asked by plaintiff, Rabbi Daniel Greer, to provide necessary historical and religious context about Passover and to opine on the related dietary requirements of the holiday.

I. BACKGROUND ON PASSOVER

3. Passover commemorates the 1313 BCE redemption of the Jewish people from slavery in Egypt, as recounted in the book of Exodus (1:8 – 15:21). After years of enslavement and inhumanity at the hands of the Egyptians, God sent Moses to Pharaoh to demand emancipation. Pharaoh refused Moses’ repeated requests, and God responded by afflicting the Egyptians with ten plagues. These plagues

culminated in the death of every firstborn Egyptian male, after which Pharaoh begged Moses to take the Jews out of Egypt.

4. The name Passover is a literal translation of the Hebrew name for the holiday, *Pesach*, which means to “pass over”. It refers to God’s passing over the Jewish homes on the night of the final plague, sparing the Jewish firstborns.
5. On that same night, the Jews were redeemed from Egypt and started on their journey to Mount Sinai, where they would accept the Torah from God. Passover celebrates this formative time, the transition from being slaves to having free will.
6. Passover is a fundamental holiday in Judaism, and many Jews who are generally non-observant the rest of the year follow the laws of Passover.

II. PASSOVER REQUIRES ADHERENCE TO SPECIAL DIETARY RULES.

7. An essential part of Passover observance is adherence to special dietary laws that apply in addition to the standard rules of kosher. Below, I explain these laws in detail.
8. The laws of Passover, broadly speaking, require eating unleavened bread (*matza*, pl. *matzot*), prohibit eating leavened products (*chametz*), and conducting a ceremonial dinner (*seder*) on the first two nights. The Biblical mandate to celebrate Passover (Exodus 13:3 – 10), specifically mentions eating unleavened bread and remembering the Exodus. Rabbinical decrees have since expounded on these requirements.
9. Throughout Passover, Jews eat unleavened bread. Jews ate it as slaves, and they took it with them when swiftly escaping Egypt, instead of waiting for their dough to rise (Exodus 13:6 – 7).

10. From Passover eve through the eighth day of Passover, effectively nine days, Jews may not consume, own, or benefit from leavened products. Leavened products include any food created by allowing grain (specifically wheat, oat, spelt, rye or barley) and water to ferment and rise, *i.e.*, leaven.
11. Ashkenazi Jews, such as Rabbi Greer, also refrain from eating *kitniyot*. This includes, but is not limited to, legumes, corn, and rice. These foods are not eaten because they are harvested at the same time as the grains listed above, and some amount of those grains might have mixed in.
12. Not only are leavened products forbidden over Passover, but foods processed on equipment used to produce such products are also prohibited. Preparing a kitchen for Passover is therefore a substantial undertaking.
13. All leavened products must be removed, and the kitchen cleaned and *kashered*, a process through which surfaces and instruments used to prepare leavened products are made permissible for Passover use. Generally, this process requires cleaning, waiting 24 hours, and then applying heat by burning or boiling for a set amount of time. Pots, dishwashers, ovens, stoves, sinks and faucets, refrigerators, tables, kitchen gloves, towels, and countertops are all items that must undergo this process.
14. Ovens, for example, must be cleaned, unused for 24 hours, and then heated to 550 degrees Fahrenheit for an hour. Items with seams or cracks that trap food may need to be blowtorched. Utensils used to cook liquids with leavened products must be cleaned, left idle for 24 hours, placed in a pot of boiling water for 10 seconds, and then rinsed in cold water. The utensils should be immersed one at a

time, and the water must return to a boil between each immersion. The pot containing the boiling water should also be kosher for Passover. Some materials, such as ceramic, cannot be made kosher for Passover at all.

15. The Biblical punishment for eating leavened products on Passover is *kares*, being cut off from the Jewish people (Exodus 12:15). This severe penalty indicates both the serious nature of the Passover requirements, and that strict Passover observance symbolizes an eternal connection with God and the Jewish people.
16. The third critical portion of Passover observance entails conducting a *seder*, or ceremonial dinner, on the first two nights of Passover. This fulfills the Biblical mandate to remember the Exodus and to eat unleavened bread.
17. The ceremonial dinner also fulfills obligations imposed by rabbinic authorities, including drinking four cups of wine or grape juice, eating bitter herbs, reciting psalms of praise, eating the *afikomen* (an extra piece of unleavened bread to remember the Passover offering), and demonstrating acts of freedom, such as leaning while eating and sitting with a pillow.
18. At the meal, a special plate is arranged. It includes five items: (1) haroses, a mixture of apples, nuts, wine, and cinnamon, which represents the bricks and mortar the Jews used in their labor; (2) a vegetable, preferably parsley, potato, or celery, which will be dipped in salt water that represents the tears of the slaves; (3) bitter herbs, typically romaine or endives, and freshly grated horseradish; (4) a boiled or roasted egg, representing a sacrifice; and (5) a piece of roasted meat, as a reminder of the paschal lamb that was brought when the Temple stood in Jerusalem. Three pieces of unleavened bread are kept next to or within the plate.

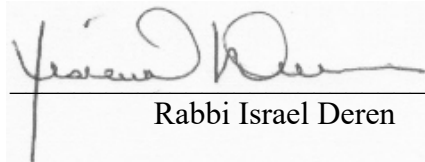
19. The dinner follows the service laid out in a religious book called the *haggadah*. The meal involves, among other things, washing hands, dipping vegetables, and making blessings. At three points during the meal, we are commanded to eat some portion of unleavened bread. At four other points, we are obligated to drink a cup of wine or grape juice.
20. We praise God for, among other things, bringing us out of Egypt, parting the Red Sea, giving us the Torah, and taking us into the Land of Israel. We temper our celebration by spilling some wine in memory of the perished Egyptians. Retelling the story of the Exodus is the focal point of the meal.
21. The story of the Exodus is not relayed as ancient history, but as a living one. We imagine ourselves as if we were there on the night of the redemption. We encourage our children's questions and engagement, in order to fulfill the commandment to tell our children about the Exodus.
22. We remember not only the seminal deliverance from Egypt, but the countless liberations throughout our history when God has saved us from extinction. The book containing the service for the meal recounts how God saved Abraham from Laban. We remember other persecutors as well, the Greeks, the Romans, the Spanish inquisitors, the Nazis. We remember that in each generation, whichever tormentor pursued us, whatever pogrom or expulsion we endured, God took us "from slavery to freedom, from sorrow to joy, from mourning to festivity." We anticipate and pray for the future and ultimate redemption.
23. While some laws of Passover may seem uniquely detailed, much of the beauty of Judaism lies in elevating prosaic activity. By donning our shoes a certain way, by

making a blessing before eating, or by observing Passover with attention to detail, we create meaning in mundane affairs.

24. In 2020, Passover takes place from sunset on April 8 through nightfall on April 16. The prohibition on eating and drinking leavened products applies for a slightly longer period, from 10:14 AM on April 8 through 8:46 PM on April 16.

I affirm under penalty of perjury that the foregoing is true and correct.

Executed: Stamford Connecticut
March 12, 2020



Rabbi Israel Deren