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**The “Shonda” Report: A Case Study in Severe and Extreme Child Abuse in the Brooklyn Orthodox Jewish Community --- Instigated by the Ohel Children’s Home and Family Services which uses kiddie-porn profits to build up West Bank Settlements (11/07/23)**

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Authored by Michelle Etlin (*The Hostage Child*, Indiana University Press, 1996; updated edition, 2017)

*“As shocking as it might seem, the adversaries have a real motive to see this child dead. A dead child cannot talk and the truth will be buried with her”* (Ray Kerrison, *New York Post*, July 1, 1991, p. 2)

*“I was shocked when Mike Skrak, a high level staff person at the New York City Comptroller’s Office, described to me how HRA Commissioner Robert Little put his arm around Councilwoman Una Clarke, warning her that the Orthodox Jews didn’t want anyone to make inquiries about the dire condition of this child”* (Investigative Journalist Michael Leshner, October 1, 1996 –personal communication)



**Happy, Healthy Child Living with Mother**



**Child’s Condition after Seizure by Ohel**

**“Shonda” - Yiddish for Profound Community Shame**

*“[I]t was better Sherry should die than the non-Jewish world should hear about such things among Jews”*: decree of Rabbi Morris Shmidman, former Executive Director of Council of Jewish Organizations of Borough Park, to Sherry’s Grandparents – *Sex Abuse, Shonda and Concealment in Orthodox Jewish Communities*, by Michal Leshner (McFarland, 2014, p. 43)

*“The rabbis he spoke to about Sherry Neustein suggested that her mother was a ‘self-hating Jew’ and that her daughter’s death ‘would only be justice’”* – *“Speaking with their Silence,” The Jewish Week*, November 1, 1996, p. 28

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## PART ONE: A WELL-DOCUMENTED CASE HISTORY OF SEVERE AND EXTREME CHILD ABUSE

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### I. Introduction

As the co-author of *The Hostage Child* (Indiana University Press, 1996), I have constructed an historical report on an archetype case: Sherry Neustein-Orbach. The report was requested by a founding board member of a nationally known organization of mental health professionals – who chose this case as representative of child abuse coverups in religious communities. The report is supplemented by analyses of current cases (Appendix “B”) that involve the same principal actors and entities. Both Appendices “A” & “B” show the workings of this crime syndicate – forming back in the early 80s and operating till present day – and how its sordid operations have enabled abuse of children, making one of its hapless victims (Sherry Neustein-Orbach) the principal case of this study of severe and extreme child abuse.

The prototypic case selected for this report started in the mid-80s where the Orthodox Jewish Brooklyn-based Ohel Children’s Home and Family Services<sup>1</sup> – fortified by powerful Orthodox rabbis, Orthodox lawyers and the child’s own Orthodox Jewish uncle (a close relative of a prominent Ohel board member) waging a highly public personal vendetta against the mother’s family – repeatedly suppressed credible evidence of sexual abuse of a six-year-old girl, while simultaneously “grooming” her for child erotica. The child pleaded to be protected from the abusive father who was permitted to sleep in the same close quarters as the child at the foster home notwithstanding that such an arrangement constituted a violation of state social services laws and family court orders, as well as placing the child at overt risk.

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<sup>1</sup> As a result of the 2019 passage of the New York Crime Victims Act, five separate lawsuits were filed against Ohel. One of the defendants named was an Ohel child himself who was abused at Ohel and later became an employee. He was accused of raping defenseless children, pressing a knife against their throat: [VICTIMS LEARN KID-SEX FIEND SERVED NO TIME; NIGHTMARE LINGERS FOR KID-SEX VICTIMS; EXCLUSIVE \(nypost.com\)](https://nypost.com/2020/01/14/victims-learn-kid-sex-fiend-served-no-time-nightmare-lingers-for-kid-sex-victims-exclusive/). Ohel’s annual budget exceeds 70M; they were given a license to practice in New Jersey in 2022. There is a tape-recorded admission made by an Ohel fundraiser that the agency is funding West Bank Settlements (see pg. 14 under the subheading, “Ohel Asks for Ransom...”). Asked about Ohel’s unsavory activities that are producing a lot of money, the fundraiser responded: “it is going to a good cause.” Recently, a corrupt politician, who had led a group of physicians to meet with Baruch Goldstein right before he blew up the mosque, was accused by a community member of instructing his protégé, Councilwoman Inna Vernikov, to scuttle a federal investigation into Ohel’s stealing innocent children from vulnerable parents going through a divorce. Vernikov wrote: “I have no interest in being involved” when urged to pass along the contact info of the federal investigator to the parents who had come to her for help.

This high profile case drew many news headlines, occupied several state legislative hearings and one Congressional field hearing, and garnered support from prominent organizations such as the Children's Rights of America, which is an offshoot of the *National Center for Missing and Exploited Children*.

*"One of the most tragic and highly publicized cases on record involved Brooklyn mother Amy Neustein who lost custody of her six-year-old daughter, Sherry, in 1986...In 1995, New York State Senator David Paterson asked federal investigators to look into the Neustein case. In a memo Paterson wrote to Robert Flores and Patricia Toth at the Child Exploitation and Obscenity Section of the US Department of Justice, Paterson said he was being blocked from investigating the Neustein case due to political interference from certain elected officials" – Divorced from Justice, by Karen Winner (Regan Books, HarperCollins, 1996, p. 133).*

Senator Paterson shared with *The Jewish Week* who was at the heart of the "political interference." He said he received a "stern warning" from Orthodox Assemblyman Dov Hikind not to pursue his hearing into the Neustein case.<sup>2</sup> He also said "he was told by City Councilwoman Una Clarke that if he persisted, 'the Orthodox Jewish and Chasidic community would be coming after me,' to ensure his electoral defeat" – *"Speaking with their Silence: a troubling case of child sex abuse in the Orthodox community raises the question, Where are our leaders?"* by Michael Leshner, *The Jewish Week*, November 1, 1996.

Everyone who became involved in trying to save this child was flabbergasted by the effrontery of those who took a perfectly healthy, well-adjusted, happy child and drove her to suicidal depression, severe emaciation, and uncontrollable acts of self-mutilation. Radiographic images showed the child's descent into clinically remarkable organ atrophy. Photos of the child, shown above, are sadly reminiscent of a "Prisoner of War" and certainly not of a child living freely in an American democracy.

Sadly, the Sherry Neustein case is not anomaly. There are many other cases that follow the same fact pattern, and in several of those cases either the mothers have ended their lives or the children have died or been maimed. What is unique, however, about this case is that Sherry's mother refused to acquiesce to strong community pressure to keep her daughter's hapless plight swept under the proverbial rug. As a result, the next generation of mothers have been encouraged to come forward.

In *Sex Abuse, Shonda and Concealment in Orthodox Jewish Communities* (McFarland, 2014, p. 49) attorney/journalist/researcher Michael Leshner would point out the uniqueness of an Orthodox Jewish woman exposing child sexual abuse in the Orthodox community: "...Dr. Neustein – specifically praised by Professor Maureen Hannah [Siena College, Psychology Department] in *Domestic Violence, Abuse and Child Custody: Legal Strategies and Policy Issues* (Vol. 2, 2016) as one of "a miniscule number of Orthodox women who have gone eyeball to eyeball against the hierarchy of the local Orthodox Jewish community" and become "a champion of women throughout the US".

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<sup>2</sup>Senator David Paterson wasn't dissuaded by Hikind, who was associated with bombings of Arab-American targets: [NY State Assemblyman Dov Hikind: Right-Wing Extremist | IMEU](#). Paterson went forward with the hearing, bringing on Queens Assemblywoman Nettie Mayersohn. However, when Paterson asked her to join him in "assembling a special task force equipped with the necessary subpoena powers" she "did an about face" and "dropped any interest" in the Sherry Neustein case. He would later learn from Mayersohn's chief counsel, William Viskovich, that a relative of a powerful Ohel board member had pressured Mayersohn to drop the case, stating "the political pressure was 'too great' to continue looking into the case" – Letter from New York State Senator David Paterson to Robert Flores and Patricia Toth, DOJ Child Exploitation and Obscenity Section: 6/2/1995, p.5.

As a consequence of Dr. Neustein's unrelenting championing of her daughter's case and those of other mothers over the past 36 years, we have at our disposal a generous corpus of materials for a federal prosecution that would show both the historical patterns and the instantiation of this ongoing criminal enterprise provided by such current cases. In fact, attempts made decades ago at initiating a federal prosecution were not successful because the repository of cases was too small, nor had the crisis reached critical mass. However, that has now changed due to an accretion of efforts made by Dr. Neustein over four decades which has culminated in a documentary on her research and activism on FX cable network in 2022 and streamed through Hulu, as a 5-part miniseries, where it is viewed today.

The goal of the Shonda Report and its appendices is to show probable cause for a targeted investigation of the Ohel Children's Home and Family Services so as to root out this criminal enterprise that has trapped too many innocent victims. The template case, below, focuses on the execrable actions of Ohel (and its collaborating agencies) in the 80s and 90s. Nevertheless, this same egregious fact pattern is found today involving the same principal players. In fact, Ohel has expanded across state lines by partnering with Jewish social service agencies in neighboring states, which has resulted in its envelopment of unsuspecting victims into its ongoing criminal enterprise, as shown in Appendix "B".

For anyone who had been following the tragic saga of the Sherry Neustein case, the author of this report (Michelle Etlin) is certifying what she observed of Sherry as an adult. In fact, Etlin quite serendipitously had an encounter with Sherry at a 2011 Passover Seder. Here are Etlin's troubling observations:

"Sherry was exceedingly quiet and I thought perhaps she was painfully shy and therefore felt self-conscious but it also seemed to me that she appeared almost afraid of her food. She cut up and arranged the food on her plate in a rather strange manner as if there might be some dangerous ingredient she needed to detect and avoid. And at the end of the meal she appeared relieved when the plates were cleared (hers still laden with food). It was actually uncomfortable to watch her dealing with the food in that hesitant, ritualized manner. She appeared to be afraid of the food itself, afraid of the temptation she must have felt to just enjoy it and fill herself up with delicious festive dishes lovingly prepared, but wouldn't allow herself that joy that a healthy person takes for granted at a Passover celebration."<sup>3</sup>

The story is very painful. The mother of the child occupying this principal case study suffered the excruciating and permanent loss of contact with her daughter after she saved her life by hospitalizing her for severe anorexia nervosa and clinical depression. The case defies logic. However, as time marched on, more evidence became known as to how and why such a tragic travesty of justice could fall upon an unsuspecting mother? A family member wrote a "confessional" letter to Sherry's grandparents the year before they died explaining how the maternal uncle who carried out a very public irrational vendetta against the child's maternal family – including broadly circulating in the Orthodox community a 17-page letter of condemnation namely about Sherry's maternal grandmother<sup>4</sup> – colluded with the Ohel

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<sup>3</sup> Observation of author Michelle Etlin, *Hostage Child: Sex Abuse Allegations in Custody Disputes* (Indiana University Press), communicated in an email to Amy Neustein, February 20, 2022.

<sup>4</sup> Since the tragic events have unfolded in Ukraine, three major Jewish newspapers in the United States have published feature stories on Sherry's maternal grandmother (a direct descendant of the Ukrainian-born Ruzhiner Rebbe, the founder of the premier Hasidic dynasty) whose family legacy of leadership and community service were exemplary. Mrs. Shirley Friedberg Neustein was the devoted wife of an eminent and scholarly rabbi (Rabbi Dr. Abraham Neustein) and was universally known for her kindness and compassion. However, she unfortunately

Children's Home and Family Services, where he had a relative serving as a prominent board member. As such, this state-funded agency (receiving substantial federal subsidies) was skillfully coopted by the maternal uncle (who is a close relative of one of their prominent board members) to assist in the cruelist acts of child torture – just to carry out his ugly vendetta against his unsuspecting inlaws. The appendices also show how the Ohel Children's Home and Family Services is anchored to such a strong political mooring that it can act with prosecutorial impunity. In fact, Ohel to date is frequently rewarded with Congressional pork barrel earmarks notwithstanding its exposure in the popular press for its insidiously corrupt advisory board members affiliated with those very projects that are earmarked for government largess.<sup>5</sup>

Lastly, the appendices, below, show how Ohel is inextricably tied to criminals. To wit, Ohel board members have become embroiled in scandals ranging from theft of federal government funds to interference with state criminal prosecutions of child molesters so as to prevent exposure of broader crimes of distribution of child pornographic videos. **Please see Appendix "A" for a list of such members, and their record of convictions and fines, as well as substantiated accusations made by Orthodox community regarding an Ohel's board member's deliberate obstruction of a kidde porn investigation.**

As for any claim that an investigation by the Government might be "anti-Semitic," would beg the question as to whether it is "pro-Semitic" to allow community-abetted child exploitation to continue? In short, would it be "pro-Semitic" to freely engage in "child racketeering": that is, profiteering from the exploitation of children's bodies for supplying lucrative child erotica and pornographic markets wherein the child victims are those who are deemed as "second-class" citizens simply because they are the children of divorce and *not* the children of married couples who enjoy inviolable standing in the community?

#### **I. Chronology and Summary of the Sherry Neustein Case**

For a chronology and summary please click link below. Please note the unsolicited admissions made by both the child welfare lawyer and the agency supervisor that Sherry evinced the "symptomatology" of a sexually abused child:

[Amy Neustein, Ph.D. Story, Myths, and Facts \(mothers-of-lost-children.com\)](http://mothers-of-lost-children.com/Amy-Neustein-Ph.D.-Story-Myths-and-Facts)

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became the object of the maternal uncle's abnormal obsession. The vendetta letter was replete with invectives and scorn, denuding Sherry's grandmother of her dignity. It described in painstaking detail the personal hygiene habits of the grandmother in order to shame her. For example, Shirley had suffered from low blood pressure and had fainting spells since her college days. After fainting as a young married woman upon exiting the shower, her doctor advised against her closing the bathroom door fully just in case she were to faint. Without giving the medical explanation, the perturbed son-in-law broadcasted to the entire Orthodox Jewish community in his vendetta letter that Rabbi Abraham Neustein's wife would "go to the bathroom with the door open." Such private information should never have reached the ears of the Orthodox community. Tragically, because of the public profile of Rabbi Neustein's wife, Shirley, a higher bar for a defamation lawsuit existed, which left the rabbi's wife without legal recourse against the slanderous campaign of her hateful son-in-law.

<sup>5</sup> See "Sheldon Silver's Gang: How Longtime Friends of the Disgraced Assemblyman Got Power Positions" by Wayne Barrett, New York Daily News, February 1, 2015: [Sheldon Silver's gang: How longtime friends of the disgraced Assemblyman got power positions - New York Daily News \(nydailynews.com\)](http://www.nydailynews.com/sheldon-silver-gang-how-longtime-friends-of-the-disgraced-assemblyman-got-power-positions-article.html)

## II. The Triggering Event –The Maternal Grandmother Catches her Son-in-Law in the Act

In a 1996 feature story in the *The Village Voice*, Adam Fifield and Michael Lesher would report on the tragic fate of Sherry Neustein. They began by providing the history of the case: Dr. Amy Neustein had been divorced from her husband, Dr. Ozzie Orbach, since 1983 and had been awarded sole custody of their daughter, Sherry. Dr. Neustein did not seek alimony or child support. In May 1986, “[w]hile visiting Sherry...Amy’s mother says she saw Orbach molesting the child. ‘He was lying on the floor in the hallway with Sherry on top of his pelvis area,’ she [Sherry’s grandmother] later testified at State Senator Paterson’s hearings. ‘He was holding her [Sherry] wrists very tightly and he was gyrating back and forth. I immediately pulled Sherry off of his pelvis to find his pants were unzipped, and he was wet’” (“A Child’s at Stake” – *The Village Voice*, October 1, 1996, p. 10).

## III. Brooklyn Society for Prevention of Cruelty to Children Exposed by New York State Senate Committee on Crime and Correction as being “known for assisting divorced Orthodox Jewish fathers in custody proceedings”

After the maternal grandmother made a report of the abuse incident to the police the case haplessly landed in the hands of the Brooklyn Society for Prevention of Cruelty to Children (BSPCC), which was exposed in a 1987 legislative report by the New York State Senate Committee for Crime and Correction as having been **“known for assisting divorced Orthodox Jewish fathers in custody proceedings”** (“Speaking With Their Silence: a troubling child sex abuse case in Orthodox community raises the question, Where are our leaders?” by Michael Lesher, November 1, 1996, p. 28).

While the BSPCC posed as a secular agency, they had two very powerful Orthodox Jewish board members who held high positions in the New York State Supreme Court system and presided over guardianships and adoptions.

Their lead counsel, Harvey S. Jacobs, was Orthodox Jewish and would later become Ohel’s lead counsel. (Their mental health expert who performed child custody evaluations was Orthodox Jewish too.) His reputation was that of a wealthy father’s rights divorce lawyer from Westchester who had scored a number of victories for abusive fathers. This is who the BSPCC board of directors chose to run their agency.

## IV. Brooklyn Society for Prevention of Cruelty to Children (BSPCC) Charges the Mother with “Neglect” and then makes a Disturbing Admission to the Mother’s Counsel

The mother, who didn’t witness the abuse nor make the report of abuse, is charged with “Neglect”. The petition charged the mother with making a report *“that was not totally true.”*

The mother tried to find counsel but every lawyer told her that Harvey Jacobs, the BSPCC’s lead counsel, was “dangerous”. He had a reputation as a Mafia-type person – he wore gold chains around his neck, kept his shirt open to sport his jewelry, flaunted his frequenting of tanning parlors, and spoke like a

ganster, including frequent use of explicatives when talking to desperate mothers (*see Appendix "B"*). On a practical level Jacobs was seen as "threatening" to the career of any attorney who would challenge him, for he served as chair of the Brooklyn Bar Association grievance committee and would frequently report his opposing counsel to the Bar. Long, protracted grievance committee hearings would then ensue as a result of the viciousness of this retaliatory and vengeful attorney. When the mother persisted and urged a prominent family law attorney to take her case, she was told: "I wouldn't go near Harvey Jacobs with a ten foot pole!"

This Orthodox Jewish attorney would later become **Ohel's** lead attorney when his own agency (BSPCC) would lose its contract with the City of New York for among other things malfeasance in the Neustein case.<sup>6</sup>

When the mother finally found counsel willing to take on this attorney, this BSPCC lawyer would make a most disturbing admission to the mother's counsel:

*"So what if Sherry goes into foster care, **she's already been** sexually abused"*

Something, no doubt, was very strange about this lawyer in his appearance, demeanor and conduct.

When *The Jewish Week* published an editorial on the Neustein case they interviewed a colleague of this lawyer who acknowledged the "BSPCC's tendency to put them [protective mothers] on trial" for he claimed that "many Jewish mothers made false accusations [of sex abuse] against their husbands" – "Speaking with their Silence: a troubling case of child sex abuse in the Orthodox community raises the question, Where are our leaders?" by Michael Leshner, *The Jewish Week*, November 1, 1996.

Equally important, this attorney would make statements that were so out of line and so redolent of a criminal underworld that this gave one pause to think as to what was his true agenda in running the BSPCC?

For example, he said to Rabbi Neustein (Amy's father):

"Rabbi! The only excuse for your daughter not being able to make the appointment [with the BSPCC forensic evaluator] would be if you brought in her *death certificate*."

Such language was shocking and so traumatic for any parent to hear. The attorney would repeatedly tell the mother's counsel that her client was "*in deep*" for supporting her own mother's charge of sexual abuse which she had eye-witnessed between her granddaughter and the father. Furthermore, Sherry herself would corroborate to the BSPCC social worker and the supervisor what her grandmother had witnessed, and to their mental health professionals who interviewed her as well.

This rogue BSPCC "neglect" proceeding against the mother entailed a shocking episode of physical violence toward the mother's father, a distinguished rabbi and retired assistant professor of contract law at City University (Baruch Graduate School and Brooklyn College). What happened was that when the mother came to court on the return date of the Neglect petition, unable to seek counsel because of Jacobs' reputation of avenging attorneys representing mothers accused by his agency of neglect, her father who was present saw that the court was proceeding with motions even though they had just

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<sup>6</sup> Around 1992 the BSPCC would be investigated the Human Resources Administration (HRA) for their misconduct in the Neustein case and other cases that showed similar malfeasance. The "inside" information about their loss of their contract, primarily based on their mishandling the Neustein case, would be relayed to an aide at Council President Andrew Stein's office by HRA whistle blower, Ms. Bracha Graber, who won a very large qui tam lawsuit against her agency. The agency was also called on the carpet for using its peace officer status for gun-trafficking.

granted the mother's request for an adjournment in order to find counsel to represent her. The father, a rabbi who was also an attorney admitted to the Bar though not a family law specialist, raised his hand politely to ask the court to permit him to represent his daughter for that one day since they were proceeding with motions from the other side as the mother was standing alone without counsel and would not be able to adequately challenge the motions being heard that day.

What happened next was utterly shocking. Jacobs winked to the family court judge who then beckoned the court bailiffs to eject the rabbi from the courtroom. The bailiffs grabbed the rabbi under each arm quite forcibly even though the rabbi wasn't resisting. Sadly, the rabbi, who was already in his mid-70s at the time, lost his balance and fell to the ground. The mother stretched out her hand to help her father up, but Jacobs giggled and the judge motioned to the bailiffs to continue pushing the rabbi out of the courtroom.

Unable to get up, the rabbi was then dragged on his backside out of the courtroom and left on floor outside the courtroom. The rabbi would suffer a stress fracture that didn't heal because of his age and require a metal rod to be placed in his hip for the rest of his life. He realized that any report to the police would be undermined by Jacobs and the judge, and the bailiffs would be afraid to speak for fear of losing their job. Moreover, there were no video cameras in those days to capture this assault, but the rabbi would give an interview years later to a celebrated journalist who wrote up this tragic incident in her cover story for a prominent magazine (**Viva Hoffman, "Women and Children Last: How the Family Court Serves to Punish the Very People It Was Created to Protect." New York Woman, November, pp. 110-115**).

The atmosphere of venality and physical assault would continue. On the traumatic day that Sherry was seized from her mother at the request of the BSPCC, Harvey Jacobs, this "mafia-style" Orthodox attorney for the BSPCC, would take his index finger and jam it into Rabbi Neustein's chest and say with such antipathy and abhorrence:

"Rabbi!! I assure you, your granddaughter will be going to a home much more kosher than yours!!!" This was a malicious statement to impugn the kosher standards of a rabbi's home.

In keeping with the atmosphere of thuggery surrounding the BSPCC, Jacobs told Dr. Neustein's counsel that he "very much enjoyed" seeing a mother in court "begging" for her child. He said he saw many mothers do so and was waiting eagerly for Dr. Neustein to do likewise. The day that Dr. Neustein took the stand on February 27, 1987 – pleading with the Orthodox Jewish judge to give Sherry back to her from the Ohel foster care agency – the BSPCC's Orthodox lawyer, Harvey Jacobs, would heave a sigh of relief and exclaim with a sense of deep gratification outside the courtroom to Neustein's counsel: "I was waiting for that!!!"<sup>7</sup>

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<sup>7</sup> The New York State Senate Committee on Crime, upon reviewing the transcripts and performing a background investigation into Harvey Jacobs and the BSPCC, felt it was necessary to borrow a wire from Giuliani, who was then serving as the US Attorney for the Southern District of New York, so that they could have the mother wired up when she went down to the BSPCC offices to have a 45 minute visit every other week with her daughter. The Senate Committee on Crime also sent two of their investigators, Paul and George, to follow behind the mother when she went down to the BSPCC as they suspected gangster tactics that might pose a physical harm to the mother. Years later, a documentary filmmaker, who had worked at BSPCC, would reveal to the mother about the BSPCC's "extravagance" that seemed "odd" for a child welfare agency. When BSPCC lost its contract, and Jacobs would become Ohel's lead counsel, he would continue this same exact kind of thuggery against unsuspecting mothers, as seen in Appendix B.



**V. Father's Attorney Sees Orthodox Jewish Family Court Judge *Ex Parte* to Ask for Child to be Placed in Foster Care**

"Your Honor when I asked you a month ago to place the child in foster care..."<sup>8</sup> (October 17, 1987, p. 54).

Given that the trial had just started (prior to that there was a brief legal conference on October 2<sup>nd</sup> in the judge's chambers), the father's request to place Sherry in foster care had to have been made *ex parte*, since "one month ago" the proceedings hadn't yet begun.

**VI. Sherry is Removed without a Hearing and without any Grounds Stated on the Removal Order – a Totally Blank Removal Order**

The Family Court Removal Order was a blank form:

No grounds whatsoever were given for the drastic act of removing then six-year-old Sherry from the warmth and security of her home. (In fact, the child's law guardian, Lorraine Medallo, later told the court she opposed the removal; she was not appear in court when the BSPCC asked for the removal order to be signed by the judge. Medallo would be taken off the case and replaced by her supervisor.)

The statutorily mandated hearing on the removal of Sherry was never set before the court in spite of eight attempts made by Dr. Neustein's counsel to get a 1028 (removal) hearing before the Orthodox Family Court judge – where the state would have to justify its rash act of ousting a child from her home.

**VII. New York State Senate Committee on Crime and Correction Investigates Neustein Case and Produces an Official Report – they Declare the Removal of Sherry from her Mother Reprehensible**

*"It taxes one's restraint to comment calmly on the case. At the minimum, the removal of Sherry Neustein from her home violated the Constitution, our state statutes, decisions of our highest court, and decency. Our child protection statutes were improperly invoked by a spurious petition and the ensuing illegal removal of the child from her home shielded from review by the Appellate Division by a defective and false Family Court Order. The complaint of Amy Neustein requires redress"* – Jeremiah B. McKenna, Chief Counsel to the New York State Senate Committee on Crime and Correction, April 13, 1987, p. 24.

**VIII. Orthodox-controlled Family Court Case Reaches Highest Level of Judiciary – Warnings of Backlash from the Orthodox Community**

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<sup>8</sup>The father, in fact, wanted to keep Sherry in foster care for as long as possible. On June 15, 1987 the Court asked the father if he was ready to have custody of his daughter and he declined. As a result, Sherry stayed in foster care until March 1988 when she was placed in her father's custody.

It would later become manifest that the Orthodox Jewish community had such a vested interest in enabling the extreme and severe abuse of Sherry that the animus could be starkly seen at the highest levels of the judiciary.

Ray Kerrison, *New York Post* columnist, took a particular interest in Sherry. He showed up at the Appellate Division when Neustein's attorney had oral argument on her appeal. He would write, "Judge William Thompson, brusquely declared: 'The only sex abuse here is in the imagination of the mother and the grandmother'" (*"Custody Case a Travesty of Justice, Courts may let this Little Girl Die,"* Ray Kerrison, *New York Post*, July 1, 1991, p. 2).

In a letter to the US Justice Department Senator David Paterson wrote:

"During a political fundraiser I was approached by Appellate Justice William Thompson who warned me to cease my inquiries into the Neustein case. His sentiments were echoed by City Councilwoman Una Clarke that if I proceeded with the investigation, the Orthodox Jewish and Hasidic community would be coming after me, and that it would be unlikely that I would ever be elected to office again" – Letter from New York State Senator David Paterson to Robert Flores and Patricia Toth, Child Exploitation and Obscenity Section, US Department of Justice, June 2, 1995, p. 6.

#### **IX. Sherry Now a Foster Child is Ridiculed in School – called "Orphan" by her Classmates**

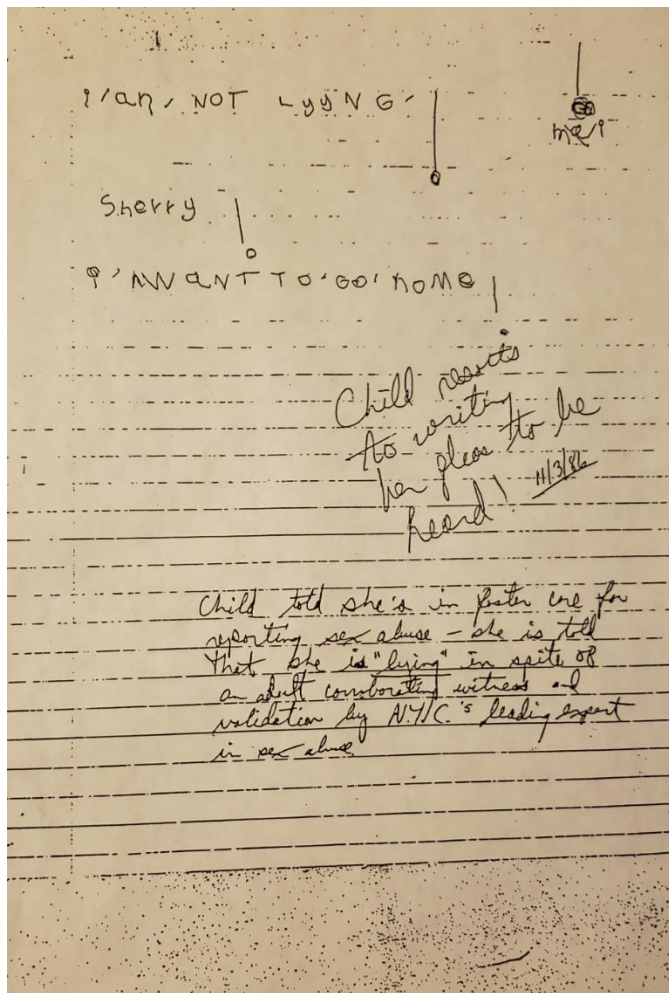
On a visit with Sherry shortly before Passover when Dr. Neustein was reading to her the story of Moses having been found in a basket in the Nile River by Pharaoh's daughter, Sherry exclaimed "Moses was a foster child too!" She then became pensive and began to share deep feelings of pain.

Sherry said: "I'm called the orphan" in school by the "other kids." She then said she "didn't know what she would do" if not for her "foster sister" because she had "no friends" in school. This was very painful to hear since Sherry was a sociable child who made friends readily. In fact, as stated below, the testimony of the BSPCC supervisor which inquired of Sherry's school, showed that Sherry was well adjusted at school as she was at home with her mother.

Everyone at her Jewish school (yeshiva) had parents and lived at home. Sherry was made an "orphan" and the children in school pilloried her for her hapless status.

Given that Sherry didn't become an "orphan" during wartime where it is unfortunately all too common to see children displaced to refugee camps. Instead, she became "displaced" on American soil during peacetime. This happened to Sherry because of the ravages of severe and extreme abuse aided by far too many members of the Orthodox Jewish community. In essence, the Orthodox have "ghettoized" certain children of their own community (those of lower social status, such as children of divorce), thus creating a closed and claustrophobic world where they can mete out punishing conditions redolent of war and few among them demur; sadly this abomination is supported with state and federal funds.

November 3, 1986: Sherry's first visit with her mother at the Ohel foster agency since being torn away from her. Sherry took a pencil in hand and wrote this note to her mother when being told by the Ohel caseworker that was taken away from her mother because she "lied" about her father. Sherry had just started first grade and was learning how to spell. **Sherry's precious note was aired on WPIX, Fox News, WCBS, WOR, and Geraldo.**



On the mother's first visit with her child at the Ohel Children's Home and Family Services the caseworker and her supervisor told Sherry she "lied" about her father and stated that was the reason why she couldn't go home to her mother. Sherry pleaded relentlessly to be returned to her mother as evidenced in the court record. Ohel told Sherry her mother was a "liar" – and testified under oath to having told Sherry that she was in foster care because her mother was not "telling the truth" about Sherry's father.

*"All the social workers say I'm lying. They put it against Mommy. They punished me for telling the truth. What do I have to do to get back to Mommy" (p.2) – Sherry's pleas appearing in the report of Dr. Carmen Alonso (a Columbia Presbyterian psychiatrist chosen by the law guardian and paid for with public monies; she was not a "hired gun" by the mother) – November 19, 1986. The psychiatrist wrote in her report, "She [Sherry] misses her mother and wants to live with her" (p.4).*

*"Amy Neustein has been raising her child successfully. It seems unfair to keep Sherry away from the only home she's ever known" – Report of Dr. Carmen Alonso, who examined Dr. Neustein at the request of the law guardian, February 12, 1987, p. 7.*

BSPCC's Orthodox lawyer, the law guardian from Legal Aid Society, and Ohel suppress Dr. Alonso's report from the court because she urged for the return of Sherry to her mother.

Sherry's agonizing pleas to be heard fell on deaf ears. But even worse, she was berated continuously as a "liar" by the Ohel social workers. This began her descent into severe clinical depression: she was diagnosed as "dysthymic" (chronic depression for over two years) by the time she was hospitalized for severe emaciation, hypothermia, anemia, acute dehydration, and total loss of fat tissue.

## X. The Case is a Canard

- First, it was the maternal grandmother who witnessed the abuse, and not the mother. So, why is the mother being charged by the BSPCC with “neglect” based on making a supposed “false” report of abuse?
- Second, the agency officials testified that the father refused to be investigated or even questioned about the sex abuse incident witnessed by the maternal grandmother. Instead, as per the testimony of the supervisory caseworker at the BSPCC, they obliged the father’s requests not to be questioned but allowed him to make frequent “social visits” (sic.) to their offices (testimony of Robert Sloane, June 26, 1987). In fact, the *Sex Abuse Protocol* – a mandatory form that must be filled out to justify the state’s intervention into the privacy of family life for the purpose of investigating a child sex abuse matter – was left blank, as testified to by an HRA whistle blower at Senator David Paterson’s hearing (May 14, 1993, p. 36).
- Third, the Court censored Dr. Neustein for *not* discussing the sex abuse charges with her daughter (Order, July 14, 1988, p. 59). As her attorney would write in an Appellate brief, filed in New York State Appellate Division, 2<sup>nd</sup> Department (November 1988), “The court cannot have it both ways – it cannot reasonably condemn appellant [Dr. Neustein] for not discussing the matter with Sherry and then claim that she had brainwashed Sherry to believe that she had been sexually abused” (p. 88).
- Fourth, the BSPCC supervisor, Robert Sloan, and the BSPCC’s own mental health expert, psychiatrist Seymour Bortner, testified that Sherry *evinced the symptomatology* of a sexually abused child.

Dr. Neustein’s Appellate brief, cited above, drew from the testimony of the APSAC board member, Dr. Anne Meltzer: “According to the unrefuted testimony of Dr. Meltzer, while a child could be coached to say certain things, she has never heard or seen a case where a child can be coached or brainwashed into evincing the actual symptomatology of a sexually abused child” (p. 85).

- Fifth, the child’s father himself testified that “Sherry was a normal, happy child living with her mother” and that “her mother loved her very much” and that Sherry “loved her mother in return” (Orbach: August 18, 1987: pp. 65-66).

The child protective service agency that removed the child from her mother and placed her in foster care for nearly a year and a half confirmed to the Court the father’s own account of the child thriving with the mother, and furthermore they investigated Sherry’s school and found that the child had friends in school and was well adjusted in the school environment just as she was at home with her mother: testimony of Supervisor Robert Sloane, June 26, 1987, p. 109.

The psychiatrist chosen by the law guardian specifically found that the mother had “*been raising her child successfully*” (report of Carmen Alonso, February 12, 1987, p. 7). This same psychiatrist

would interview the child and state in her report of November 19, 1986, p.4: *"She [Sherry] misses her mother and wants to live with her."*

**The psychiatrist chosen by the law guardian would urge for the immediate return of Sherry to her mother:**

*"Amy Neustein has been raising her child successfully. It seems unfair to keep Sherry away from the only home she's ever known"* – Report of Dr. Carmen Alonso, who examined Dr. Neustein at the request of the law guardian, February 12, 1987, p. 7.

The July 14, 1988 Court Order stated that while in the mother's custody Sherry had thrived: *"[T]his child is bright, articulate, was well-loved, well-nurtured, and well-cared for"* (p. 126).

- Sixth, a supervisor at the Human Resources Administration/Child Welfare Administration which oversees all the local child protective service agencies, such as the BSPCC, made the following sworn statement in her affidavit: *"Within the past two years I have reviewed the Child Welfare Administration case record pertaining to Sherry Neustein Orbach, the daughter of Amy Neustein. There appeared to be no basis set forth in the file justifying the child's removal from the home of her mother. I thereafter discovered that Sherry's case was referred to the Fatality Review Board. This Board reviews only those cases wherein children have in fact died. Because I was so concerned regarding the welfare of Sherry, I contacted the Fatality Review Board to check Sherry's status. Because of my action, I was severely reprimanded by my then director, Ellen Wilson"* – affidavit of Rosalie Harman, October 19, 1992, p. 2.
- Seventh, at the very end of the nearly two-year prosecution that charged Dr. Neustein with having "fabricated" the incident of sex abuse (namely the father gyrating with Sherry pressed against his pelvis), the law guardian agency would make a stunning admission:

*"[A]n official from the Legal Aid Society (which served as Sherry's law guardian) had admitted, within earshot of one of her [Amy Neustein's] attorneys, that Legal Aid knew the...incident had in fact occurred..."* (Respondent's Memorandum of Law in Support of Motion – an application for a writ of error coram nobis – to Vacate Custody Order Dated November 21, 1988. Date of the memorandum of law to support a writ of error coram nobis was August 1, 1998, p. 5.)

A social worker from Legal Aid Society would read of Sherry's horrid fate in a Ray Kerrison column in the *New York Post* and come forward to testify at Senator David Paterson's 1993 hearing to the deliberate and intentional cover-up of the sexual abuse incident that was witnessed by the maternal grandmother. Subsequent to the hearing this whistle blower would state in an affidavit:

*"Ms Cooke [her colleague] told me she had acknowledged in front of Amy Neustein's counsel that the [sex abuse] incident occurred but that 'she didn't think it (the fluid on the father and daughter) was semen, she thought it was urine.' ....Ms. Cooke admitted that 'she was in deep trouble'"* – affidavit of Marjori Schecter, May 26, 1998, p. 2.

Ms. Schecter would speak to *USA Today*:

*“Whistle blower Marjori Schechter, an ex-social worker for the Legal Aid Society, says the agency ‘disregarded evidence supporting claims of child abuse by the father’” — “Judges Sentence kids to life of pain,” Barbara Reynolds, USA Today, November 3, 1995*

**XI. Ohel Asks for Ransom and a Payoff to a Lawyer and a Judge**

*“An Ohel Employee says she [Amy] can get her daughter back for the payment of a fee to a certain Brooklyn lawyer. The Ohel employee went on to say there would be a pay-off to an Appellate Division Justice...Amy Neustein is the victim of a criminal conspiracy” — Letter from Jeremiah B. McKenna, former chief counsel to the New York State Senate Committee on Crime and Correction to Ellen Schwartz, Esq., Office of the Inspector General, Human Resources Administration, October 5, 1989. See footnote 1, p. 2.*

**XII. University Law Professor who Heads up a Family Law Clinic at his Law School for Parents Involved in Family Court Proceedings – Calls Ohel Corrupt and Wants to See them Sued out of Business**

*“I wish there were more courageous folks in this city to take Ohel on. It would not be in business today if political corruption didn’t exist. I wish we could locate a law firm willing to sue Ohel” — email communication to Dr. Amy Neustein from prominent law professor who asked that his name be kept confidential out of fear of retaliation from Ohel (his email can be shared with federal prosecutors or a government office conducting an investigation into Ohel), April 4, 2012: 9:54 AM.*

**XIII. An Orthodox Rabbi – practically, a lone voice in the wilderness – Expresses Outrage about the Injustice of the Sherry Neustein Case and his Longstanding Suspicions about Ohel**

*“I am enclosing several documents pertaining to the Sherry Neustein case. It seems like a terrible miscarriage of justice. Frankly, I have always had questions about Ohel [Children’s Home and Family Services]” — Letter of Rabbi Isaac Trainin, Executive Vice President of the Coordinating Council of Greater New York – affiliated with the Jewish Board of Family and Children’s Services, to Mr. David Roth, Executive Vice President of the Jewish Child Care Association, August 18, 1992.*

**XIV. Another Orthodox Rabbi is Outraged – but Waits till it’s “Safe” to Name Ohel**

Rabbi Israel Kravitz would testify at Senator David Paterson’s hearing in May 1993. He was very much afraid of retaliation against him and his family if he were to mention Ohel’s name at the hearing.

*"It is so difficult to sit here and listen to the testimony and try to understand what happened. That is why I believe there is something involved. As they say, something is rotten in Denmark"* – testimony of Rabbi Israel Kravitz at Senator David A. Paterson's entire-day hearing on the Sherry Neustein case, May 14, 1993, p. 106 of the hearing record.

However, when he assumed full-time residence at his home in Jerusalem he felt safe enough from the perils of Brooklyn-based Ohel to contact Dr. Neustein to say he was now ready to speak more openly.

In an interview with the *Village Voice*, Rabbi Kravitz told the reporters that the reason why he was the only rabbi to testify on Neustein's behalf at Paterson's hearing was because, *"The others are afraid. The opposition frightened them."* When the reporters from the *Voice* asked him to identify the opposition, *"he named Ohel Children's Home,"* – Adam Fifield and Michael Leshner, "A Child's at Stake", *The Village Voice*, October 1, 1996, p. 10.

In all the years that this case has occupied headlines, sadly only two Orthodox rabbis have had the courage to come forward to help Sherry, as they were all "afraid" of retaliation from Ohel. In the Orthodox community, incurring the wrath of a powerful entity, such as the Ohel institution, could have devastating consequences for the future marriages of one's children as well as for one's employment and financial viability.

**XV. Child Complains Bitterly to her School Teacher of Ohel sending her on Evening "Modeling Appointments" – Making her Fall Behind on her Homework – the school finds Ohel "Menacing"**

Sherry's school teacher relays to Dr. Neustein that Sherry was perturbed that she couldn't do her homework assignments because she said she had to go "very often" on "modeling appointments" after school.

According to the teacher Sherry had claimed that the car service that Ohel would send to pick her up at school would take her to a basement where a "man took pictures of her." The school teacher said the principal was "afraid" of Ohel and therefore she could not make a report to the authorities even though she was alarmed by what Sherry had told her. The teacher described Ohel as "menacing."

After over a year and half of modeling – starting when Sherry was 6 years old and placed in Ohel at her father's request – Sherry was now at age 7½ and playing with a 4½ year old boy who is holding a Polaroid camera. She removed her long sleeve top and skirt (that she wore to yeshiva that day) and posed in her undergarments. Sherry would assume these automatic poses, obviously without prompting from the 4½ year old child. A third photo was taken: it showed Sherry lying on her stomach and pulling back her underwear to expose her buttocks to the camera. Then she immediately grabbed that photo out of her mother's hands because she was ashamed.



*“My son was 4½ years old and he was the camera man. The position Sherry had posed herself in appeared pornographic in nature. Amy kept a few of the pictures back so she could confirm her position with others”* – testimony of Rachel Anolick at Senator David Paterson’s entire-day whistle blower hearing on the Sherry Neustein case, May 14, 1993, p. 111. Ms. Anolick had formerly worked for Ohel as a weekend relief foster mother; her role in the Neustein case was to serve as a visitation setting between Sherry and Dr. Neustein.

*“Our staff has recently reviewed several photographs, depicting Sherry in poses suggestive of having been prompted to pose in coy, seductive poses...our team experts are gravely concerned, due to the fact that the tone of these photographs is certainly contrary to the general modicum of modesty that one might expect to be portrayed in a child photograph of a member of a Hasidic community and much more clearly resembles photography of a child who might be in the process of being “groomed” for more explicit sexual material that might be offered as child erotica”* – Letter to the Child Exploitation and Obscenity Section of the US Department of Justice from Kathy Rosenthal, President of **Children’s Rights of America**, an offshoot of the **National Center for Missing and Exploited Children** where Ms. Rosenthal served on their founding Board of Directors.



*“I remember that Sherry during her admission to the hospital, used language, some of it sexual in nature, that seemed grossly inappropriate for a girl of her age”* – testimony of Dr. Jeffrey Birnbaum, the pediatric resident on call at Kings County Hospital in Brooklyn, at Senator David Paterson’s hearing, May 14, 1993; the same statements were repeated several years later in an affidavit, June 8, 1998, and quoted verbatim in *The Jewish Voice and Opinion*, March 2005, p. 35. She was admitted under the diagnosis of “failure to thrive” and the doctor felt she could die: *“I felt she was in imminent physical danger”* (testimony of Dr. Jeffrey Birnbaum, May 8, 1989, p. 9).

*“I was repeatedly surprised by Sherry’s sexually provocative behavior, which seemed to me very unusual for a girl of her age, particularly one raised in an Orthodox Jewish environment. Sherry often touched herself in her private areas. She also behaved in a sexually provocative manner. For instance, on several occasions, Sherry would dance in a provocative way, thrusting out her hips and chest. To my surprise, she informed me that her father had taught her this sort of dancing”* – Affidavit of Ms. Rachel Anolick, June 10, 1998.

**XVI. Orthodox Judge, Orthodox Law Clerk, and Ohel Case Workers Fix the Case by Campaigning to the Court-Appointed Mental Health Expert (who would later be denounced by APSAC in a published letter) to Ensure that Sherry Would Never be Returned to her Mother**

The New York State Senate Committee on Crime and Correction, which was following the Neustein case in their legislative investigation into the BSPCC’s misconduct, asked her to wear a wire when she went to see the court-appointed expert, Dr. Arthur Green. This expert was already a concern to a number of the APSAC board members because of his questionable research methods and inherent biases. Here is what Green said to Dr. Neustein:

*“The law clerk and the Ohel caseworker came to see me yesterday and said you are “paranoid” because you changed attorneys a number of times...they don’t believe you about the sex abuse...so it seems that’s the ‘law of the case’ (sic)...they all find you to be lying about the abuse...”* – Dr. Arthur Green’s communication to Dr. Amy Neustein, May 13, 1987 when he conducted the court-ordered evaluation.

The *Village Voice* would listen to these tapes and write in a 1996 article:

*“In a tape of the May 1987 evaluation session with Dr. Arthur Green that Neustein secretly recorded, Green tells her he had already spoken with the judges and others involved in the case who ‘think it [the sex abuse] didn’t happen’”* – *“A Child’s at Stake: a custody case becomes a political nightmare”* – by Adam Fifield and Michael Leshner, October 1, 1996, p. 12).

Many of the **APSAC** mental health professionals took a strong stand against Dr. Arthur Green when reading his public statements falsely asserting that children often lie about sexual abuse. In a 1988 letter published in the *Journal of the American Academy of Child and Adolescent Psychiatry* (Vol. 27, No. 2) Drs. Graeme Hanson, David Corwin, Roland Summit, and 16 other well-known mental health experts condemned Green:

*“Our major concern is that Green’s assertions may be taken as a standard of practice by those clinicians relatively inexperienced in the area of child sexual abuse... [and] it is our fear that Green’s [assertions are] likely to be used in judicial settings to the detriment of a large number of children caught in custody battles who have actually been sexually abused”* (p. 258).

Green made no bones about admitting to Dr. Neustein that he would be drawing his diagnostic conclusions based on the Orthodox Jewish law clerk, Steve/Shlomo Mostofsky, the judge, and Ohel. Green recommended to the court that Dr. Neustein be banished from Sherry's life. The judge premised his *entire* custody decision on Dr. Green's recommendation which was maneuvered, manipulated and controlled by the judge, Ohel and the law clerk.

Several years later Steve/Shlomo Mostofsky became Ohel's lawyer together with the BSPCC lawyer who told Dr. Neustein's counsel "*so what if Sherry goes into foster care, she's already been sexually abused.*" In fact, both Mostofsky and the BSPCC lawyer would later share a private office in the court district of downtown Brooklyn. Mostofsky's profile was rising and he'd soon become the President of the *National Council of Young Israel*, the largest organization of Orthodox synagogues in the country. His name has been in the news over the past year. His son, Aaron Mostofsky, was arrested for stealing police property and partaking in the January 6<sup>th</sup> Capitol riots, and will be sentenced in May.

#### **XVII. Sherry is Abused on More than One Occasion as Testified to by the APSAC Expert – Ohel Allows Father Accused of Sex Abuse to Sleep at the Foster Home in the Basement with the Child for the Sabbath**

Sherry is seen by an APSAC Board member who was duly concerned about Sherry having been abused on one more than one occasion by the father and about the risk of recurrence of abuse. Dr. Anne Meltzer after writing her report, copied below, elaborated in her testimony about a subsequent act of abuse in addition to Sherry's confirmation of what the grandmother had witnessed with regard to the father squeezing his daughter against his pelvic area and gyrating.

Dr. Meltzer explained in her testimony how she had engaged Sherry with anatomically correct dolls, wherein Sherry disclosed that her father had inserted his finger into her vaginal area and she [Sherry] said "it hurt."

What Dr. Meltzer didn't know was that the foster home that Sherry was in at that time<sup>9</sup> (she was in three different foster homes during her 17-month placement at Ohel) had allowed the father to sleep over for the Sabbath in private quarters with Sherry in the basement.<sup>10</sup> This was how the father had access to Sherry and was able to engage in digital insertion.

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<sup>9</sup> The foster father, a family practitioner, would later be arrested for covering up a severe form of child torture that caused an Orthodox Jewish eight-year-old boy to die from stabbing wounds on the holiest day of the Jewish year, Yom Kippur. The foster father who practiced in the Orthodox enclave of Borough Park Brooklyn had witnessed the child on multiple occasions come into his office with serious injuries, such as a bleeding scalp as a result of the mother having pulled out the young boy's hair, but chose not to make a report so as not to bring shame to the community: "DA Probes Doc in Child-Death Case," Michael Shain, *New York Post*, January 4, 1991, p. 26.

<sup>10</sup> A few years later the Children's Rights of America (started by a founding board member of the National Center for Missing and Exploited Children) would review the files in the Sherry Neustein case and become particularly alarmed by Ohel's actions of allowing the father, who was accused of sexual abuse, to sleep at the foster home. They would write a letter to Ohel's executive director: "The alleged abuser was even allowed to spend the night in the foster home where the child was placed by Ohel" – letter from Carol L. Parsley, National Director of Abuse Intake of the Children's Rights of America to Lester Kaufman, Executive Director, Ohel Children's Home and Family Services, February 5, 1991.

*"I have strong reason to suspect that Sherry has been sexually abused on more than one occasion by her father. In addition to describing and demonstrating the sexual acts with the aid of anatomically correct dolls, Sherry expressed great fear of her father and was particularly concerned that the sexual abuse would recur if her father were to take care of her"* – Anne Meltzer, Psy.D., Report, June 11, 1987. Dr. Meltzer is currently a member of the APSAC-NY Board of Directors.

The APSAC expert asked for just one more session with Sherry so that she could draw a more conclusive clinical picture of the abuse and perhaps learn a little more detail about those incidents. She was concerned enough about what she observed in her first meeting with Sherry to ask for another session with the child. The Orthodox child welfare agency agencies and the law guardian protested vehemently to her request and the judge obliged them (transcript, June 15, 1987, p. 40). In fact, Ohel played games with standing up Dr. Meltzer who had to set the appointment schedule three times as Ohel kept looking for excuses to prevent Sherry from being seen by a qualified expert in child sexual abuse. Finally, Ohel succumbed and delivered Sherry to Dr. Meltzer's office for an evaluation.

#### **XVIII. Sherry is Moved to Another Foster Home and is Abused by her Father Once Again: Ohel Foster Mother Makes a Report to Ohel and Calls for Help in the Middle of the Night**

Sherry's foster mother called for help in the *middle of the night* because Sherry was terribly traumatized after seeing her father and reported an incident of sexual abuse while spending the weekend with him at his home in Queens.

*"Chaya Berger, one of Sherry's foster mothers, made a midnight phone call to the child's foster agency to report that Sherry had confided that she had been sexually abused by her father on a weekend visit"* – "Custody Case a Travesty of Justice: Courts May Let this Little Girl Die," Ray Kerrison, *NY Post*, July 1, 1991, p. 2.

*"Sherry made a complaint to her foster mother that her father had touched her on her private parts during a past visitation. The Ohel notes reflect that before the complaint was made by Sherry, but subsequent to the visitation when the abuse took place, Sherry had such terrible nightmares...of little men walking all over the room and that frightened her...that she [the foster mother] requested that Zipporah Friedman, Sherry's therapist, come to her home [in the middle of the night]"* – Letter from Julia Heit, Esq., to Dr. Amy Neustein, reporting on the Ohel records that she had reviewed, February 22, 1991.

#### **XIX. "No Steps...Taken to Investigate" the Foster Mother's Complaint of Sexual Abuse – "Ohel Records Appear to be Fraudulent" – City Council President Andrew Stein**

*"As these Ohel records appear to be fraudulent, I believe no steps have been taken to investigate the sexual abuse charges [reported by the foster mother] as required by state law"* – Letter from City Council President Andrew Stein to Robert L. Little, Commissioner of the New York City Child Welfare Administration, July 16, 1991, p. 2.

**XX. Borough Park Community Liaison to Human Resources Administration Reports Cover-up of Medical Evidence by the same rabbi who had previously tried on behalf of the BSPCC and Ohel to thwart a legislative investigation into the Neustein Case.**

Around the time that Sherry would have such terrible nightmares of “little men walking all over the room” which prompted the foster mother to call Ohel for help in the middle of the night, Sherry was purportedly brought over to a nearby hospital to be examined for sexual abuse:

*“Sherry was brought into Maimonides Hospital screaming and out of control. Seminal fluid was found on her thigh”* – statements of Zipporah Ben-Avraham, MSW, Community Liaison to Human Resources Administration, to Senator David Paterson during his hearing into the Neustein case, May 14, 1993.

According to Ms. Ben-Avraham’s sources at the hospital, Ohel had asked the Executive Director of the Council of Jewish Organizations of Borough Park, Rabbi Morris Shmidman,<sup>11</sup> who had a close relationship with Maimonides Medical Center, to purge the hospital records so that there would be no trace of the sexual assault of Sherry. Rabbi Shmidman was all too familiar with Sherry’s case, as he had previously tried on behalf of the BSPCC to thwart the investigation of the New York State Senate Committee on Crime and Correction into the malfeasance of state agencies in the Neustein case.

It would later be reported in *The Jewish Week* how Rabbi Shmidman had berated Dr. Neustein while simultaneously working behind-the-scenes to scuttle a legislative investigation into the malfeasance of state agencies in suppressing the sex abuse of Sherry by her father:

*“Dr. Neustein’s parents both claim Rabbi Shmidman responded to their daughter’s personal appeals by calling her a “mental case” (though he cited no evidence). And Jeremiah B. McKenna, who has tracked the case since 1987 and has called Dr. Neustein “the victim of a criminal conspiracy,” says that Rabbi Shmidman actually arranged a meeting between BSPCC representatives and State Senator Christopher Mega (to whom McKenna reported) to explain ‘why the court was right’”* – *“Speaking With Their Silence: A troubling child sex abuse case in Orthodox community raises the question, Where are our leaders,”* by Michael Leshner, *The Jewish Week*, November 1, 1996, p. 28.

**XXI. Ohel Recommends Custody of Sherry to her Father**

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<sup>11</sup> Rabbi Morris Shmidman would later become embroiled in a major charity scam that shook the Orthodox community to its core. Federal and state prosecutors working concertedly would investigate his organization – Council of Jewish Organizations of Borough Park, where he served as their executive director – for theft of hundreds of thousands of dollars that needed to be appropriated for vocational training and other much-needed services for his indigent Orthodox Jewish community members. In an article appearing in the NYT it would be explained that the purpose of the investigation was to determine “whether Government funds and charitable contributions intended for the group’s programs had been criminally diverted for other uses,” Joseph P. Fried, “Investigation into Charity is Detailed,” *New York Times*, November 21, 1996, p. B9: [Investigation Into Charity Is Detailed - The New York Times \(nytimes.com\)](https://www.nytimes.com/1996/11/21/us/investigation-into-charity-is-detailed.html).

Notwithstanding Ohel's own foster mother calling for emergency assistance for Sherry in the middle of the night and making a report of subsequent abuse by the father, Zipporah Friedman, the Ohel social worker/therapist who kept telling Sherry she "lied" about the abuse, would come to court and recommend sole custody of Sherry to her father. The BSPCC files also had "custody to father" as their discharge plan.

The father, a medical doctor in the Veterans Administration system, didn't bring one witness of his own to testify to his fitness and suitability as a custodial parent. The Court based its custody award of Sherry to her father on this Ohel social worker's testimony and that of the controversial mental health expert (psychiatrist Arthur Green) who was publicly decried by a number of the APSAC members. As mentioned above, Ohel made a special trip to see that expert the day before he was to perform a supposed "independent" evaluation of Dr. Neustein so as to prejudice him against her in order to ensure that custody of Sherry would be awarded to her father. And they succeeded.

**XXII. Sherry Neustein Case is Placed before the Child Welfare Administration's Fatality Review Panel when City Council President Andrew Stein asked for an independent Medical and Psychological Examination of Sherry**

*"I have repeatedly asked the Child Welfare Administration to arrange an independent medical and psychological examination of the child [Sherry Neustein]. My office was instead advised that Sherry's case was being evaluated by the Child Welfare Administration's Child Fatality Review Panel. I understand this is the first time the panel has convened to examine the case of a living child" – Press Release from City Council President Andrew Stein, November 6, 1992.*

Dr. Herbert S. Strauss, Associate Clinical Professor of Pediatrics, Albany Medical College,<sup>12</sup> would write to a member of the Fatality Review Panel why he was so disturbed about the placement of Sherry's case before the Panel:

*"I am baffled by the Fatality Review Panel evaluating a living child. The Panel was established by the Human Resources Administration to exclusively review fatalities among children who had been known to the Child Welfare Administration, and make recommendations about policies and procedures based on experience gained from these fatalities. For instance, a report by the Human Resources Administration stated that 44 such fatalities, but no living children, were reviewed by the Panel for 1990. Does this extraordinary measure by officials of the Human Resources Administration to have Sherry Neustein, a living child, reviewed by the Fatality Review*

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<sup>12</sup> Dr. Herbert S. Strauss, an Associate Professor of Pediatrics at Albany Medical College, was highly distinguished in his field of pediatrics, with a subspecialty in pediatric hematology. His publications have appeared in the New England Journal of Medicine, Blood (the flagship peer-reviewed publication of the American Society of Hematology), and other prestigious venues. He enjoyed a long academic career including almost a decade of research and teaching at Harvard Medical School. He learned of the Sherry Neustein case from a story in the press and immediately contacted a number of legislative offices to offer his help pro bono. He testified at Senator David Paterson's hearing and spoke at a press conference sponsored by the Children's Rights of America at the Sheraton Manhattan, November 6, 1992. He was never a paid professional in this case. His interest was to help save Sherry from a dire situation. He wrote a numbers of comprehensive letters to politicians and bureaucrats, which may be useful at some point to include as an exhibit to the "Shonda" Report.

*Panel suggest that these officials expect her to die? Since her death is by no means inevitable, should not the efforts of these officials have been directed at rescuing this child rather than hiding behind a smokescreen of futile bureaucratic maneuvers?"* July 20, 1992, p. 3.

### **XXIII. The Brooklyn Society for Prevention of Cruelty to Children (BSPCC) Suppresses Disturbing Projective Test Results of the Father from the Court**

The Brooklyn Society for Prevention of Cruelty to Children, the agency whose Orthodox Jewish attorney (who would later become Ohel's lead attorney) blurted out "*So what if Sherry goes into foster care, she's already been sexually abused,*" suppressed the notes of their own clinical psychologist who administered a Rorschach test to Sherry's father, Dr. Ozzie Orbach – who was given a "clean" bill of health by this expert, who claimed he "misplaced" his notes when he came to court to testify.<sup>13</sup>

Months later when the agency sent over some basic correspondence to Dr. Neustein's attorney they accidentally included these notes from their psychologist, Dr. Isadore Schmuckler (an Orthodox Jew), that they had earlier suppressed from the court.

These notes which the BSPCC had suppressed from the court were given over to the *Children's Rights of America* by a legislative aide for Senator David Paterson who had asked the *Children's Rights* to construct a comprehensive report on the Neustein case in preparation for the major hearing that Senator Paterson and his colleagues would be holding on the Neustein case in May 1993.

The Children's Rights engaged a clinical psychologist, Dr. Alexander T. Gimon, to review the notes of the psychologist that had been previously suppressed by the BSPCC. Here is what Dr. Gimon wrote in his report dated February 22, 1993.

"Based on the notes provided, the Observations and Personality Functioning written by Dr. Schmuckler did not correspond to the data. There were some responses on the Rorschach which were suspect to a personality disorder and nothing to support self control on the part of Ozzie Orbach. It also should be mentioned that these notes did not represent responses of a person who was spontaneous and logical. They were brief and limited in cognitive strategies. The information on Ozzie Orbach which I reviewed was insufficient and inadequate to support the outcomes stated in the November 10, 1986 report on Ozzie Orbach by Dr. Isadore Schmuckler. If this was the total amount of information available to Dr. Schmuckler, his report was in error."

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<sup>13</sup> Ironically, when this BSPCC psychologist came to court to testify he had his full set of notes on Dr. Neustein, but he was suspiciously devoid of notes on his testing of Dr. Orbach, the child's father. He testified that day on his test results of both parents, but counsel for the mother was unable to examine his notes on the father to be able to ask him relevant questions that had a bearing on his competence to take care of Sherry.

**XXIV. Senator David Paterson would be Shocked at the Appearance and Demeanor of the Father and wrote to the US Department of Justice about his Concern over Why the Father was being so Staunchly Protected by the Orthodox Jewish and Child Welfare Officialdom**

*“The father’s appearance, demeanor and mannerisms gave me great cause for concern as to why there is such an intensely ferocious effort made by judges, social service and law guardian agencies, rabbis, and elected officials to protect the father from investigation”* – Letter from Senator David Paterson to US Justice Department Attorneys Robert Flores and Patricia Toth, Child Exploitation and Obscenity Section, June 2, 1995, p. 1.

Several months later, Senator David Paterson would reach out to the Public Integrity Section at the US Department of Justice, again stressing the urgency of discussing the outrageous misconduct of so many state actors in this case, working concertedly to commit serious malfeasance in the Neustein case:

*“I have amassed substantial evidence of malfeasance committed by agency workers, officials, judges and law clerks [referring to Steve/Shlomo Mostofsky] and would like to meet with you on this matter as soon as possible”* – Letter from Senator David Paterson to Attorney Lee J. Radek, Bureau Chief of Public Integrity, US Department of Justice, January 24, 1996, p. 2.

**XXV. Attorney for Child Welfare Administration is Aghast at the “Unusual” Treatment given to the Father to Protect him from any investigation for Child Neglect or Abuse**

*“In my five years of service as a consulting attorney [at the New York City Child Welfare Administration] for child neglect and abuse cases...this case [of Sherry Neustein] stands out singularly in my memory for the unusual treatment it received...for its profoundly ‘kid glove’ treatment of Sherry’s father regarding any child neglect or abuse allegations against him”* – Letter from Child Welfare Administration Attorney Leon Stein to Congresswoman Carolyn Maloney, October 17, 1996.

**XXVI. Ohel’s Director of Development, Rabbi Richard Bieler, Boasts at his Passover Seder of getting the DA to Shut Down the Investigation of the Father for “Child Endangerment” when the Referral was made by the Hospital to the Office of the Brooklyn District Attorney**

Photos of Sherry’s entire body were taken on April 7, 1989 (testimony of Dr. Jeffrey Birnbaum, admitting pediatric resident, May 8, 1989, p. 9), which was eight days after she was admitted on March 30, 1989. The hospital had taken a full set of (still shot) photos of Sherry’s entire body in accordance with New York State guidelines for referring a case to the state prosecutor for parent-child endangerment.

The father would admit to the hospital staff and later testify in court that he had drawn blood from his daughter shortly before her hospitalization but when asked under oath for the name of the lab, he

claimed not to know it because he stated he had “forgotten” to make arrangements to deliver the vials of his deathly ill daughter’s blood to a lab for analysis (testimony of Dr. Ozzie Orbach, May 9, 1989).

Thus, the fact pattern unfolding in this case was alarming enough for the hospital to warrant their sending the case over to the Brooklyn District Attorney to investigate child endangerment. However, the behind-the-scenes maneuverings of Ohel to stymie the investigation of Sherry’s father would serendipitously unravel at a Passover Seder about a year later.

What happened was that a young volunteer from NOW-NYC was a guest at the Seder at the home of Rabbi Richard Bieler, Ohel’s Director of Development, and his wife, Lois Raft-Bieler, who led a distinguished career in Legislative Affairs at the Office of the Brooklyn District Attorney before moving over to the Queen’s DA’s office several years later.<sup>14</sup>

This young female Seder guest, a “convert” to Orthodoxy, otherwise known as a “ba’al teshuvah (see footnote 3), didn’t understand the hierarchy of the community or the imperative need to follow the posture of Orthodox officialdom, most notably the dictates of Ohel, an institution that has been widely known as the “bulwark” of the Orthodox Jewish community.<sup>15</sup>

As such, upon asked at the Seder about her work at NOW-NYC this young woman enthusiastically reported her involvement with the Sherry Neustein case (Sherry’s case became a major issue for both NOW NYC and NOW NYS which held press conferences and testified at legislative hearings and wrote up Sherry’s story numerous times in their newsletter), stating how distressed she was over Sherry’s grave health decline.

What happened next left her flummoxed, as she would call Dr. Neustein to share her consternation with her as soon as the holiday would be over.

The host, Rabbi Richard Beiler, had turned to his wife, Lois, and chuckled as he boasted of how his wife, who had a high up position at the Brooklyn DA’s office, was successful in shutting down the investigation into the misconduct of Sherry’s father.

The Seder guest would convey to Dr. Neustein how “upset” she was to see such a “complete lack of empathy” from her host. She said she could hardly “swallow the matzah” and was “so eager” to leave their home at once.

**XXVII. Ohel Records Show Repeated Calls from Sherry’s Uncle – who had a very public vendetta against the Neustein family – asking for Restraints to Sherry’s Visits with her Mother and her Maternal Grandparents and for Sherry to be Put up for Adoption**

When Dr. Neustein’s counsel went down to Ohel to read her file she’d find a number of entries detailing calls made by Sherry’s maternal uncle (who is the husband of Dr. Neustein’s sister) to the Ohel caseworkers. The uncle had carte blanche to Ohel because his cousin, with whom he shared a very close

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<sup>14</sup> “Queens’ DA Brown Appoints Rabbi’s Wife, Director,” *The Jewish Press*, October 25, 1991, p. 15.

<sup>15</sup> “Unorthodox Politics: Did Joe Hynes’ Jewish Community Ties Influence Four Cases?” By W. Barrett and J. Bowles, *The Village Voice*, September 6, 1994, pp. 13-18.



relationship, was on Ohel's founding board of directors and continued to serve with distinction for many years ("A Child's At Stake," *The Village Voice*, October 1, 1996, p. 12).

Years later Dr. Neustein's sister, who had been suffering from mental problems – hearing voices, dissociating, showing impulse control issues, and poor judgement, and was in treatment since she was eleven years of age – would write a confessional letter to her parents (Sherry's grandparents) about the "almost nightly" meetings between her husband and Sherry's father to plan how to utilize Ohel to "hurt Amy."

The uncle's actions were not surprising considering he had embarked on a very public and unrelenting vendetta against Sherry's mother and her parents that began even before Sherry was born.

To wit, the uncle shortly after his marriage to Amy's sister "pumped" his wife for all the personal information about the family. He forbade his wife from having any contact whatsoever with her family. He then composed a 17-page letter expressing his unrestrained anger for the Neustein family members – taking apart each family member and reproaching them without mercy – and circulated the letter to the synagogues in Brooklyn to shame the Neustein family.

Dr. Neustein's father was a prominent rabbi and a public figure. Such a letter was naturally of intrigue to the Orthodox Jewish community in Brooklyn, especially that idle chatter thrives in closed, insular communities. He drew from his wife anything that would constitute an embarrassing family habit and reified it in his slanderous letter.

The grandfather tried repeatedly to appease his son-in-law but every time he acceded to his demands the situation grew worse.

A description of what provoked this powerful vendetta – precipitated by an Orthodox Jewish custom that takes place on the Sabbath before a groom's is to be wed – and the built-in constraints of Orthodox culture that prevent "fighting back" appear in Part IV.

In the sister's confessional letter she would tell her parents that she had been "torn" between her loyalty to her husband and her revulsion of what he had been done to Sherry and her mother. Nevertheless, the sister succumbed to her husband's wishes and never again came forward to help.

The uncle's vendetta was well known to the Ohel Children's Home, just as it was known throughout the Orthodoxy community. Can a private agency, contracting with the City of New York, be used by a board member's relative to carry out his personal vendetta against his wife's family?

Apparently, Ohel didn't think so, as they dutifully made entry notes of the uncle's calls and obliged each of his requests:

- ✓ When he wanted the grandparent's visits terminated, he called Ohel and they obliged.
- ✓ When he wanted Dr. Neustein to lose her visits, he called Ohel and they obliged.
- ✓ When he wanted Ohel to place Sherry up for adoption, he called Ohel and they obliged.

**XXVIII. BSPCC Psychiatrist Admits to Visits Made by Sherry's Maternal Aunt and Uncle to BSPCC before Dr. Neustein had been scheduled for her evaluation by this psychiatrist**

The BSPCC psychiatrist, Seymour Bortner, would tell Dr. Neustein that before she had come for her evaluation, her sister and her husband (Sherry's uncle) had already come to see him even though they had never seen Dr. Neustein with her daughter, as the uncle had forbidden his wife any contact with her family. Nor were the aunt and uncle ever a part of the legal proceeding. They never filed motion papers nor did they serve as witnesses.

In truth, what the sister and her husband had relayed to Dr. Bortner seemed irrelevant on its face. However, it was the act of a sister coming down to a child welfare agency to "rat" on the mother's family that was meant to be prejudicial to Dr. Neustein.

According to Dr. Bortner, Dr. Neustein's sister had told him, in the presence of her husband, that her parents in following strict Orthodox tenets were "very careful" about showing any signs of "romantic" exchanges in front of the children when they were growing up.

For some reason this seems to have troubled Dr. Neustein's sister who had brought this up in her own therapy sessions when she was an adolescent. Apparently, this was of enough of a concern to her to have her husband expound upon it in his 17-page vendetta letter sent out to the Orthodox community in Brooklyn. It also warranted a trip down to the BSPCC to tell the psychiatrist whose sole purpose was to evaluate Sherry's mother and *not* the sister who had never seen Dr. Neustein with Sherry.

And in fact, when Sherry fell ill to severe anorexia nervosa, the maternal aunt and uncle would go down to the Human Resources Administration (HRA) to state that Ohel suggested they report that Sherry's mother was to "blame" for the anorexia – even though the sister never saw Dr. Neustein with her daughter. Entry notes in the HRA file chronicle these unsolicited visits from the vendetta-driven maternal uncle with the assistance of Dr. Neustein's mentally-challenged sister.

#### **XXIX. Carefully Calculated Steps Taken by Orthodox BSPCC lawyer and Ohel to Destroy a Child's Most Basic Sense of Security – The Mother-Child Bond**

- Ohel Places Sherry up for Adoption 30 days after she is illegally removed from the mother. Ohel tells Dr. Neustein in late November 1986, *in front of Sherry*, that they are starting to make adoption plans for Sherry. The announcement comes from Rabbi Sam Frankel, an Ohel supervisor and head of adoptions. The rabbi then "finalizes" the plans on December 31, 1986 (see photo, below).

Dr. Neustein is told that her husband will voluntarily terminate his parental rights but Ohel will go into court and tell the judge that she is "crazy" and her rights will be involuntarily terminated. Frankel boasted that BSPCC (which he referred to as the "city" as to distinguish them from the Ohel sectarian agency) will "do whatever they ask." Neustein is told that her visitation will be terminated by the end of the year (1986).

- When Dr. Neustein foils the adoption plans by getting her case to the New York State Senate Committee on Crime and Correction which begins an investigation, the BSPCC must reinstate visits. BSPCC makes the mother wait months on end to have her visits reinstated and the Orthodox Jewish judge goes along with the machinations of the BSPCC.
- When the visits are reinstated the BSPCC forbids Dr. Neustein from having Sherry sit on her lap. They tell the court that Ohel once saw Dr. Neustein bend over to Sherry's ear when she was sitting on her lap to whisper to her. Dr. Neustein whispered "I love you" into her daughter's ear. Ohel didn't hear what she said but they assumed "the worst."

The Orthodox judge issued a Court Order that forbade "*whispering*" to Sherry. The BSPCC social worker said they wouldn't allow her to have Sherry (age six) sit on her lap because they couldn't be certain that she wouldn't forget herself and whisper into her daughter's ear.

The Ohel files showed an entry from Martin Burger, whose cousin was a powerful board member at Ohel, that ordered that when the visits are reinstated that the maternal grandparents be forbidden to see their grandchild. Ohel obliged Burger's request and asked the BSPCC Orthodox lawyer to cut out the grandparent's visits permanently, and he did.

- The court wouldn't allow Sherry to visit her mother at her home, but they yielded and allowed a special Chanukah visit at the Neustein home in Manhattan Beach, Brooklyn. The visit was heavenly.

Sherry spent five hours at her home, went to her room and sought comfort from her familiar toys and home surroundings. The law guardian who spoke to Sherry after that visit told the court that Sherry "enjoyed" her home very much.

- When the father was given custody of Sherry, the BSPCC lawyer and the law guardian asked the Court to prohibit Dr. Neustein from taking Sherry to her home for a visit. They failed to provide a visitation center so she would have to wander the neighborhoods of Brooklyn during her four hour visits every week, even during inclement weather.

Adding another wrinkle, the court knew that Dr. Neustein didn't drive. After many failed attempts at finding a home in the Orthodox community, she went on television and found a Ms. Rachel Anolick, a caring Orthodox homemaker, a "convert" to Orthodoxy who didn't uphold the community's biased views.

Sherry, unfortunately, began to see her mother as dependent on the charity of others and looked up to Rachel because she had a home and her own mother was, in essence, "homeless."

**OHEL PLACES SHERRY UP FOR ADOPTION AND CUTS OFF HER VISITS WITH HER MOTHER**

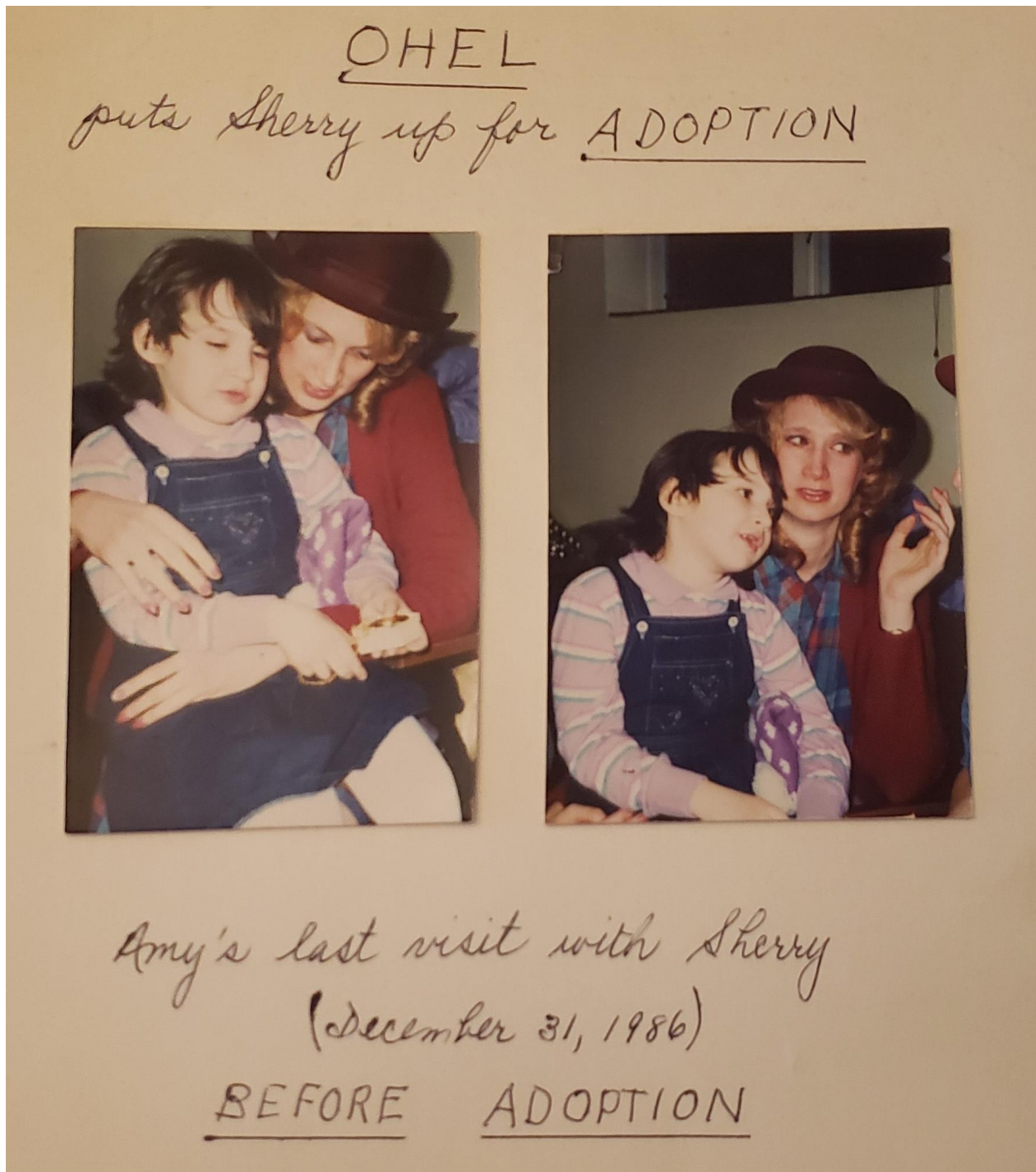


Photo on the left – Amy Engaging her Daughter on an Ohel Visit; Photo on right – Amy in a state of shock, as she has just been informed by Rabbi Sam Frankel, Ohel Supervisor and Head of Adoptions, that Ohel will be going ahead with placing Sherry up for adoption. The rabbi explained that Ohel will go to court and ask for Amy's parental rights to be terminated, and then said the father will "voluntarily" terminate his own parental rights. Fortunately, an investigation by New York State Senate Committee on Crime Correction had begun shortly thereafter – this stopped Ohel from going ahead with their reprehensible plans to place Sherry up for adoption.

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## PART TWO: DOCUMENTING THE CONSEQUENCES TO THE CHILD WHO FELL VICTIM TO OHEL'S CRIMINAL ENTERPRISE

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### Political Press Conference on the Steps of City Hall (New York City) to Plead for Sherry who Showed Disturbing Signs of Physical Abuse While Living with Her Father

*"On many occasions, Sherry came to our house with bruises on her legs. What I thought was peculiar about the bruises was the fact that they were almost all of similar shape, size, color and direction, regardless of where they appeared on her leg"* – affidavit of Rachel Anolick, December 28, 1992, p. 10.

Speakers include: then Upper West Side of Manhattan Councilwoman Ruth Messinger (later Manhattan Borough President and New York City mayoral candidate) – center – at the microphone



Left to right: NOW NYS Vice President Barbara Rappoport, Dr. Amy Neustein (Sherry's mother), Court-Attorney Frank Buono, and Underground Railroad movement leader, Faye Yager, who flew in from Atlanta for this press conference

Dr. Amy Neustein – center – speaking at the microphone – in tears, pleading for someone to help Sherry; the Family Court Judge (Leon S. Deutsch) refused to sign the Order to Show Cause to address the Sherry's recurring injuries, and there was nowhere to turn.

The press conference aired on WWOR TV (Channel 9) and WXTV (Channel 41), and was written up as a feature news story: "Officials Say Abuse Case Review Due," by Karen Winner. *The Westsider*, August 11, 1988 (pp. 3, 11)





## EXPLOITATION OF CHILD REACHES CRISIS POINT



Photo on left: Sherry as a very happy child living with her mother; Photo on right: Sherry as a severely malnourished child living with the father. Photo on the right was taken as she was leaving the office of the Ohel social worker/therapist who saw nothing wrong. The mother rushed Sherry to the hospital where medical doctors described her as looking like a “starving Biafran child” (*“Another Lisa Steinberg Horror”* – Ray Kerrison, *New York Post*, April 5, 1989, p. 2). The CT Scan showed shrinking of the main brain substance: her muscle tissue was digesting itself as her subcutaneous fat had been consumed by prolonged starvation living with her father. The mother testified to begging the father, a medical doctor himself, to seek care for Sherry. He testified that he “took blood” but “forgot” to deliver it for analysis.

*“After the forced separation from her mother and placement in the custody of her father, the child reacted with severe anorexia. A picture of her, while in the custody of her father, shows a shockingly emaciated, eerily repressed girl, reminiscent of a terminally ill child or a concentration camp inmate. The lurid make-up of fingernails and lips appeared highly inappropriate for an eight year old girl and quite grotesque in light of her severe malnutrition. Her physical state was attested to by physicians at the Kings County Hospital. Severe anorexia at this age [age 8] could very well be the result of abuse: a child’s cry for help”* – Letter from Herbert S. Strauss, M.D., Associate Clinical Professor of Pediatrics, Albany Medical College to US Congressman Major Owens, April 13, 1992.

*"A heinous crime has been committed here and it is being covered up. Sherry's death may further the purposes of those behind it"— Former New York Governor and former NYS Senate Minority Leader, David A. Paterson, "Pleas for a dying child go unheeded," Ray Kerrison political columnist, New York Post, November 9, 1992 p. 14.*

*"She [Sherry] was by far the worst case I have ever seen of emaciation. I thought she could die of malnutrition"— statements of Dr. Jeffrey Birnbaum (the pediatric resident on call who admitted Sherry on the night Dr. Neustein rushed her over to the emergency room at Kings County Hospital in Brooklyn) quoted in Ray Kerrison's column, "Custody Case a Travesty of Justice, Courts May let this Little Girl Die," New York Post, July 1, 1991, p.2. In testimony, Birnbaum would elaborate:*

*"I felt she was in imminent physical danger. The acute dehydration needed prompt attention. From her overall general state, I felt that definitely needed to be done in the hospital...She [Sherry] was just so severely malnourished that the thought came into my mind that she would be in that statistic of 10 to 15 [percent of] anorexics who were going to die from malnutrition" (May 8, 1989, pp. 9-10).*

*"She said 'life is not worth living'...she feels very, very defective and abnormal and she says 'Please, I just want to be normal like every other kid'" (testimony of psychiatrist hired by the law guardian for a court evaluation and not for therapy, May 31, 1989, p. 19; 41).*

*"No case is more galling," said [Jerrold] Nadler [now chair of the House Judiciary Committee]. "Here was a little girl, perfectly healthy and happy, who weighed 62 pounds at six years of age. After two years with the father, the child's weight fell to 42 pounds and she was in danger of death. Judge Leon Deutsch ordered Dr. Neustein not to take the child for any medical examinations. The mother violated that order and took the girl to a hospital where doctors found her emaciated and dehydrated. She was only a day or so away from death. Now you'd think a judge would say, 'Thank God the mother ignored my order and took the child in for treatment.' Not Judge Deutsch. He punished Dr. Neustein further by barring her from any contact with Sherry. What happened here is inhuman"— statements of New York State Assemblyman (now US Congressman) Jerrold Nadler to Ray Kerrison, New York Post, December 27, 1989, p. 2.*

*"She scratches herself rather than talk about her feelings"— testimony of the psychiatrist chosen by Sherry's law guardian to evaluate Sherry (May 30, 1989, p. 69). This eight-year-old child tragically descended into self-mutilation as she could no longer verbalize her feelings after years of being chastised by the Ohel social workers as a "liar" for simply pleading to be protected from sexual abuse.*

*"She was seen by a psychiatrist and felt to be suffering from severe depression. Her medical workup also revealed some changes as a result of her severe degree of starvation in that there were atrophic changes that occurred in her brain. This was documented on her C.A.T. Scan. The main [brain] substance was*

*shrinking, so that the spaces between the brain substance were increased in size” – testimony of pediatric attending physician at Kings County Hospital, May 5, 1989, p. 172.*

**I. Father Pulls out I.V. Tubes from Sherry the next morning after her Admission to Kings County Hospital in a state of Imminent Danger of Dying: he takes her in his car to a Hospital Run by a Powerful BSPCC Board Member: Samuel Plotkin, Chairman of the Board at Brookdale Hospital**

*“Doctor appeared quiet upset as she became aware of the case”...“new allegation of medical neglect [against father] insofar as removing child from medical care against doctor’s advice, removing IV from child” – The City of New York Human Resource Administration “History Sheet”: Case number 4890911, entries made by caseworker on May 1<sup>st</sup> and May 3<sup>rd</sup>, 1989.*

The pediatric attending at Kings County Hospital made a report to the Human Resources Administration of “medical neglect” against the father for removing the IV tubes from his severely emaciated and acutely dehydrated daughter in order to shift her over to a hospital which was managed by a BSPCC powerful board member, Samuel Plotkin, who served as their chairman of the board. At the new hospital run by those assisting the father, the mother’s visits were soon cut out after she tried to visit her daughter and was met with extreme animus from the maternal uncle who, together with the father and his sister, riled Sherry up against her mother notwithstanding the child’s medically precarious state.

However, in spite of the propitious political connections at this new hospital, there were medical and nursing staff members who didn’t play along with suppressing the evidence of abuse or neglect. For example, as mentioned in the previous section, medical staff members would order a full set of pictures to be taken of Sherry’s entire body, in compliance with the New York State guidelines for criminally charging a parent with “child endangerment.”<sup>16</sup> In addition, as will be shown below, a nurse on duty in the isolation room where Sherry was placed due to her severely compromised immune system, made a report to child protective services after hearing an alarming threat made by Sherry to her father.

**II. Sherry’s Father Panics over the Contents of her School Book Bag when Hospitalized**

Hours after Sherry was hospitalized, the father called the mother at her home in a state of panic. It was about 12:30 at night and the father’s only concern was that the mother had taken Sherry’s book bag home with her rather than leave it in the hospital emergency room. The mother tried to speak to the father about how gravely ill Sherry was and that the doctors were concerned that she could die. The father, himself a doctor, should have been alarmed by the clinical findings of severe emaciation, electrolyte imbalance, hypothermia, anemia, and image studies that showed brain organ atrophy. But

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<sup>16</sup> Unfortunately, as seen in the prior section, an Ohel official would admit to using his clout (through his wife’s connections at the Brooklyn District Attorney’s Office) to suppress the DA’s investigation of the father after the hospital had referred the case. In fact, when the duplicate set of photos were brought to court and were placed into evidence Judge Deutsch’s law clerk, Steve/Shlomo Mostofsky, smirked and the photos would disappear from the court file soon thereafter.



he was solely focused on the book bag. The pediatric resident, Dr. Jeffrey Birnbaum, would later be quoted in a *Jewish Voice and Opinion* article (March 2005, p. 35) about how the father responded to the resident's presentation of a life-threatening clinical picture of his daughter. The resident summed up the father's response as *"very cold and offish."*

Dr. Neustein was distraught about Sherry and she, like the admitting physicians in the emergency room, feared that Sherry could go into hypotensive shock and die. As a result, she temporarily misplaced the book bag she had brought home with her rather than leave it in the emergency room. However, when she finally located the book bag and looked inside she understood why the father was so concerned. Inside were loose leaf papers with Sherry's own handwriting:

***"Stop coming on to me. I don't want this for me. So shake your love away from me."*** This was entered into evidence by the mother on May 5, 1989. For an eight-year-old Orthodox Jewish child attending yeshiva her preoccupation with adult sexual themes is certainly perturbing.

### **III. Sherry Makes a Threat in the Hospital to her Father and a Nurse Makes a Report to Child Protective Services; Father is Concerned he'll be Investigated for Sex Abuse**

A Human Resources Administration (HRA) supervisor who came to testify as a whistle blower at Senator David Paterson's hearing into the Sherry Neustein case would pull the Neustein file and discover a report of abuse made by the nurse on duty at the hospital where Sherry was being treated for her life-threatening malnutrition and acute dehydration. This report was kept hidden from Dr. Neustein by all of the system players and wasn't discovered until three years after Sherry had been in the hospital. Here is what was found in the HRA file:

*"You got me into this and you better get me out of it or I am going to tell them everything"* – Sherry's threat made to her father while in the hospital for treatment for her life-threatening anorexia nervosa – The City of New York Human Resource Administration "History Sheet": Case number 4890911, entry made by caseworker on 5/2/89.

The HRA files stated that the way this report came about was that *"a nurse on duty in the isolation room"* where Sherry had been placed (due to her extremely compromised immune system resulting from severe malnutrition) had *"overheard"* Sherry's threat and repeated it verbatim to the caseworker.

The father was called in to meet with the HRA caseworker the next day and *"he was concerned with the case being referred to a sexual abuse unit wanting to know if there was new allegation of sexual abuse"* — The City of New York Human Resources Administration "History Sheet": Case 4890911, entry made by caseworker on 5/3/89.

Sherry's threat appearing in the HRA record was cited verbatim by Ray Kerrison, *"Custody Case a Travesty of Justice, Courts May let this Little Girl Die,"* New York Post, July 1, 1991, p. 2, and later quoted in the *Jewish Voice and Opinion*, March 2005, pp. 35-36.

**IV. Aggressive Tactics Used to Thwart Child Protective Service Investigation Prompted by Report Made by Nurse at the Hospital**

*“This is what I said to the B.C.W. [Bureau of Child Welfare] who apparently had opened up this case again, and I’m hoping that I **squelched it** when I spoke to the supervisor there, who I got very, very incensed at that they were opening up the case again”* – testimony of psychiatrist for Legal Aid Society, Sherry’s law guardian that petitioned the court to terminate the mother’s visitation rights for taking the child to the hospital without the father’s permission, May 30, 1989, p. 46.

Steve/Shlomo Mostofsky, the law clerk for Orthodox Jewish Family Court Judge Leon Deutsch and later Ohel’s lawyer, also called the supervisor at the Bureau of Child Welfare and chastised him likewise for opening up an investigation into the father. The supervisor (Roger Moore) would reach out to Dr. Neustein upon reading of her daughter’s tragic case in the press, and recount how Mostofsky shockingly yelled, “there is no sex abuse in this case!” He demanded the case be closed, and the supervisor was informed by his director to close the case.

The HRA supervisor who found these notes in the file, three years later, would convey to Senator David Paterson’s staff the seriousness of intercepting an investigation initiated by a nurse (a mandated reporter) within an institutional/hospital setting – in an isolation room adjoining the ICU – for a child who was deathly ill and admitted under the diagnosis “failure to thrive.” This was a serious complaint.

**V. Sherry’s Father Tells the Court that he, rather than a Pediatrician, was monitoring Sherry’s Condition When She was in Imminent Danger of Dying and had Severe Depression**

In cross-motion papers the father would declare that he, as a medical doctor, was “monitoring” Sherry (he would later testify that he even drew her blood but “forgot” to deliver the vials to a lab for analysis) until she reached a point of such severe emaciation that all her subcutaneous fat was consumed and her muscle tissue was digesting itself, causing atrophy of her brain, yet the judge refused to sign a subpoena for the father’s medical workplace which had a direct bearing on his parental competence. In a motion to the Appellate Division the mother’s counsel would state:

*Orbach [the father] himself had placed his medical credentials in issue before this Court when he set forth his credentials in an attempt to prove that as a medical doctor, he was appropriately monitoring Sherry’s condition. Hence, because to date, nobody ever investigated Orbach’s medical credentials, we have sought to do so especially since Orbach has now placed his own qualifications and expertise as a physician in issue in this case. Yet, Judge Deutsch is continuing to protect Orbach and has not and will not permit introduction of any evidence in this case that might conceivably impact negatively upon Orbach...Even worse, Judge Deutsch’s order clearly reflects the court’s intent to have the child returned to the father...Specifically, Judge Deutsch added a decretal paragraph that “ORDERED, that all previous orders of this Court are continued”...The only safe alternative for this child is for this Court to stay all proceedings in the Family Court pending this Court’s determination of the appeal. Additionally, until this matter is resolved, the father or any member of his family must be restrained from having custody of*

*Sherry. Unless this relief is granted, Sherry's life will be in grave danger. As shocking as it might seem, the adversaries have a real motive to see this child dead. A dead child cannot talk and the truth will be buried with her. Thus, to insure this child's survival, Sherry should at long last be entitled to her day in court. The entire sixteen months that she was in foster care and persistently claimed that her daddy had hurt her, the adversaries and the court refused to listen to her pleas of anguish. If she is permitted to again be returned to her father, her life once more will be placed in serious jeopardy.* (Affirmation of Julia Pamela Heit, Esq., the mother's counsel, to the Appellate Division, Second Department, May 1, 1989.)

## **VI. Family Members Torture Sherry while in the Hospital, Hooked up to I.V. Tubes – and shortly after her release**

Rachel Anolick, the court-approved visitation supervisor (and home setting) for Dr. Neustein and her daughter Sherry, would sign a sworn statement recounting the torture of Sherry by her family members just 3 days after she was admitted for severe anorexia nervosa and clinical depression – wherein the team of doctors diagnosed her to “imminent physical danger”.

To display such calloused disregard for Sherry when her health was so tenuous – the team of doctors were concerned she might die – points to the depravity of severe and extreme child abuse:

*“While Sherry was hospitalized, I was distressed at some of the behavior of Ozzie Orbach [Sherry's father] and his sister, Fran Gutterman, around this very sick girl. When I accompanied Amy on a visit to Sherry on April 2, 1989, Dr. Orbach was already in Sherry's room with Fran Gutterman and Martin Burger when the two of us arrived. Sherry was hooked up to intravenous tubes. She looked depressed. She immediately asked for her book bag. Amy tried to explain that it was [temporarily] lost, but that she would find it. Fran Gutterman blocked Amy's access to Sherry during this exchange, until Amy politely asked her to get up so she could sit next to Sherry. Fran did stand up – in a nasty, belligerent manner. Then, to my astonishment, she incited an already upset Sherry by taking up the cry about the book bag. ‘The only thing that will settle her down is if you give her the book bag.’*

*“Again, Amy and I tried to reassure Sherry. Then Sherry saw the tape recorder that Amy carried in her coat pocket. At that point, Fran literally screamed at Amy: ‘Do you have a tape recorder? You're not allowed to have a tape recorder. The judge said you can't have a tape recorder!’ As Amy tried to speak with her child, Fran – in front of Sherry – challenged Amy's right to visit her daughter, claiming that she did not have visitation on that day. While Sherry played with a toy Amy had given her, Fran loudly and repeatedly insisted that Amy had to leave. In front of the sick girl, Fran continued her antagonistic attacks against Amy.*

*“In short, for a little over a year, I watched as Sherry slowly starved herself and grew more and more depressed. She did not want to leave my house, my family or her mother. I wish to make it clear that I am not a friend of Amy's. My only motive is to see Sherry healthy and well-cared for, and rightfully returned to her mother's care.”* –Affidavit of Rachel Anolick, June 10, 1998, pp.4-5.

The torture of Sherry, likewise, continued after her release from the hospital. A few days later, while she was still quite emaciated, following her six-week hospital confinement, the father and the maternal uncle would incite Sherry to the point of hysteria, which almost caused her to run into the street in the line of moving traffic. Rachel Anolick, in her affidavit, would describe how Sherry was cornered by Orbach and Burger, who stood on either side of her, blocking her from coming to her mother, while using refrains in her ear that triggered out-of-control behavior:

*“On one of Amy’s last visits with Sherry, Amy and I drove up to Ozzie Orbach’s house to pick up Sherry. I saw that Dr. Orbach was standing so as to block Sherry in a corner of the porch. Sherry, however, seemed relaxed and expectant. Suddenly, Dr. Orbach leaned over her and whispered something in her ear. Sherry instantly went berserk. She screamed, tossed herself back and forth, and was extremely agitated. Later in the same visit, Sherry yelled at Amy that she was “paying Rachel to be your friend” (sic). Dr. Orbach’s brother-in-law, Martin Burger, who stood on one side of Sherry, looked over her at Dr. Orbach (who stood on the other side) with a smile that seemed to me a sign of congratulation” – Affidavit of Rachel Anolick, June 10, 1998, pp. 3-4.*

What happened next was equally alarming. The mother was permitted to take Sherry for the visit and proceeded to calmly guide her into the car. But Burger and Orbach wouldn’t allow Sherry to go. They continued to whisper into her ear as she grew more and more agitated. The father’s house was on a street with a lot of heavy traffic. Given Sherry’s extremely agitated state, Dr. Neustein and Rachel were afraid that she’d throw herself into the street and be hit by a moving car. Dr. Neustein and Rachel left.

As shown in Ms. Anolick’s affidavit, Sherry was incited by her family members while still severely anorexic and clinically depressed. In this weakened state, having suffered so long from malnutrition, she was vulnerable to incitement from family members (principally her father and maternal uncle) that cut her off from her mother, from doctors, from therapists, or anyone outside their man-made “ghetto”.

#### **VII. Principal Testifies that Maternal Uncle Threatened Sherry with being “Locked Up” by her Mother if she would go on a Visit with her**

After the last foiled visit, as described in the section above, Dr. Neustein tried again to visit with her daughter. On her scheduled visitation day, she went down to school to pick up Sherry but, instead, found her daughter in the principal’s office in a state of hysteria. Sherry was rolling on the floor and tearing at her arms and legs so uncontrollably that her blood splattered around her on the floor. The maternal uncle was standing close to Sherry, using his body to block Dr. Neustein from getting over to her. He then bent over and whispered into Sherry’s ear. Each time he did, Sherry would respond by clawing her nails into her arms and legs.

Soon thereafter the principal would testify in court that Sherry disclosed to him what it was that her maternal uncle had whispered in her ear. She said her uncle Marty told her that if she were to “ever go on a visit with her mother again,” she would have her “locked up in a mental hospital” and would “never get out” (testimony of principal, Harvey Bochman, May 31, 1989). According to the principal,

when questioned by the mother's counsel, he said it was "understandable that Sherry would believe this" since it was her mother who had recently hospitalized her for her life-threatening anorexia nervosa and the hospital kept her there for six weeks, which for a child is an eternity.

This anguishing visit of seeing one's frail child mutilating her body would be the last memory Dr. Neustein would have of her daughter, as this would be the last time she's ever see her daughter or hear her daughter's voice again.

The maternal uncle was victorious and he relished his victories. He tape recorded Sherry's hysterical wails that day in the principal's office as she was rolling on the floor and clawing at her skin. He made hundreds of copies this tape to "prove" that Dr. Neustein was "not good" for Sherry. He sent out the tape freely to members of the Orthodox Jewish community just as he had sent out the 17-page letter defaming Sherry's grandfather to all of his colleagues.

*"Mr. Burger has not only offered, but distributed without request, tape recordings of Ms. Orbach as a child" – "Waiting for Sherry Part III", The Jewish Voice and Opinion, June 2005, p. 26.*

The Orthodox Jewish family court judge subsequently terminated the mother's visitation privileges for the emergency hospitalization of Sherry sans approval of her ex-husband, using this heart-wrenching episode of torture (by the maternal uncle) to justify the child never seeing her mother again.

**VIII. Sherry is Isolated Following her Release from the Hospital and can only be seen by the Ohel therapist who purportedly groomed her for child erotica: Sherry is denied access to a qualified mental health professional specializing in anorexia nervosa**

Upon Sherry's release from the hospital, the ONLY mental health person that she was allowed to see was the Ohel therapist, social worker Zipporah Friedman, who had testified in court that she told Sherry her mother lied about the sexual abuse and that was why she could never come back to her mother.

Ms. Zipporah Friedman, MSW, who was hired specifically by Ohel for the Neustein case (and paid for with public monies) had *no* expertise whatsoever in treating anorexia nervosa. The photograph of Sherry, above, looking like what Dr. Strauss described, above, as "an eerily repressed girl – grotesquely adorning lipstick and nail polish" – was taken right after she left Zipporah Friedman's office that day. No efforts were made by Friedman to seek medical intervention for Sherry who was obviously gravely ill. And why did Friedman countenance young Sherry (only eight years of age) wearing bright red lipstick and nail polish, especially when she was so terribly malnourished and severely dehydrated?

From bits and pieces of evidence that had begun to surface, Ms. Anolick believed it was Zipporah Friedman who had assisted Ohel in the (child erotica) "grooming" of Sherry:

*Ms. Anolick stated in an affidavit: "Sherry told me that her [Ohel] therapist, Zipporah Friedman, had told her that a good body had the shape of an hourglass. Sherry had me stand up and then to my surprise, she rubbed her hands down the curves of my body, and said my shape was good. Amy and I both tried to explain to this seven or eight year old girl that a girl's body was different from a grown body, and she had a good body for her age, and that her shape was fine" – December 28, 1992, pp. 7-8.*

And in the hospital, while the mother was not allowed to see her child per instructions given by the law guardian to the medical staff after she made just one visit to the hospital, Ohel therapist Zipporah Friedman had free run of the place -- and in fact stepped up the frequency of her visits to the hospital right after Sherry made her threat to her father to disclose what brought about her descent into life-threatening anorexia nervosa, a condition which the pediatric resident said in his testimony was "very abnormal in an eight-year-old child" (*The Jewish Voice and Opinion*, March 2005, p. 35).

#### **IX. How Ohel's Isolation of Sherry Almost Killed her Three Years Later: New York Politicians, Doctors, and Journalists were Up in Arms – Pointing to the Orthodox Jewish Animus**

Having been insulated from any outside mental health professional and forced to see the Ohel therapist who was purportedly instrumental in "grooming" her for "child erotica," Sherry lost another 11 pounds within a few years after her six-week hospitalization for severe emaciation, acute dehydration, and suicidal depression. As a result, an emergency press conference was held at the Sheraton Manhattan in New York City, sponsored by the *Children's Rights of America* and with the generous assistance of Congressman Major Owen's press secretary, Marian Douglas, who worked steadily late into the evening to pull together federal, state and city level politicians, medical experts, reporters and columnists, and award-winning actress Lee Grant to attend this event.

*"Several prominent politicians yesterday demanded that Mayor David N. Dinkins reopen the custody case of a 12-year-old Brooklyn girl whom they describe as close to death. The girl, whose name is Sherry, was placed in her father's custody four years ago despite allegations he was sexually abusing her. She now weighs only 59 pounds and is diagnosed as anorexic. The Brooklyn Family Court placed Sherry with her father at the recommendation of two city-funded Orthodox Jewish child care agencies, records show. On October 6, 1992, records showed that Sherry had shrunk to 59 pounds. Dr. Herbert Strauss, a Harvard-trained physician, reviewed the files...and stated that 'Sherry is in grave peril of losing her life.'" – "Pols Demand Look into Child's Case," Michael Powell, New York Newsday, November 7, 1992, p. 21.*

*"Joining the news conference were child advocates, politicians and doctors, and actress Lee Grant. Thaddeus Owens, an activist from the black community...took enlarged before and after photographs of the child to Hasidic rabbis to help. 'I believe in her cause,' he said. 'Whatever precedent she sets in helping her child will help black and Puerto Rican kids.'" – "A Mother Battles the Bureaucracy," Merle English, New York Newsday, November 8, 1992.*

*"'This is the most serious indictment of government I've seen,' said Paterson... 'It appears this little girl would be better off dead to the officials who are ignoring this heinous case'" – "Pols Demand Look into Child's Case," Michael Powell, New York Newsday, November 7, 1992, p. 21.*

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## PART THREE: *Identifikation mit dem Angreifer*

(Pardon the use of the German expression – identification with the aggressor – but it explains the ferocity of the reaction of the child-victim)

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### How the Ohel Crime Syndicate Turns Child into Treacherous Enemy of the Mother

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#### I. Stockholm Syndrome

In a letter from Joel Johnson, Director of Department of Crimes Against Children, Children's Rights of America, to Commissioner Nicholas Scoppetta, [New York City] Administration for Children's Services, March 21, 1996.

*"After careful examination of presented evidence and testimony, the elements of the Stockholm syndrome and...mind control may very likely apply in the situation involving Sherry Neustein and her alleged abuser, Dr. Ozzie Orbach...and that those elements would most likely produce a hostile response in Sherry toward her mother. Sherry's father has essentially functioned as a hostage taker for over six years [p. 3].*

*"Sherry's father is a religious man, raising her in a religious environment. That same religious environment fosters isolation from the non-Hassidic [non-Orthodox] world. The religious community to which Sherry's father belongs controls the foster home she was placed in (Ohel) and the child protective service agency that was supposed to be in charge of ensuring her protection (BSPCC)" [p.5].*

#### II. "My Mother's Lying Mouth" -- Sherry Excoriates her Mother to University Press of New England that was about to Publish her Mother's Book, *From Madness to Mutiny: Why Mothers are Running from the Family Courts – and What Can be Done about It*, as their Lead Title in Spring 2005

Here is what Sherry Neustein wrote to Dr. Phyllis Deutsch, Director of University Press of New England, right before the publication of her mother's book:

*"As a feminist I understand the need for a book that takes an honest look at how mothers are treated by the judicial system, but I am certain that my mother's publication is not this book. University Press of New England would be doing the women's rights and victim's rights movement a great disservice by publishing her book. If my mother does touch on some true stories of other families in the book, it would be disrespectful to these families to publish their stories through **my mother's lying mouth**" – ("Who Doesn't Want From Madness to Mutiny Published...and Why," by Susan Rosenbluth, *The Jewish Voice and Opinion*, May 2005, p. 14.)*

### III. How did Sherry Find out about her Mother's Book and Who Coopted her to Act so Shamefully?

There was an unintended slip up at the publicity department at the University Press of New England. The publisher had heard about the championing of women's issues by a wealthy Jewish organization, called *Jewish Women International*, which conducts many fund-raising drives to help battered Jewish women. So, they thought what a wonderful avenue for promoting their book looking into the abuses of mothers in the family courts which they proudly made their lead title for that season?

What they didn't know was that the wife of the Orthodox Jewish Family Court Judge (Leon Deutsch), who suppressed sexual abuse evidence and sent Sherry to live with her father where she almost died of starvation, served as a prominent member of their board. Though the book never mentioned the names of any cases, it did mention names of judges who had attained notoriety for their reprehensible decisions. Leon Deutsch was at the top of the list, and in fact when New York State held its joint legislative hearings into judicial misconduct in protective mother cases, the chair of the Assembly Judiciary Committee would blurt out the word "**impeachment**" upon hearing a number of horror cases in Judge Deutsch's court. (As mentioned in a prior section, the only person to defend Deutsch at the legislative hearing was Rabbi Jay Shoulson, a father's rights attorney.)

Deutsch's wife, Sylvia, though a controversial character herself – who had already been referenced in a HarperCollins book on the corrupt practices of the Koch appointees, as mentioned in footnote 17 – still carried weight among Jewish organizations. *Jewish Women International*, though claiming to champion the interests of mothers in their avid fundraising campaigns, had unfortunately shared the galleys they received from the publisher's assistant publicity director with Ms. Sylvia Deutsch. What happened next was mind boggling.

First, Sherry wrote a letter to her mother's publisher, as shown above, spewing bile without restraint. Then, she together with Deutsch's law clerk, Steve/Shlomo Mostofsky, made a trip to New Hampshire to meet with the legal department of University Press of New England, to urge for the cessation of publication of the book.

Who was Sherry trying to protect? Since her case when discussed in the book among many cases was not mentioned by her name, as no child's name was mentioned in the book for that matter, what was she so concerned about? It would soon come out that she was coopted to help defend the reputation of Judge Deutsch, who by virtue of his own reprehensible misconduct across so many cases, earned a very bad name for himself. Why was it Sherry's responsibility to come to "rescue" to save his name, at the tremendous expense of her own emotional well-being?

As the book's publication became an imminent reality, and all efforts to stop the printing presses were rendered ineffective, Judge Deutsch would hire a lawyer to represent him. By coincidence the lawyer he hired (or according to sources was doing the work pro bono for him) was the attorney for the *National Council of Young Israel*, the largest network of Orthodox Jewish synagogues in America, whose president was Steve/Shlomo Mostofsky, Deutsch's former law clerk. Mostofsky would maintain an actively egregious and destructive role in Sherry's life in her adult years, just as how he was painfully damaging to her in her tender years. *The Jewish Voice and Opinion*, after its exhaustive expose of the horrific cover-up in the Sherry Neustein case, would receive an 18-page letter from the lawyer representing



Judge Deutsch. The paper would write in their follow up feature story: “Mr. Samson acknowledged that his firm represents the *National Council of Young Israel*” and that “Judge Deutsch has had a continuing cordial relationship with Steven Mostofsky who served as his law secretary”. Then, the bombshell:

“Perhaps the most troubling issue raised by Mr. Samson’s letter is the appearance that, 16 years after the custody case was adjudicated, there was some sort of connection between Judge Deutsch and Ms. Orbach [Sherry Neustein]. In his letter, Mr. Samson cited excerpts from two of the emails exchanged between...Ms. Orbach and the editor of *The Jewish Voice*” – “Who Doesn’t Want from Madness to Mutiny Published...and Why?, *The Jewish Voice and Opinion*, May 2005, p. 13.

How Deutsch’s lawyer obtained Sherry’s emails begs the question of why her personal emails would be of value to the lawyer trying to defend his client’s reputation?

Deutsch earned a bad name for himself.<sup>17</sup> He was exposed in the *New York Daily News* as “extremely weak on sexual abuse cases” and having driven two mothers to “commit suicide” (Mike McAlary “Court

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<sup>17</sup> Orthodox Judge Leon S. Deutsch would be exposed at a very prominent New York State legislative hearing which was a joint hearing of both the NYS Senate Judiciary Committee and the NYS Assembly Judiciary Committee, and two other committees in the Assembly and Senate respectively. For four separate committees to come together to hold a legislative hearing clearly indicates that the topic is of high priority. In fact, APSAC’s former president, Dr. David Corwin, would fly in from California to testify on the first day of the two-day hearing beginning on March 9, 1989. On second day of the hearing, which was held May 18, 1989, the Director of the Brooklyn Family Center, Dr. Kushalata Jayakar, would testify about a very disturbing sex abuse case before Brooklyn Family Court Judge Leon Deutsch, who had appointed an Orthodox Jewish law guardian by the name of Eli Yeger even though the child was not Jewish. This case consisted of compelling medical evidence: the pediatrician’s report found “an enlarged clitoral hood” and a “clearly visible” introitus with margins that “were rather easily stretched.” In addition, the child was being treated for “suicidal depression” as a result of sexual abuse by the father and his “drunken friends” who joined him in abusing the eight-year-old girl. Dr. Jayakar would testify that when Deutsch found out the girl was being treated for sexual abuse trauma (in group and individual therapy), “there was an angry response from the judge, insisting that when he had determined that the girl was lying, the clinic had no right bringing up the issue of sexual abuse or treatment for her [the child]” –May 18, 1989, pp. 21-22. The psychiatrist told the legislature that, in response, “an explanation was presented to the court, stating that during the evaluation, findings of sexual abuse were made, and the child was indeed suffering from suicidal depression due to the specific trauma... [and that] the clinic’s responsibility was to treat her [the child] for it” – p. 22. The judge reacted by choosing another validator, who “decided” the girl was lying. Then, having obtained the assent of the law guardian, the judge transferred the girl’s custody to the father. The mother at the center of the case would testify a few months later at a smaller hearing held by Senator David Paterson to look into the abuses in the family court, particularly cases that were before Judge Leon Deutsch. She testified to how the (Orthodox Jewish) law guardian declared the child to be “lying” about her father in spite of the child’s pleas to be protected from ongoing sexual assault. Outside the hearing room the mother spoke to a few advocates about the “disdain” the judge and the law guardian had for her. She was an African-American woman and a very dedicated elementary school teacher. As an example of disdain the court had for her, the judge had thrown her in jail many times for contempt of court, without even being told the reason why she was jailed. In fact, the family court records would show quite clearly that jailing was a punishment Deutsch commonly reserved for women of color. In fact, the mother’s perceptions about “bigotry” were not off the mark, as the *New York Times* would later expose Eli Yeger’s son, Kalman, a New York City councilman for making such publicly racist remarks that he was thrown off the City Council’s immigration committee: [A Jewish Councilman Who Said ‘Palestine Does Not Exist’ Loses Seat on Immigration Committee - The New York Times \(nytimes.com\)](https://www.nytimes.com/1990/05/16/us/politics/a-jewish-councilman-who-said-palestine-does-not-exist-loses-seat-on-immigration-committee-the-new-york-times-nytimes-com) When Eli Yeger appeared as paid counsel, not as a law guardian, in family court cases involving Jewish children he would aggressively advocate for sending children to the Ohel foster agency and, in some cases pushed for adoptions. In one case, the father fired Yeger after he aggressively

with the Disney Touch”, June 2, 1989, p. 5, 28). He was also the target of an investigation when Senator David Paterson filed a grievance against him with New York State Commission on Judicial Conduct. Ray Kerrison would explain the reason for the filing of the grievance against Deutsch in one of his New York Post columns:

*“The senator was incensed because a Deutsch law clerk [Steve/Shlomo Mostofosky] took copious notes of the testimony given by some women at the hearing, and within days that testimony was being quoted in Judge Deutsch’s courtroom. A month after Senator Paterson filed his grievance complaint, Judge Deutsch suddenly resigned, even though May Dinkins had just reappointed him for another 10-year term...” (“Incredible return of misogynist a disgrace, Judge rewarded for awful offenses,” Ray Kerrison, New York Post, August 31, 1990, p. 2).*

Desperate to protect his name in the face of such a condemning record of opprobrious behavior, Deutsch, with the aid of Mostofsky, used Sherry to defame her mother. Sherry, according to an Orthodox Jewish community member who didn’t protest too much the cruelties of her community, observed that the child was made the “linchpin” of the case, and by holding her close to their vest they were able to “obscure” all that had been done.

Almost like a textbook case, Sherry now a young adult introjected the animus of Ohel, BSPCC, Deutsch, Mostofsky, and their cooperating peons in the Orthodox community, showing *Identifizierung mit dem Angreifer* (“Identification with the Aggressor”) – a common defense mechanism that allows an abuse victim to gain a sense of control (albeit spurious) by identifying with the tormentor, so that they are no longer in an endless struggle against their aggressor, and instead come out on top and in league with their aggressor.<sup>18</sup>

Sherry spoke of her “*mother’s lying mouth*” in her letter to the Director of the University Press of New England. Is it a coincidence that Sherry who was called a “liar” over and over again by Ohel and their cohorts – pleading to be protected from sexual abuse committed by her father – had now turned on her mother and condemned her as the “liar”?

#### **IV. Steve/Shlomo Mostofsky and the Maternal Uncle Use Sherry to Draft a Powerful Orthodox Jewish organization in a Desperate Attempt to Scuttle Dr. Neustein’s book**

When the cabal of corrupt players, using Sherry to thwart her mother’s book, were unsuccessful with Dr. Neustein’s publisher they moved to Plan “B”. Mostofsky and the maternal uncle took Sherry down to

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advocated for the child to go up for adoption even though there was a healthy and competent mother. In another case he called Ohel and was “excited” to find three potential Ohel foster homes for the child rather than try to keep the child with the mother who desperately wanted to have her child stay at home with her. The mother fired Yeger on the spot.

<sup>18</sup> It is particularly disconcerting to see this happen to a child in a Jewish community, a community that has historically been plagued by expulsion, execution, and genocide – and thus no stranger to the actions of aggressors. Why then would they have tortured a child and prided themselves for so successfully rupturing the child’s bond with the mother?

the Manhattan offices of the Jewish Community Relations Council to ask them to pressure Dr. Neustein's co-writer, Attorney Michael Leshner, into giving the manuscript over to Steve/Shlomo Mostofsky before its publication under the baseless threat of a lawsuit.

The book had already been published, and besides this request made no sense – as the book had already gone through several phases of vetting to determine accuracy which is standard procedure at a university press. Michael Leshner refused to accede to Sherry's request and did not hand over the manuscript to Mostofsky who was now serving as Ohel's lawyer and as President of the *National Council of Young Israel*.

**V. “I remember...watching her softly stroking her hair with an antique silver brush as she gazed at herself in her bedroom mirror and wondered out loud whether she was pretty enough to be famous...” “I do not hate my mother. I see her as troubled” – Sherry's “Mommy Dearest” Letter published in *The Jewish Press* – then went viral**

The “backstory” behind the publication of Sherry's “Mommy Dearest” letter in *The Jewish Press* is that Mostofsky – who was so fearless with poisoning Dr. Arthur Green (the court-appointed expert) against Sherry's mother – together with Ohel (which advertised very heavily in *The Jewish Press*) and the maternal uncle pressured them into running the screed even though they even though they never met Sherry or spoke to her over the phone. In fact, the screed was not even sent from Sherry's email address according to a source at the paper. The daughter of the publisher, Naomi Klass, would later apologize to Susan Rosenbluth, publisher and editor of *The Jewish Voice and Opinion* for having yielded to pressure to publish such a defamatory letter from a child who was a victim of such notorious wrongdoings by state actors, family members, and a willing and alacritous community of Orthodox Jews. Naomi Klass's parent were close friends of Sherry's grandparents and they agnized over the tragedy that befell Sherry in 1986. But when Sherry's screed was published the parents of Naomi Klass were no longer around.

Had the evildoers prevailed in sabotaging the book, the scholarly corpus of publications in this area would have been disadvantaged. That is, *From Madness to Mutiny* was nominated by the publisher for a *Scribes Prize* from the *American Society of Writers on Legal Subjects*; the book was cited in *Newsweek* and in the *Chronicle of Higher Education*, and reviewed favorably in the *New York Law Journal* and in a number of academic journals including *Contemporary Sociology*, a bi-monthly peer-reviewed academic journal published by SAGE publication in association with the *American Sociological Association*. The book is now going into its second edition. The first edition has been cited in over 75 peer-reviewed publications, books, and news articles.

**VI. Torturing a Child by Obliterating her Memories and her Entire Reality – and Implanting Factoids in their Stead**

*“All in all, it seems most likely that the adult Sherry was misled about her own history; that, with desperate cynicism, the same people who had tried to stifle discussion of her case persuaded her to accept a fictitious past in order to discredit her own childhood disclosures against her father.*

*That Sherry eventually succumbed to that effort is tragic but not terribly surprising” – Sex Abuse, Shonda and Concealment in Orthodox Jewish Communities, by Michael Leshner (McFarland, 2014, p. 49).*

There are many factual inaccuracies in Sherry’s “Mommy Dearest” letter which accuses her mother of coaching her. To begin with, she vividly describes herself sitting with her mother in the upstate New York summer home at the time of the custody action. In truth, Sherry was in Brooklyn with her mother and not in the summer home upstate New York when the custody matter was taking place so her “memories” are suspect on its face, as the location is totally wrong.

In addition, the judge scolded Dr. Neustein in his decision for “not” discussing the sex abuse charges with Sherry (Order, July 14, 1988, p. 59). So, how could Sherry have written that she recalled conversations she had with her mother about the sex abuse incident when the judge himself criticized Dr. Neustein for not speaking with her daughter about what happened on that Sunday in May 1986 when Sherry’s maternal grandmother found her son-in-law pressing Sherry against his pelvis and gyrating – with his zipper open and becoming wet?

Sherry herself confirmed the abuse to the BSPCC supervisor and when told by this official that she was probably mistaken about what happened, she retorted “but he [my father] was wet” – New York State Senate Committee on Crime and Correction report on Neustein case, Jeremiah B. McKenna, Chief Counsel to the Committee (April 13, 1987, p. 3).

In addition, Sherry persistently begged to be protected from the abuse by her father and never recanted to any of the five mental health experts (including the controversial Dr. Arthur Green) who had questioned her over her nearly 1½ year stay in foster care. In fact, she showed consistency in describing what her father had done to her.

In fact, on June 15, 1987 the law guardian after being present for an in camera (in judge’s chambers) interview with the judge would confirm that fact on the record, and even worse that the child was fed up with being constantly asked about what happened, as this was about the seventh or eighth time the judge had questioned Sherry in his chambers about the abuse incident with her father:

“In response to the judge’s questions about what happened, the child would repeatedly state, “You know what happened. I told everyone. They will tell you.” – transcript of Neustein hearing, p. 40.

Furthermore, at Senator David Paterson’s whistle blower hearing on the Neustein case, highly incriminating testimony of the coverup of the sex abuse was given by a social worker for the law guardian agency, namely the Legal Aid Society, Juvenile Rights Division. Ms. Marjori Schecter testified that her agency (the Legal Aid Society of New York) suppressed evidence of sexual abuse and that members of her agency admitted to her that their actions could “get them into big trouble” – testimony of Marjori Schecter at Senator David Paterson’s hearing, May 14, 1993.

Six months before the hearing Ms. Schecter would assert in an affidavit:

*“In or about May of 1988...Ms. Cooke [her superior at Legal Aid Society] was visibly nervous and agitated. She told me that she had just said something to opposing counsel (Amy Neustein’s*

*counsel), which could get them into a lot of trouble” – Affidavit of Marjori Schecter, November 13, 1992, p. 2.*

Two years after Senator David Paterson’s hearing Ms. Schecter would grant an interview to *USA Today*:

*“Whistle blower Marjori Schecter, an ex-social worker for the Legal Aid Society, says the agency ‘disregarded evidence supporting claims of child abuse by the father’” – “Judges Sentence kids to life of pain,” Barbara Reynolds, USA Today, November 3, 1995.*

In the screed published in the Jewish Press, Sherry states that deliberately false allegations of sexual abuse can range “up to 60% of such cases.” Those stats are completely contravened by the professional literature, whereas the “60%” figure is straight out the Gardner/Green/Underwager cesspool of writings that have galvanized the cadre of mental health quacks whose biases have infected the courts wreaking havoc with the lives of sexually abused children. It’s not hard to imagine that Sherry was used (once again) by those that peddle misogynist theories that women lie about sexual abuse, using her “Mommy Dearest” letter as an opportunity to spout false information about the “frequency” of false reports of sexual abuse.

Redolent of Joan Crawford’s character portrayal, Sherry wrote in her screed how all that she “remembered” about her mother was her *“softly stroking her hair with an antique silver brush as she gazed at herself in the bedroom mirror and wondered out loud whether she was pretty enough to be famous.”* Did Sherry remember the warmth of being held by her mother on her lap? What happened to those quotidian memories of being raised by her mother? No doubt, Sherry had those memories when she was taken away from her mother at the tender age of six. In fact, during an interview/evaluation with the law guardian’s chosen expert, Dr. Carmen Alonso, Sherry said, “my mommy is so good with zippers!” (November 19, 1986, p.3). This spontaneous exchange happened when Dr. Alonso bent down to help Sherry zip up her jacket as she was about to leave her office. Would a child have such basic quotidian memories of her mother if indeed her mother were an “absentee” mother? Obviously not. What happened to Sherry’s mind – to those precious memories? The answer is simple.

Those who tortured this six-year-old child cruelly beat those memories out of her, uncannily following in the footsteps of the East German Stasi that snatched children of political dissidents and mercilessly obliterated the warm memories the children had of their parents. There is an old Spanish proverb: “You can take all my money away from me, but you can’t take my dances.” Such a proverb refers to the *pride* of memories, because what one owns as memory is solely theirs – it cannot be taken away. But the severe and extreme abuse of Sherry cruelly stripped away her prized childhood memories, undoubtedly along with her physical and mental health.

The inconsistencies of this factoid are legion. At its very foundation Sherry postulates that her mother lived in a different place so that she rarely saw her – though it is undisputed that the mother lived at home with her parents since her divorce from Sherry’s father; Sherry’s father testified to that fact that Sherry was a happy, well nourished child living together with her mother and her grandparents – yet her mother was such a constant in her life that she was able to consistently and continually brainwash her against her father.

Undoubtedly the diatribe was not carefully thought out, as it didn’t make much of a difference if it was factually accurate or even logical. Its sole purpose, which it most successfully accomplished, was to be

used as a weapon to shame the mother in the Orthodox Jewish community. “*I do not hate my mother. I see her as troubled.*” Those words in fact were so destructive that when Sherry got married no rabbi would allow the mother to attend her daughter’s wedding because they thought the mother was “troubled” as stated by the child herself in *The Jewish Press*.

Sherry concludes her “Mommy Dearest” letter with a testament to Ohel: “I, for one, owe my existence as a normal young adult to the family judges, Ohel foster care, and the Legal Aid Society attorney who helped me reunite with my father.” Yet, Sherry has made a lucrative and prominent career for herself brutally attacking foster care, saying it was a “miserable” experience for her, while falsely blaming her mother for placing her in foster care. The record shows it was Sherry’s father, and not her mother, who placed her in foster care, and who kept her there for nearly a year and half because he wasn’t yet ready to obtain custody of her.

In fact, desperate to get her child back, after failing to get redress in the courts (in fact, in three separate courts: Family Court, Appellate Court, and Federal Court), Dr. Neustein hit the airwaves to urge for Sherry to be brought back home to her. She went on WCBS News, in a two-part series (airing on October 7 and 8, 1987) and on FOX News (November 18, 1987), crying to Mayor Ed Koch, begging him to intervene and rescue Sherry from the Ohel foster care agency so that she could be sent home to her.<sup>19</sup> Was Sherry ever told about her mother’s 400 television and radio appearances to try to get her back? Was she told of the exhaustive and costly litigation the mother engaged in to save Sherry from her perilous living situation? Was she told that her mother placed her scholarly writings and speaking engagements on hold to fight for Sherry’s return? Was she told that as a result her mother hadn’t built up a work history to have the privilege of receiving Social Security and Medicare at age 65? Was she told that her mother never remarried, never had more children, as the empty space in her heart could not be filled, for it longed for Sherry who was a catastrophic casualty of severe and extreme abuse supported by the Orthodox Jewish community that failed to challenge the citadels of power within the community?

Certainly not, for those who tormented Sherry with the alacritous help of the community it was more convenient to rip away her memories of the “milk of human kindness” than to acknowledge profiteering from sexual predation in the Orthodox Jewish community.

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<sup>19</sup> In fact, Dr. Neustein had such a persistent presence in the political and media circles that WCBS news one day caught her on camera running over to Mayor Ed Koch outside his office at City Hall to urge him to intervene and bring Sherry home to her from the Ohel foster care agency. Koch turned to her and shouted “Icchh!!!” Koch hated Dr. Neustein because the mayor was a dear friend of the wife of Family Court Judge Leon Deutsch. He had in fact appointed the judge’s wife, Sylvia, as chairperson of the New York City Planning Commission. (The judge’s wife, Sylvia Deutsch, had recently been exposed for dubious dealings with city contracts in the HarperCollins book “City for Sale” written by veteran *Village Voice* investigative reporters Jack Newfield and Wayne Barrett). Similarly, Major David Dinkins became so “annoyed” by Dr. Neustein’s pleas for the return of Sherry that he scolded her publicly at the New York State Black and Puerto Rican Legislative Caucus where Dr. Neustein was a panelist for the *Women in Leadership and Empowerment* workshop: “you always descend on me in public asking for the return of your daughter!”

Here is a link to a special song “Milk of Human Kindness” written for Sherry by Dr. Leora Rosen and Michelle Etlin authors of *The Hostage Child: Sex Abuse Allegations in Custody Disputes*, Indiana University Press (1996): <http://www.amyneustein.com/media/audio/Kindness.mp3>.

The song was played on radio in the Maryland/D.C. area where Rosen and Etlin live. The song, written when Sherry fell ill to anorexia nervosa, was intended to serve as a clarion call to listen to Sherry’s pleas for protection from sexual predation.

**VII. Sherry is Made into the “Drone” of the Orthodox Community – Remotely Controlled, Mindlessly Assaulting her Mother...Assaulting and Assaulting and Assaulting...sans Human Emotion**

*“Your daughter called us today and said you’re a fraud and a terrible person. She wants to come up to see the Director of Brandeis University Press together with her supporters to stop the publication of *Tempest in the Temple: Jewish Communities and Child-Sex Scandals*. You’re not a terrible person!”* email from Dr. Phyllis Deutsch, Director of University Press of New England (UPNE) to Dr. Amy Neustein, April 30, 2009. UPNE oversaw all of the Brandeis publications since it was a member of UPNE’s publishing consortium.

*“I heard from my dean late yesterday afternoon. Your daughter called and said you should not be allowed to serve on the keynote panel of our upcoming conference on child sex abuse in religious communities because you have no credibility”* – email to Dr. Amy Neustein from conference moderator at Cardozo Law School, February 19, 2009, shortly before the publication of *Tempest in the Temple* (Brandeis University Press, May 2009).

*“In reaction to recent allegations of sexual molestation of children in Jewish settings, the Teaneck-based Union for Traditional Judaism is hosting a March 15 public symposium on the topic, featuring religious authorities and activists. The forum will also serve as a book-launching for “*Tempest in the Temple: Jewish Communities and Child Sex Scandals*,” edited by Amy Neustein”* – Abigail Klein Leichman, *The Jewish Standard*, March 6, 2009: [Panel to discuss abuse by clergy | The Jewish Standard \(timesofisrael.com\)](http://www.timesofisrael.com/panel-to-discuss-abuse-by-clergy/)

*“We heard from your daughter and I’m afraid it’s now not advisable for you to show your face at this event although we acknowledge it’s a kickoff for your book published by Brandeis University Press. Don’t worry, we’ll have a nice poster made up of your book on display.”* – Mitch Morrison, Executive Board Member of *Union for Traditional Judaism*, warning to Dr. Amy Neustein, March 12, 2009. Sadly, Dr. Neustein was forced to stay home.

*“ABC Nightline wants to cut you out from our interview that we taped together last week because they heard from your daughter who said vile things about you. I spoke to the producer [Roxanna Sherwood] who is quite fond of you, and she agreed to a compromise. You’re not cut out altogether but the time they will give you is now very much reduced”* – telephone call from Attorney Michael Leshner to Dr. Amy Neustein, October 5, 2006.

Similar to the efforts to sabotage *From Madness to Mutiny*, had Sherry and her cadres of supporters – namely the maternal uncle (whose close relative was on Ohel’s board of directors) and Steve/Shlomo Mostofsky, Ohel’s lawyer – succeeded in pulling the plug on *Tempest in the Temple*, the scholarly publications on predation and sexual assault in the Orthodox Jewish community would have been disadvantaged. Here’s why:

*Tempest in the Temple*, was reviewed by Tablet’s contributing editor Josh Lambert in his column “On the Bookshelf”: “Neustein’s *Tempest in the Temple: Jewish Communities and Child-Sex Scandals (Brandeis, May)* bears a respectable imprimatur...[a]nd when it comes to protection of children from abuse, it should be agreed that the real scandal would be to remain silent” – June 22, 2009.

Two years later, Josh Lambert would point to Neustein’s book when reflecting on the outstanding books he had reviewed in his “On the Bookshelf” columns from June 10, 2009 to August 11, 2011: “Over the course of two years, these columns dealt with a total of 874 new books.” In choosing just a small handful of books from this mammoth collection, he pointed to Neustein’s book, *Tempest in the Temple*, for its “insights into...the problem of pedophilia in Jewish communities” – September 15, 2011.

Tablet received two *National Magazine Awards* (known in the industry as “Ellie Awards”) which are sponsored by the *American Society of Magazine Editors (AMSE)* in conjunction with the *Columbia University Graduate School of Journalism*. For Neustein’s book to have been written up in *Tablet* in the first place – and subsequently chosen by Lambert a couple of years later as among a handful of special books that stood out among his large base of reviews – shows the contribution of Neustein’s work to the scholarly literature. In fact, the *New York Times* would cite *Tempest in the Temple* in a feature story in 2012.

Scholar Rabbi Steven H. Resnicoff, Professor at DePaul University College of Law, would draw from a footnote in *Tempest in the Temple* to propound a scholarly argument on the importance of protecting a child from sexual abuse even when the predatory act falls outside the classical parameters of abuse as described in the Talmud. Thus, Neustein’s book catalyzed discussion by eminent scholars such as Rabbi Resnicoff by serving as a much needed edifice for disquisition in this field of research.

In Spring 2022, Rabbi Dr. David Bashevkin, Director of Education for NCSY (the youth movement of the Orthodox Union), in forming a new media company to help users “find meaning in their lives through the exploration of Jewish thoughts and ideas” featured *Tempest in the Temple* as the first book listed in their podcast series “Abuse in Our Community”: [Abuse in Our Community - 18Forty](#). Thus, thirteen years after *Tempest in the Temple* was published, it was still very much alive in the intellectual corridors of rabbis, students, mental health practitioners, and domestic violence counselors.

To date, *Tempest in the Temple* is frequently cited in the peer-reviewed literature. The book appears on a *Wikipedia* page on child abuse in the Orthodox community. As there were many favorable reviews of *Tempest in the Temple* when it was released in 2009, this flagship book is still considered a paradigm for discussion, understanding, and reflection on the critical topic of child sex abuse in the rabbinate, the schools, Jewish camps, and the community writ large. To that end, *Brandeis University Press* chose this book for inclusion in the *Brandeis Institutional Repository (BIR)* so that



researchers would have permanent access to this work without charge, because they realized the magnitude of its scholarly contribution.

Yet, this is the book that Sherry, at the instigation and control of the Ohel lawyer (Mostofsky) and the relative of the Ohel board member (the maternal uncle), strenuously tried to sabotage.

Is it not a “shonda” for Ohel to have stooped so low so as to use Neustein’s vulnerable daughter, whom they groomed for child erotica and, upon seeing the child’s abject mental and physical decline from exposure to sex-trafficking, stood silent while the child mutilated her body and starved herself to near death? Is it not a “shonda” for Ohel to have savagely undermined the first definitive publication of scholarly research on child sexual abuse in the Orthodox Jewish community by using a sex-trafficked child victim as their accomplice?

*Has Ohel not besmirched the Orthodox community by such execrable behavior? Why do we countenance and promote bald-faced thuggery in a religion whose moorings bespeak the sacredness and sanctity of Talmudic Law?*

#### **VIII. A Prominent Orthodox Rabbi, Maternal Uncle, and Ohel Step up their War Campaign: Cyberbullying Sherry’s Mother – through the “Drone” they Created**

To maximize the impact of the “Mommy Dearest” letter published in *The Jewish Press* in 2005, at the time of the publication of *From Madness to Mutiny*, Ohel set up a convenient mechanism for Sherry’s screed to come up immediately on an initial search of Dr. Amy Neustein so as to discredit Sherry’s mother and reify the venomous falsehoods they spread about her through her child’s mouth.

To wit, by sending referral business over to a psychologist in Nassau County, the Ohel Children’s Home and Family Services was able to get an organization, where this psychologist serves on their board of directors and is a strong supporter of the organizational founder, to post the “Mommy Dearest” letter on their website, creating a special page for community-shaming of Dr. Amy Neustein. In fact, the mother pleaded with a very prominent rabbi, who heads up a major program at Yeshiva University, to help her in getting the screed taken down, as this rabbi served on the board of directors of this organization and had a very close relationship with the founder.

The rabbi refused to help and instead applauded the work of the founder. Though the organization closed several years ago, they nevertheless maintain their website – giving the screed “cyber” immortality. As such, the (Orthodox) community-facilitated cruelty toward a child that began 36 years ago now has a cyber forum for their malicious acts.

Now here is the irony:

The website, where Sherry’s “Mommy Dearest” is posted is solely functioning for the purpose of “outing” rabbis who have been found guilty of pedophilia. However, an exception was made for Dr. Amy Neustein, who was added to the roster of “sex offenders” with a disclaimer that she has not been charged with a “sex” crime. The special web page made up for her reads: “The Case of Amy Neustein...” Dr. Neustein’s picture is posted at the center of the top of the page. Right beneath the photo is a tagline: “Amy Neustein Accused of Harassing and Cyberstalking her Adult Biological Daughter”. Right above

Neustein's head is a tab that reads: **"Show Your Support"**. The tab directs the user directly to its fundraising page.

Obviously "cyberstalking" and "harassment" are a total lie. In fact, Sherry, in her adult years, has made a profitable career from speaking out against her mother, primarily claiming she "abandoned" her to foster care, and showed little interest in her. Could a mother that purportedly sent her child into foster care because she had no interest in her child be the same person that would be engaged in "cyberstalking" her daughter?

Sherry and her supporters in the Orthodox community cannot produce one single email (or a letter) or any sort of material for that matter to support such a fallacious and venomous claim. Even worse, the maternal uncle, who tortured Sherry, warned the mother through a third party that she would be "prosecuted" for stalking her daughter if she as much as sends her daughter "birthday wishes." Dr. Neustein has obliged and has not initiated any contact with her daughter for fear of retribution from those who have set these forbidding terms.

In fact, Dr. Neustein has not sent any communication to her daughter since 2011. At that time, she sent an email to congratulate Sherry on her marriage, and assured her, contrary to the fears that were implanted in her by the maternal uncle and Orthodox Jewish community members, that she would not "crash" her wedding. She left the door open with her daughter to contact her when she so chooses. The phones has not rung.

## **VII. Mother is Shunned in Houses of Worship and in the Community Writ Large**

Dr. Neustein cannot go into a synagogue to pray because it is common these days to google one's name. In Judaism there is basically no "free association." If you show up at the synagogue more than once, you are likely to be called up by the membership committee or the rabbi himself and asked to become a member and pay annual membership dues.

For this reason, the temple or synagogue performs a google search as they want to know who they will be enfolded into their house of worship. Unlike churches that have coiffers where attendees give each time they appear for a mass or a prayer service, synagogues and temples do not raise collections at the end of the prayer service. Instead, annual membership dues are paid to keep the Jewish house of worship afloat.

Fairly recently a rabbi in Fort Lee, who had just met Dr. Neustein after she attended his prayer service, googled her name and inquired of her dear friend who is a strong financial supporter of the synagogue about Dr. Neustein's daughter condemnation of her mother. The rabbi was a fine person and he meant well. However, can it feel good to be the topic of conversation revolving around knife-stabbing opprobrium heaped on a person by their own daughter at the instigation of Ohel-affiliates and their web of supporters? This was undoubtedly hurtful to Dr. Neustein, who is trapped in the web of malevolence that was never exposed because of an institutional structure that affords excessive power to Orthodox child welfare agencies.

In the last analysis, can a mother bereft of her child enjoy the succor of collective prayer worship? Perhaps not? The shunning of the mother by the criminal enterprise, supported by the maternal uncle, the fahter, and Steve/Shlomo Mostofsky, has plagued Dr. Neustein for 36 years since Ohel tore her child from her. In fact, the child's father admitted in court papers that he went to Ohel before the family court proceedings had officially begun, and then, as shown in a prior section, his attorney slipped the fact that he [the attorney] saw the judge *ex parte* to ask for Sherry to be placed in Ohel. It is those behind-the-scene maneuverings that has brought this menacing and redoubtable force into her life. And it doesn't abate even with the passage of time: day after day, decade after decade, the ghosts of Ohel eerily haunt Dr. Neustein's existence.

Ohel is so entrenched in the Orthodox community that it is rather commonplace for ex-spouses to go to Ohel "before" the case even enters family court so that they can use Ohel (which is funded from taxpayer dollars) as *leverage* in their custody proceeding. In a case of a protective father, he states:

"Records from the Bureau of Child clearly demonstrate that my ex-wife met with Ohel prior to a report of child neglect being made [falsely] against me by my ex-wife. Dr. Jayakar, Director of the Brooklyn Family Center at Downstate Medical Center, evaluated my child over eight sessions and concluded that my daughter was sexually abused by her mother's paramour" – letter from Tuvia Ben Shmuel-Yosef to Jeremiah B. McKenna, Chief Counsel to the NYS Senate Committee on Crime and Correction, April 21, 1987 p. 2.

From a sociological perspective the bringing of charges of sexual abuse against an Orthodox male, particularly an ex-husband, creates a "master status" for the Orthodox woman wherein her role in the community is now defined solely as the woman who made a charge of sexual abuse. That is, any role she had previously occupied, such as academician, practitioner, writer, or community volunteer, is supplanted by this new role as the person who made a charge of abuse – now castigated as a "betrayal" to the community.

Dr. Neustein, prior to her daughter's molestation by the father, was undeniably a celebrated member of the Brooklyn Orthodox Jewish community. In her youth, she wrote feature stories for *The Jewish Press* (the paper that would allow Sherry's screed to be published because of their receipt of Ohel ad money): she interviewed Senator Humbert Humphrey and composer Marvin Hamlisch. When she married in 1979, the publisher of *The Jewish Press* came to her wedding and gave her a whole page write up. Dr. Neustein's father was a prominent rabbi and scholar. He was the first principal of Flatbush Yeshiva High School and was a masterful public speaker. He gave the invocation at the 1948 "Night of Stars" at Madison Square Garden to celebrate Israel's obtainment of statehood.

Dr. Neustein had published in American Bar Association publications and lectured for the Association of the Bar of the City of New York as well as for the National Judicial College before Ohel descended upon her as vultures in her life. Her prior standing in the community had no value. Instead, she was subject to severe community disapprobation and scorn because of the venal Ohel agency that seized her daughter for shameful child exploitation – a "shonda" of incalculable proportion.

#### VIII. How Ohel Poisoned the Waters for Reunification of Mother and Child – Mother is Threatened with Arrest if she Shows up Uninvited to her Daughter's Wedding

*“The rabbis threatened to have me arrested just for asking why they won’t permit Amy to be at her daughter’s wedding... they said they’d have the police on notice to arrest Amy if she showed up uninvited”* – statement of Susan Daglian, former executive assistant to New York Post columnist Ray Kerrison.

Ms. Daglian had been working as a research assistant to Susan Rosenbluth, publisher/editor of the *Jewish Voice and Opinion*, on feature story on Sherry’s wedding – with the story focusing on the behest of the mother to be part of that special day. Weddings come once in a lifetime and there is naturally no “makeup” time if one misses this momentous event. They especially important in the Jewish community because they are public events where religious prayers are recited to consecrate the marriage of two people. As a result, Jewish community weddings are noticeably large (300-400 guests); they are attended by extended families and many community members. Yet, for this wedding, the mother of the bride could not be present, lest she be locked up in jail.

In corralling the rabbis to get behind these efforts to bring the mother and child together for this special day – Sherry’s wedding – one could see how poisoned the well had become from the malefic and destructive influence of the Orthodox community. To start, Shlomo Mostofsky together with the father and the maternal made calls to Sherry’s in-laws to assail the mother without restraint. They gave the in-laws unsolicited copies of legal papers from the closed and confidential family court proceedings to show the mother in the worst light possible.

Yet, there were those who held out hope that they could penetrate the walls of resistance and reunite mother and child on this special day.

By coincidence Sherry would be marrying the cousin of Dr. Leora Rosen (through marriage), who along with her co-author, Michelle Etlin, had acknowledged Neustein’s dedication to helping other mothers in *The Hostage Child* (Indiana University Press, 1996).

Michelle Etlin would share her emotions about a miraculous reunification of mother and daughter:

*“I was delighted that God had given us the opportunity to help in making the in-laws the go-between to bring their new daughter-in-law the greatest gift of her lifetime – the mother and child reunion of a loving and stalwart, heroic mother cruelly estranged from her daughter.”*

Author Michelle Etlin would unfortunately meet with animus that was so intense it would leave her gasping for air:

*“I politely greeted Desmond [Sherry’s father-in-law] and introduced the subject [of a reunion] in a warm spirit and expecting him to respond to me respectfully and warmly. I cannot even remember how much I was able to say before I was interrupted with an angry diatribe, filled with ad hominem attacks on my character and my supposedly evil motivations. He recited some passage from the Talmud and scolded me for presumably violating its teachings. The tone of his tongue lashing was that of a properly outraged high school principal dressing down a nasty, presumptuous freshman who had committed some sort of quasi criminal act in broad daylight.*

*He did not let up for several minutes. I wanted to impress upon him and his wife that Amy Neustein was a decent, respectable, intelligent, kind, and loving woman who is suffering from having been wrongly accused of all sorts of untrue misdeeds by Ohel and the Orthodox community that supports them.*

*"I was not allowed the opportunity to defend the honor of our dear friend Dr. Amy Neustein. Desmond was insisting that the humiliation heaped upon her unfairly and dishonestly by the Brooklyn Orthodox community must be adopted by all Jews [even non Orthodox Jews] everywhere without question. When that conversation was finished I felt like I had been beaten by some medieval inquisitor; I am a tough, thick skinned woman who has been through all sorts of adversity but I was actually out of breath and needed to wash my face in cold water for several minutes before phoning my co-author of *The Hostage Child*, Dr. Leora Rosen, to report on how it had gone. When I called Leora and gently told her what it happened, she wept. Our hopes for a great mitzvah [Hebrew for "good deed"] were dashed."*

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## **PART FOUR:**

### **HOW THE CRIME SYNDICATE COLLUDED WITH A RELATIVE OF THEIR FOUNDING BOARD MEMBER TO PREVENT JOURNALISTS AND POLITICIANS FROM INVESTIGATING THEIR CRIMINAL ENTERPRISE**

#### **A history of Why the Ohel Relative was Eager to Comply with the Ohel Crime Syndicate**

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##### **I. Introduction**

In preparation of the Shonda Report, one of the authors (Amy Neustein) reached out to Oliver Koppell, who as the former chairperson of the New York State Assembly Judiciary Committee held joint hearings with the NYS Senate Judiciary Committee (and two other legislative committees). Those hearings were held in 1989. Yet, after all these years, Koppell spontaneously volunteered what he remembered most was the "trouble" he encountered from Ohel when it became known that the hearings were scheduled. He was surprised that "that agency in Brooklyn" would be "so worried" about a hearing into the issues

of family court bias against women. Koppell didn't know he was dealing with a crime syndicate. Fortunately, the hearings went forward in spite of Ohel's efforts to stymie the legislative inquiry in family court malfunction.

Below is some graphic detail about the insidious, destructive and malicious behavior of Ohel's relative who waged a public vendetta against Sherry's maternal family. It is important to know this background, because this ferocious relative was "weaponized" by the Syndicate to aid, abet, and assist in the exploitation of Sherry. He continues to this day to do everything in his power to prevent Sherry from having a mother and to prevent her from knowing the truth. He is loyal to the Syndicate to the very end.

The destructive relative was Sherry's uncle, Martin Burger, who waged a vendetta against Dr. Neustein's family but focused in on her when she tried in earnest before Sherry was born to rescue, Frima, her mentally challenged older sister<sup>20</sup> from her abusive marriage to Burger. This man would forbid his wife from having any contact with her own family. And when he started a family of his own a few years later he prohibited his in-laws (the rabbi and his wife) from ever seeing their grandchildren. They went to their graves without ever being allowed to see their grandchildren.

Burger's cousin (Sandy Berger — whose surname spelled with an "e" rather than a "u" accorded with the more conventional spelling) was a powerful member of Ohel's board of directors, and, as mentioned earlier, many entry notes in the Ohel file showed the maternal uncle made calls to the Ohel staff demanding that Sherry's contact with her loving family be terminated. Ohel obliged.

Frima's mother would run into her daughter, Frima, on the streets of Brooklyn and learn for the first time that her daughter, Frima, was about to give birth. She never knew she was to become a grandmother to Frima's child until she had that "chance encounter" on the street. She went to her death without ever seeing any of Frima's children, as they were used as hostages by Burger who continually set demands for the Neusteins in order for them to be able to see their grandchildren. The demands called for endless apologies to Burger for transgressions they hadn't ever committed.

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<sup>20</sup> The February 12, 1987 report of Dr. Carmen Alonso, the psychiatrist chosen (and paid for) by the Legal Aid Society, the child's law guardian, would recount Dr. Neustein's presentation of her family history where she described her sister's mental illness. She explained that her sister, Frima, was deeply troubled and began to see mental health professionals in her prepubescent years and for most, if not all, of her adult life. Her mental illness history is important to point out because Frima's husband was critical in the dynamics of ICT regarding Sherry, who had never met her aunt and uncle until she was taken into foster care. Sherry's exposure to her mentally ill aunt, especially during her formative years, had to have had an effect on her, especially given the inordinate amount of time she spent at the home of her maternal aunt and uncle who helped Sherry's father find property practically next-door to them. Frima's illness reached a crisis point at age eleven when she began to hear a loud, repetitive voice in her head ("Frima, you must control yourself"); the voices inside her head continued. Years before her hearing voices, she began to display abnormal behavior at around age four or five: she destroyed her toys (she chewed up the plastic limbs of her dolls), biting off chunks of soap that were sitting on the ledge of the tub or on the sink counter. She'd gnaw away at pencils and bite into their metal encasement and chew up the erasers. She'd often scream at such high decibels that it was quite painful for adult eardrums to handle. She has been in therapy since her prepubescence. Nevertheless, she managed to get through school and enter into her profession. She was gifted in math and was pursuing her graduate work when she met Martin Burger. She stopped suddenly after the marriage and never went back to her profession.

The systematic and well-orchestrated severe abuse of Sherry Neustein would never have happened if not for the malicious involvement of Martin Burger, who was masterful at inflicting emotional torment on his female victims – showing an extraordinary perseverance in his infliction of torture and harm upon his victims. Though he never took the stand, nor was he a party to the action, Burger’s central role in this case was attested to by third party witnesses, political offices, and journalists, who he chastised for having any interest in helping Sherry. He would often gloat that he was effective at “putting out fires” when he successfully killed stories in the press (the father never spoke to any journalist that called to interview him; instead, Martin Burger, the Ohel relative, was his steady spokesperson) or successful in getting an interested political office to drop their investigation into the horrors of the Neustein case. And as shown above, his cruelty to Sherry was sworn to by a third party who witnessed his provocation of the child to the point of hysteria, including participating in the incitement of Sherry when she was in lying in her hospital bed and hooked up to I.V. tubes.

## **II. Burger Declares War on Sherry’s Maternal Grandfather Shortly Before his Marriage to Frima because Rabbi Neustein was Unable to be Present at a Very Public Orthodox Ritual to Celebrate the Bridegroom**

In the male-centric Orthodox culture, the bride must take on difficult ritual preparations for her marriage based on the Laws of Jewish Family Purity, which require rigorous hygienic cleaning and immersion in ritual bath waters.

The bride must cut her fingernails down to the quick, carefully floss her teeth, and comb her body hair, particularly on the private parts, so that there are no entanglements. The purpose of such austere preparation is to ensure that the ritual waters reach every part of her body without impediment.

The groom, on the other hand, prepares for the marriage by being generously bestowed with honor in the synagogue: he is called up to the head of the congregation to recite a blessing when the Torah is taken out of its ark.

In Yiddish this celebratory event for the bridegroom is called an “Aufruf”. The parents of the groom usually arrange a nice collation afterwards where everyone socializes and gives warm wishes to the groom. The “Aufruf” takes place on the Sabbath immediately before the wedding.

Dr. Neustein’s father, Rabbi Abraham Neustein, had a large congregation in Brooklyn (see photo below along with the Wikipedia link) and consequently could not leave his own synagogue to attend his son-in-law’s religious celebration without first finding a rabbi to substitute for him.

He tried strenuously to find someone to step in but unfortunately was not successful. He was in a dilemma: he could neither leave his synagogue in the lurch without a rabbi to attend the services nor could he ferry between his synagogue and his son-in-law’s because in Orthodoxy one cannot ride on the Sabbath and both synagogues were far apart from one another, making walking between them an impossibility. He apologized profusely to his son-in-law but Burger wouldn’t relent.

Please see photo, below, of Rabbi Abraham Neustein's Brooklyn synagogue where he served as the rabbi for 60 years. He renamed the synagogue the Jewish Center of Brighton Beach; it is listed as a landmark in the National Register of Historic Places (NRHP): [Jewish Center of Coney Island - Wikipedia](#)



*“Sherry had gone to her grandfather’s synagogue. She kept repeating it was “like a dream” and that everything was so pretty. She wanted to have her Bat Mitzvah in the shul [synagogue] and wanted to be married in the shul. She saw the synagogue Sukkah and she loved it”* – affidavit of Ms. Rachel Anolick, former Ohel weekend relief foster mother and approved visitation supervisor for Dr. Neustein, December 28, 1992, pp. 6-7. Sadly, Sherry never saw the synagogue again after her visits were cut off with her mother in retaliation for the mother hospitalizing Sherry to save her life. Sadly, her “dreams” of marriage in the synagogue never came true.

### **III. Burger in a State of Rage on his Wedding Day**

Burger showed rage at Rabbi Neustein for his failure to attend his “Aufruf”. At his wedding the next day he refused to speak with his father-in-law and hardly made eye contact with him. In the months that followed he forbade his wife, Frima, from speaking to her parents or visiting their home. He pumped his wife for personal information about his in-laws and sat down and wrote a 17 page letter revealing personal family details and his ire at the family, which he mass-produced and sent out to all of the members of Rabbi Neustein’s synagogue and to the other rabbis in the many shuls (synagogues) throughout Brooklyn. Shaming Rabbi Neustein, however, did not relieve Burger of his anger.

### **IV. Burger Escalates the War with Digging an “X” Mark with a Pen through Rabbi Neustein’s Face on the Wedding Photos and Smashing all the China and Crystal from his Wife’s Wedding Trousseau**



In the middle of the night Burger came to the house and piled up boxes upon boxes in front of the entrance door to the home. In the morning Rabbi Neustein couldn't open the front door to get out of the house to get to shul for the morning prayer services because of the pileup of boxes. In those boxes were smashed dishes, cut up linens, and broken crystal goblets – Frima's entire wedding trousseau (so carefully and conscientiously curated by her mother) destroyed – along with the wedding album photos bearing an "X" mark drawn through Rabbi Neustein's face. Years later, well after the passing of Rabbi Abraham Neustein, a well-respected newspaper reaching Orthodox communities in large metropolitan areas would write a feature story on Rabbi Neustein's legacy in Talmudic studies, rabbinic leadership, and education: <http://amyneustein.com/media/RabbiDrAbrahamNeusteins--anAmericanRabbiwhoHelpedinWWIIandBeyond--Yated.pdf>

**V. Burger Torments his New Wife and Subjects his Mother-in-Law to the Anguish of Hearing her Screams and Wails**

Burger, who forbade Frima from speaking with her parents or sister, would provoke hysteria in her and then call his mother-in-law and play a recording of her screams and sobs. He kept Frima back from speaking with her family or from visiting their home.

**VI. Burger makes endless crank calls in the middle of the night and throughout the day uttering a few words and then hanging up**

Since the day he married Frima, Burger would call the Neusteins and say "This is you son-in-law Marty" and then hang up. He did this constantly; it was torture. Rabbi Neustein couldn't change his number to an unlisted number because as rabbi he needed to be accessible to his community.

**VII. Overcome by Fear of Retaliation from their son-in-law and Community Censure for Reporting him to the police, Neustein Family Doesn't Report Burger for Criminal Harassment**

After taking so much assault from Martin Burger – the calumnious letter that went out to Rabbi Neustein's synagogue members and to rabbis all over Brooklyn, keeping their mentally challenged daughter in bondage, riling up of their daughter and playing tapes of her screams and sobs, and the incessant crank calls to the Neustein home – Rabbi Neustein and his wife thought seriously about going to the police.

What prevented their filing of a criminal harassment complaint was that they feared retaliation from Burger. Knowing that their daughter who married him was not mentally strong enough to leave the marriage, they feared if they brought charges he would retaliate with hurting their mentally challenged

daughter, Frima. Looking at the matter in the most practical terms, Burger's crimes were not the kind that would lock him up for too long and in those days there very few anti-stalking laws on the books.

The other deterrent was that Burger came from a sordid family; a cousin went to jail for a major diamond heist at a kosher hotel he ran for Passover. Any aggressive action, even in self-defense, could incur a retaliatory response from the Burger clan. And Rabbi Neustein and his wife were naturally afraid for their own safety as well as for their daughter Frima.

Hovering over their decision-making process was the more communal fear of a rabbi, a known public figure, getting a "bad" name in the community for going to the police to report his son-in-law. In Orthodoxy a bad name can be earned over night. The ability to besmirch a person in an insular community is very powerful and it can happen as quickly as a fire spreads in an arid climate. As a result, Orthodox Jews live in constant fear of incurring the wrath of community members. Ironically, their fear of one another is by far much greater than their fear of anti-Semitism, and it was the same way in European Ghettos when anti-Semitism was much more common than it is today.

#### **VIII. Dr. Amy Neustein Steps in with a Plan to Rescue Frima but it Backfires –Burger Vows to Avenge Sherry's Mother**

Dr. Neustein was living in Virginia with Ozzie as a young married woman and pregnant with Sherry and having plenty of her own troubles with Ozzie. In spite of that, she couldn't stand to hear the cruelties meted out to her parents and to Frima. She came up with a plan to get Frima out of her toxic marriage.

Having had a phone conversation with her sister a weeks earlier, which was a rare privilege as Burger had blocked her contact with her family members, she learned from Frima that she'd now have the strength to leave the marriage if there were another person waiting for her in the wings. By sheer coincidence there was a lovely young dental student in Richmond, Virginia where Dr. Neustein was living with Ozzie (who was in medical school down there). This dental student was very much in love with Frima and knew of her mental problems. He had dated her the year before and really liked her but was preoccupied with moving down to Virginia to start dental school. He was a convert to Judaism and didn't hold the common biases found among Orthodox Jews. He was eager to save Frima from her abusive marriage, and he was very realistic about the hurdles that he would have to overcome. He didn't care about "damage" that would be done to his name in the Orthodox community which would have been inevitable if Frima would have divorced Burger to marry this dental student.

Dr. Neustein spoke to Frima on the phone about the arrangement for her to meet this young man at her home in Virginia. This miraculous encounter was supposed to take place on the following Sabbath. However, unbeknownst to Dr. Neustein, Frima tape recorded the entire call and played back the call for her husband. Martin Burger was so furious with Dr. Neustein that he swore he'd avenge her in any way he could. And so he did – and in the most painful, excruciating way – via the torture of her daughter.

## **IX. Confessional Letter from Burger's Wife – to the Collusion of Orbach and Burger to Harm Sherry through Ohel**

The relationship between Sendy Berger, serving on Ohel's board of directors, and Martin proved to be highly instrumental in destroying Sherry.

Dr. Neustein's sister, Frima Burger, would write an unsolicited letter to Dr. Neustein's parents the last year of their life disclosing the "almost nightly" meetings that her husband would have with Sherry's father to plan "an act of vengeance against Amy." She spoke of her husband's conversations with his cousin, Sendy (the Ohel board member) to "help Ozzie." She confessed how "torn" she was, as she witnessed her husband strategize with Ozzie to strategically use Ohel to avenge Amy. She felt her loyalties should be with her sister, Amy, and not with Amy's ex-husband who was colluding with Martin Burger to destroy Amy.

She said in the letter, that one night she protested so vehemently that "she packed a suitcase" ready to leave Martin Burger. But when she looked over at her children, she thought how "unfair" it would be to leave them without a father. So she stayed. And in the years that followed she became an active accomplice of her husband and would go down to child welfare offices denouncing her mother, even though she never saw Dr. Neustein with her daughter, Sherry. Her name would show up in the child welfare agency files as the "maternal aunt." Frima would also freely speak to reporters that called Ozzie for comment. She'd use her "status" as Dr. Neustein's sister to discredit her to the reporters who were looking into her story. She succeeded on many, many occasions, and Sherry's hapless fate became reified.

In fact, Martin Burger's avid pursuit of revenge was amply evident in the Ohel case file which had a number of entry notes made by Ohel workers each time Burger would call them to make demands. When Dr. Neustein's counsel went down to Ohel to read their case notes she would find entries in the file pointing to requests made by Burger regarding visitation and other matters.

For example, Burger asked Ohel to cut off all phone contact between Amy and her daughter, and asked the same for the grandparents. His requests were obliged by Ohel.

Burger asked for the grandparents visits to be cut off. His request was obliged.

Burger called Dr. Neustein an anti-Semite, and then the Ohel caseworker came to court and testified against Dr. Neustein, calling her an anti-Semite.

All in all, Ohel clearly showed a close working relationship with Martin Burger, their board member's cousin, even though Burger held a very public vendetta against the Neustein family starting before Sherry was born.

## **X. Martin Burger Becomes Intimidating and Threatening with Ray Kerrison's Assistant at the New York Post**

Susan Daglian, executive assistant to Ray Kerrison at the New York Post, stated that Martin Burger would call up the NY Post each time Kerrison would write a column on Sherry Neustein and try to intimidate her.

Susan recalled how, he would yell at her, and would repeat over and over again, “Kerrison must stop writing articles on Sherry!!” She recalled how her boss, coming back from a lunch break, came into the office and heard Susan in a heated argument with Martin Burger. Ray appeared “startled,” according to Susan, but she explained to him that this was “just Martin Burger,” indicating these tirades had become a regular occurrence each time her boss wrote about the Sherry Neustein case.

Kerrison wrote about 10 columns on the Sherry Neustein case, mentioning to Susan that this was the first time he wrote so many columns for someone who was not in political office. When he retired from the paper he told Susan how upset he was at not being able to rescue Sherry from her tragic situation. He told her he had “never” before encountered such resistance.

Years later Susan would reflect on Burger’s behavior. She would state: “he was ‘livid’ and ‘out of control’, as he couldn’t ‘understand’ why Ray was so concerned about Sherry’s welfare.” Susan said, “Ray was ‘shocked’ at the ‘calloused disregard’ for Sherry’s life.”

Burger’s calls to intimidate Ray Kerrison were often immediately followed by Orthodox rabbis trying to do the same. Susan recalled after all these years how a Rabbi Hollander would call up protesting when Ray Kerrison wrote columns on Sherry’s dire condition. Susan would remember that when Rabbi Hollander saw that she was so passionate about saving Sherry, he blurted out, “You must be Christian!” What she intuited was that a Christian would not follow the party line set by Orthodox officialdom: “[I]t *was better Sherry should die than the non-Jewish world should hear about such things among Jews*”—decree of Rabbi Morris Shmidman, as cited at the beginning of the “Shonda” Report.

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## **Appendix “A” – The Composition of the Crime Syndicate – The Criminals who Founded and Serve on Ohel’s Board of Directors**

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### **I. Rabbi Hertz Frankel, Ohel Founder/President; later Honorary President**

Ohel Founder, Rabbi Hertz Frankel – convicted in the largest education fraud scheme in history – devised an elaborate scheme to siphon millions in federal dollars to his private school that is under the umbrella of UTA (United Talmudic Academy), located in Williamsburg, Brooklyn. UTA was exposed for sexually abusing young boys attending their yeshiva. One victim in particular, Joel Engelman, sued under the Crime Victims Act and left the practice of Orthodox Judaism so that he will not be subject to community disapprobation and punishment:

[A man sues a rabbi for sexual abuse — and explains why others won’t do the same – The Forward](#)

[Rabbi in Plot to Siphon Millions In Public Money to Private School - The New York Times \(nytimes.com\)](#)

## II. Rabbi Shlomo Halberstam, Ohel Board of Governors and Head of Bobov Hasidic Sect

Ohel Board of Governors' member, Rabbi Shlomo Halberstam, in concert with Ohel's chief rabbi, Dovid Cohen, obstructed a Grand Jury investigation into 96 counts of child abuse. Here is how they did it:

1. By arranging for a rabbinic court who intimidated the prosecution witnesses and tried to force the victim's parents to sign a letter of recantation that the rabbis crafted;
2. By having the rabbinic court produce a decree (making a special effort to translate the Yiddish decree into English so that it would be read by the District Attorney who was not Jewish) to exonerate the defendant;
3. By having Ohel's chief rabbi, Dovid Cohen, write a strong letter of apology (in English) to accompany the decree acquitting the defendant; and
4. By having Rabbi Shlomo Halberstam, the head of the Bobov Hassidic sect (and on Ohel's Board of Governors), make a conference call from his home in Borough Park (Brooklyn), headquarters for the Bobov empire, to the Brooklyn District Attorney.

The conference call was described by a Bobov member, visiting the rebbe (head rabbi) at the time, as "very powerful." The call was placed on speaker phone. According to the Bobov member who was over at the rebbe's home, Halberstam was joined by then New York State Assembly Speaker Sheldon Silver (who died in January 2022 while serving out his twelve-year sentence in prison for public corruption), the ad hoc rabbinic panel/court of five members, and the Chief Assistant District Attorney Albert Teichman.

By us yidden [Jews], we don't have the word 'coincidence' in our language," said [Rabbi] Rottenberg. **"We knew two or three days beforehand** [that the charges would be dropped]. . . . In Bobov, they sang all of Purim, and Shabbos after, a niggun [special song] to his [the perpetrator's] favor and against the [Abrahams] in a shul [synagogue] of three thousand people, the main Bobov shul. . . . Everybody knew who they meant." (Neustein/Lesher, "A Single-Case Study of Rabbinic Sexual Abuse in the Orthodox Jewish Community." *Journal of Child Sexual Abuse*, 17(3-4), pp. 283-284. (The authors were the 2010 recipients of the pro Humanitate Literary Award from NARCCW.)

"It was in the year of 2000 and a Bobov Chasidic rabbi and tutor, Rabbi Solomon Hafner, was accused of repeatedly tugging the private parts of a hearing-impaired eight-year-old boy while tutoring the child. The case was placed before the grand jury and proceeding normally when suddenly it took an odd turn.

"Rabbi Dovid Cohen, who was the head rabbi at the Brooklyn headquartered Ohel Children's Home and Family Services, in response to being threatened by the Bobov community for having suggested to the parents of the abuse victim that they go to the Brooklyn District Attorney, initiated an ad hoc rabbinic court. He called upon his close friend Rabbi Faivel Cohen to rally the rabbis to help...The purpose of the beit din [rabbinic court] was, simply put, to persuade the D.A. to decide the case without the benefit of legal process...This victim's family members were troubled by this tribunal, describing it as a 'mock beit din' where the rabbis leaked to the community their intent to vindicate the defendant even before they issued their verdict.

“Key medical witnesses who had examined the child were not permitted by the rabbinic court to testify in support of the victim. Nor were the victim’s family members allowed to question the witnesses staunchly defending the man accused of torturing their child. The tribunal consisted of days of relentless questioning of the eight-year-old victim and even upbraiding the therapist who believed the child’s reports of abuse. The child never veered from his account of what happened. Yet at the end of the trial, the rabbis drew up a letter of recantation for the victim’s parents to sign with proper notarization. When the victim’s parents adamantly refused, the Ohel rabbi who initiated this court drew up a public letter of apology to the defendant to help clear his name. Armed with this public letter of apology from Ohel’s rabbi along with a written decree of the rabbinic court exonerating the defendant, members of the rabbinic panel went to the D.A. **The D.A....specifically asked the rabbis not to publicize their own verdict until the case would be officially dropped so that it would not look like the D.A. “bent under pressure”** from the rabbis.” “Public corruption and other crimes! What punishment for Sheldon Silver? Judge to Decide,” Amy Neustein, *The Jewish World*, June 26, 2018. [silver-world.pdf \(amyneustein.com\)](https://www.silver-world.com/amyneustein.com)

### III. Ohel Board Member Attorney Kalman Finkel

Kalman Finkel, serving on Ohel’s Board of Directors, used taxpayer dollars to obstruct an investigation into the distribution and sale of pornographic videos by coopting his own agency, the Legal Aid Society of New York, to work sub rosa to topple the investigation.

“Investigators from the Brooklyn DA [office] have been investigating in the past few weeks a group of rabbis and educators on the charge that they have sexually violated over 100 Jewish children, ages 3 and 4, and took video shots which were later sold to dealers in pornographic film.” (English translation of feature news story in *Algemeiner Journal*, March 9, 1990). Article will be scanned and placed on GitHub so that there is a viable link created for the reference.

“The friend of the family said she believes Hynes [the Brooklyn District Attorney] is dragging his feet in the case because of leaders in the Jewish community – including prominent rabbis. ‘They have an in with the district attorney’s office and hold weight as to whether a case is pressed or not,’ she said. ‘They want this one shoved under the carpet.’” (The Jewish Week, August 24, 1990, p. 7). Article will be scanned and placed on GitHub.

While the case was pending before the Brooklyn District Attorney, Kalman Finkel, Ohel’s board member declared the innocence of the day school operator (Rabbi Mordechai Ehrman) who was making kiddie porn videos for distribution.

“Some of the parents say that Kalman Finkel, a member of the state Law Revision Commission appointed by Mario Cuomo, has entered the case on Ehrman’s behalf” (“Day-Care Abuse Alleged, Brooklyn DA investigates charges at Midwood center,” Bob Liff, *New York Newsday*, March 8, 1990).

But Finkel went even further. Using his position as Head of the Civil Division of the Legal Aid Society of New York, he arranged for his agency to give the perpetrator (Rabbi Mordechai Ehrman) “a lie detector test,” and then “contacted rabbis to help set up a rabbinical court to consider the case” (“Day-Care

Abuse Alleged, Brooklyn DA investigates charges at Midwood center,” Bob Liff, *New York Newsday*, March 8, 1990).

Both actions of arranging a lie detector test and in contacting rabbis to set up a rabbinic court raises the question of how this Ohel board member so cavalierly used his government position and his division head title at the Legal Aid Society to thwart an investigation into the distribution of child pornographic videos.

First, it is well-known that the purpose of a rabbinic court that is assembled while a case is before the District Attorney is to harass, intimidate and threaten the Orthodox victim witnesses.

Second, it is consternating how an official from the Legal Aid Society could use tax payer dollars to cover the costs of a lie detector test at his own agency. The newspapers, in fact, reported that the perpetrator engaged a highly qualified, leading defense attorney to represent him, so how can Legal Aid step in and administer a lie detector test when the perpetrator wasn’t even their client?

In fact, it was mentioned in *Newsday* that the lie detector test was “organized by a state official” (“Day-Care Abuse Alleged, Brooklyn DA investigates charges at Midwood center,” Bob Liff, *New York Newsday*, March 8, 1990). These actions don’t even warrant commentary as it is completely irregular for lie detector tests to be “organized” by a government official, using taxpayer funds to get his friend off the hook. After all, the perpetrator was a private citizen (and not a government employee) so why would a government official intercede and have a polygraph administered at taxpayer expense?

Years later Ohel board member Kalman Finkel would be fined for public corruption, though with regard to another matter that had nothing to do with obstructing a criminal investigation into child porn distribution. See IN THE MATTER OF KALMAN FINKEL COIB Case No. 99-199 February 26, 2001

“SUMMARY: A member of the New York City Housing Authority, Kalman Finkel, was fined \$2,250 for using his office to help obtain a computer programmer’s job for his daughter with Interboro Systems Corp., a company with a \$4.3 million contract with the Housing Authority. Two weeks after faxing to Interboro his daughter’s resume, Mr. Finkel voted to increase Interboro’s contract with the Authority by \$52,408. Mr. Finkel said the vote was inadvertent and that he did not realize that Interboro was the same firm to which he had sent his daughter’s resume. Interboro hired Mr. Finkel’s daughter.”

<http://archive.citylaw.org/coib/ED/ARCH%2001/Finkel.doc>

Tragically, the child porn mill that engulfed the victims of Rabbi Ehrman’s day school was protected and supported by Ohel board member Kalman Finkel whose efforts to derail the investigation allowed the scourge of child exploitation to continue in perpetuity in the Orthodox community.

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## **Appendix “B” – Ohel Children’s Home and Family Services Forms an ad hoc Cartel — “Coalition for Jewish Children” — to protect its Ongoing Criminal Enterprise**

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Below is documentation of Ohel's formation of a *secret* fraternity of five powerful Orthodox Jewish organizations to enhance its preferential treatment status and to shield Ohel from investigation/prosecution.

This appendix will present evidence of Ohel's use of its crime syndicate to achieve the following:

- ✓ Gain "Preferential Treatment" with Government Grants
- ✓ Seize Children from Out-of-State to Enhance their "Child Racketeering" Enterprise in New York
- ✓ Steal SSI Money from their Disabled Group Home Residents
- ✓ Steal Children in order to Protect or Supply Child Erotica/Porn Networks
- ✓ Prevent Prosecution for Baby-Selling
- ✓ Assembling Rabbinic Courts to Obstruct Child Exploitation Investigations

***OHEL – "A Bulwark of the Orthodox Jewish Community" (Wayne Barrett, Village Voice, 1994)***

**Annual Budget: >70M federal and state monies, plus Congressional earmarks, and avid private fundraising in the Orthodox communities in the Tristate area.**

**Ohel testified in the Sheldon Silver public corruption trial – they assisted Silver in compensating Dr. Robert Taub (for his lucrative referral scheme to Silver's law firm) by providing coveted jobs to Taub's children**

## **Introduction:**

The Jewish Week's special features reporter, Hella Winston, conducted a journalistic investigation of Ohel's mishandling of a child abuse case in which they failed to report abuse notwithstanding compelling evidence. As way of background, Ohel had been providing ongoing counseling for a family which presented with a number of problems. However, Ohel had presumably allowed serious abuse to occur by failing to report to the authorities what was transpiring in the home. In response to the paper's charges that Ohel was wholly negligent in their role of providing preventive services to this family, Ohel sought out an "independent" child advocacy group to review what they had (or had not) done in this case to determine if were indeed negligent in their responsibilities to this distressed family.

"... [Hella] Winston revealed that David Mandel, the agency's CEO, apparently implied to a group that reviewed those files "the prospect for future collaboration with and **funding from Ohel.**" In other words, Ohel appears, in essence, to have **bribed** those who reviewed confidential files in order to elicit from them an assessment more favorable to the agency's public image.



“Sharing the files with outsiders in the first place was bad practice; the act threatened critical standards of confidentiality. Indeed, as Winston reported, it may have violated federal HIPAA laws. **Coupled with an offer of financial benefit to the outside organization asked by Ohel to clear its name, the act took on a possibly criminal character.**” Neustein/Lesher, “What Went Wrong at Ohel Children’s Home – and What Can Be Done About Its Failure to Protect Jewish Children from Abuse?” p. 184. [InTech-What went wrong at ohel children s home and what can be done about its failure to protect jewish children from abuse .pdf \(intechopen.com\)](#)

*The text, above, raises the question as to what has emboldened Ohel to offer government largess with such alacrity and confidence, even when it would be construed as an obvious bribe?*

The answer lies in Ohel's formation of a *cartel or better known as a crime syndicate* less than 15 years after they obtained a contract with the City of New York to serve as a foster care agency. This special cartel would shield them from accountability and criminal prosecution:

“On May 24, 1983, Marcel Weber [Vice Chairman of the Board of Directors at the Union of Orthodox Jewish Congregations of America, and also Ohel’s lawyer, later replaced by Attorney Harvey Jacobs after Jacob’s agency, the BSPCC, lost its contract with the City of New York for malfeasant activities] and I attended a meeting at the Ohel Children’s Home called by Lester Kaufman, its Director. Also attending were representatives of COLPA, Young Israel, and Agudath Israel...It was recommended that the five agencies constitute a **“Coalition for Jewish Children”** which would act in unison to speak out when necessary to protect the interests of Jewish children and the Orthodox Jewish community. Each organization was asked to officially ratify its participation in the Coalition. Marcel [Weber] and I are requesting that this be placed on the agenda of the next Communal Relations Commission meeting” – Internal Communique from David Luchins, Ph.D., National Vice President of the Union of Orthodox Jewish Congregations of America to its Executive Vice President, Rabbi Pinchas Stolper.

Here are the five-member organizations that constitute the “Coalition for Jewish Children”:

- **Ohel Children's Home and Family Services**
- **Union of Orthodox Jewish Congregations of America (often called the Orthodox Union or OU)** – the largest kosher food certification agency in the world; processed food products certified by this organization bear the insignia of a “U” encircled by an “O” and occupy many grocery closets in homes across America; the cost of the certification is sometimes passed on to the consumer whether they are kosher or not. A significant percentage of products in the supermarkets throughout America bear the insignia of this powerful Jewish organization
- **National Council of Young Israel** –Steve/Shlomo Mostofsky would later serve as their president; his son would be sentenced in May 2022 for his participation in the January 6<sup>th</sup> Capitol Hill riots
- **COLPA –National Jewish Commission on Law and Public Affairs** – a very powerful organization of attorneys who have argued before the US Supreme Court. One of their esteemed members, renowned constitutional attorney Nathan Lewin, has arranged rabbinic courts for abducted and sexually abused children to divorce their loving mothers. In the famous case of Shai Fhima where the boy was abducted by an extremist cult rabbi, Shlomo Helbrans, Lewin tried to put together a rabbinic court to have the abducted child “divorce” its mother, using the Talmudic precept of “ex communication.” Thankfully, the US

Government prosecuted the abductor and the child was returned to its mother. The rabbi later drowned in a river **at age 53** while performing a ritual immersion: [Shlomo Helbrans – Wikipedia](#)

- **Agudath Israel** – a very powerful, politically active organization for Orthodox Jews, with national headquarters in Washington, D.C.; the organization mounted a very strong opposition to the passage of the Crime Victim’s Act and they have adopted a policy of not allowing abuse victims (or even mandated reporters) to make reports to the authorities: [Advocates protest President of Agudath Israel of America for protecting secrets, not children \(stopabusecampaign.org\)](#)

I. **Ohel’s Formation of the “Coalition for Jewish Children” with Powerful Orthodox Jewish Organizations to Gives them an Advantage in Competing for Government Funding**

“The Bais Ezra Community Residence Program [Ohel’s program for their adult disabled residents] is currently applying for a grant for a family support service and respite program for developmentally disabled individuals and their families. As part of the grant proposal the state has requested letters of support from community organizations... **In addition, we would appreciate your recommending our agency for this grant**” – letter from Lester Kaufman, Ohel’s Executive Director to Rabbi Pinchas Stolper, Executive Vice President of the Union of Orthodox Jewish Congregations of America – which runs the the world’s largest kosher certification agency in 100 countries around the world – March 15, 1984.

II. **Ohel Monopoly Uses their “Coalition for Jewish Children” to Intervene in the operation of Jewish Family Services in the State of Pennsylvania**

“I have been told that the Jewish Family Services in Philadelphia is placing Jewish children in non-Jewish homes and is breaking up families as well. I wonder if you could advise me as to how I could confirm this information and as to **what we could possibly do about it**” – Letter from Rabbi Pinchas Stopler, Executive Vice President of the Union of Orthodox Jewish Congregations of America to Lester Kaufman, Ohel’s Executive Director, June 27, 1986. Both Ohel and the Union of Orthodox Jewish Congregations of America are members of this powerful ad hoc cartel.

III. **Jewish Family Services of New Jersey becomes a willing partner of “Partner” of Ohel with Ohel –resulting in an unsuspecting mother being defrauded by Ohel and losing all of her three children**

In contrast to the Jewish Family Services in Philadelphia, which did not allow itself to become aligned with Ohel, the Jewish Family Services of New Jersey became a willing consort to Ohel, as shown in the case below.

As way of background, it is important to note that Ohel's function as a private agency that contracts with the New York City Administration for Children's Services, requires them to abide by the provisions of the City of New York child welfare system. To wit, they must provide services for the wards of the state of New York. A Human Resources Administration whistle blower, Trevor Grant, revealed that when the City of New York needed to place a Jewish child in foster care, Ohel's doors "were shut," as they claimed they had "no available beds." Yet, Ohel foster homes were made readily available for the cases they had recruited from within the community, children who would be used to protect or supply their child erotica and baby-selling networks. To recruit child-victims for their exploitation and illegal adoption enterprise they require a constant supply of children. This is what drove their expansion beyond the New York geographic confines. As shown in the current case below (2021-2022) by partnering with out-of-state Jewish welfare agencies Ohel gets a foothold into the supply of child victims in that state.

"Ohel Sibshops [a program for siblings of persons with developmental disabilities] will be coming to Clifton/Passaic [New Jersey] through the partnership of Ohel and the Jewish Family Services of Clifton-Passaic" –The Jewish Standard (Teaneck, NJ), January 30, 2015. [Ohel and JFS bringing Sibshops to NJ | The Jewish Standard \(timesofisrael.com\)](#). Under the guise of joint "programs" Ohel is able to effectively recruit new child-victims for their ongoing criminal enterprise.

In this current case ("Michal Levin" – the biological mother—a science teacher at a premier private Jewish secondary school in NJ) Ohel's partnership with the Jewish Family Services of Clifton/Passaic has left a trail of destruction. The mother at the center of the case ironically is not Orthodox though she fell into a terrible trap in the Orthodox community. She's a secular Israeli woman who thought it best to seek out services in the Jewish community, not knowing too much about Orthodoxy. The mother, whose children were sexually abused by the father, was severely emotionally battered by the children's father. As a result, she ran to an Orthodox battered women's shelter which is run by the Jewish Family Services of Clifton/Passaic which partners with Ohel. She arrived with her two sexually abused children, ages 5 and 7 (now ages 6 and 8), and her then three-month old infant son. Her safe haven at the shelter became a nightmare of untold proportion. Her husband's business associate is a major donor to the Jewish Family Services in Clifton/Passaic which partners with Ohel; the mother believes that it was her husband's business connection with Ohel's partner that caused her to suffer such a tragic loss.

What happened next was frightening. Within a few days of the mother leaving the Orthodox shelter she had the distinct impression she was being followed. She and her parents were together when they saw a stranger on the street snap a photo of her infant son. When they confronted him, he ran away very fast. Around the same time, the state social services, to whom she appealed for help with her sexually abused children, removed her two older children from her without a hearing and sent them to live with the sexually abusive father. They left her infant son with her. The father, however, had pressured her to terminate her pregnancy with the infant and then didn't show too much of an interest in the infant after he was born.

Suddenly the mother was descended upon by a New York attorney who is among Ohel's largest donors. The attorney insisted on coming to the mother's home in New Jersey and did not charge her for her time. While at her home, the Ohel donor was "smitten" with the infant and blurted out that she was eager to arrange a marriage for the child in the Orthodox community, of which the mother was not even a member. The attorney made gratuitous comments deriding anyone from the mother's support system, including one of the authors of the Shonda Report, and was unusually domineering. Her posture

was threatening and intimidating. She scared the mother about losing her nursing baby to the father if she didn't immediately *recant* her claims of sexual abuse against the older children. The Ohel donor/attorney never signed a retainer agreement with the mother, nor was she admitted to the bar in the state of NJ where the mother was living and where the litigation was taking place. She told another attorney that she was now "representing" this mother.

The mother was loathe to recant as she had been witnessing highly disturbing sexualized behavior of her children for months and finally captured an alarming incident of sibling incest on her phone, which was then analyzed by a team of academic researchers at the University of Haifa (led by Dr. Rachel Lev-Wiesel, a leading expert on child abuse risk assessment) who noted the children showed "uncontrolled arousal" and a reluctance to heed the mother's many attempts at "redirection" of this sexualized behavior. However, the Ohel donor/attorney didn't stop there. She called the mother's therapist, a member of the Jewish community herself, and pressured her into sending a letter to the court, while falsely stating to the therapist that recantation was the "only" way for the mother to keep her nursing infant with her.

The therapist's letter, constructed at the urging of this Ohel donor/attorney was prejudicial to the mother. In fact, the judge called the mother "psychotic" and "delusional" when the letter was presented to the court, in that it contradicted the mother's stance that her children had been sexually abused by the father. The letter stated that the mother now understood the "damage" that she that can be caused by well-intended but "rush conclusions" from "ambiguous information" and "guided questioning" of her children. The letter concluded with a statement that the mother is working on improving her "emotional control" and understands she can "ensure her children's safety without making ungrounded conclusions..."

Notwithstanding these forced "recantation," the video of the children, analyzed by the University of Haifa team of researchers, show evidence of possible "grooming". The body position, the sexual (foreplay) acts, the facial expressions of overt gratification, etc., all point to the possible likelihood of *grooming* of these children. The University of Haifa team opined that the children's behavior pointed to the likelihood of having been "exposed" to child abuse.

Why then was Ohel's donor so forceful in getting this mother to recant? By doing so, the children lost their only chance of being protected. But even worse, by compromising this unsuspecting mother's legal posture with her two older children, the mother then placed her infant son at risk of being taken from her as well. The father, who often spoke about placing the infant up for adoption, quickly moved for full custody of the infant and the child protective services willingly agreed. Their reasoning was that now that the mother "admitted" to "guided questioning" of her older children, how could she be suited to parent her nursing infant? Under threat of contempt of court, the mother was forced to quickly wean her infant son and send the child to live with the father.

This case is not unique, as kosher battered women's shelters have long been a trap for unsuspecting Jewish mothers who come with their children to seek refuge from the violent spouse. Such cases follow a clearly distinct pattern. The mother while at the kosher shelter is required to see a social worker chosen by the shelter. The social worker then makes a report of "neglect," albeit spurious and contrived, so as to get the infants and young children taken away from the mother and made available for adoption. As incredulous as this sounds, the case records prove this pattern. The case of Linda Konikov from Brooklyn showed this same pattern; the mother lost her two-year-old son to Ohel which put the

child up for adoption. The mother was framed by the Transition battered women's shelter in Far Rockaway, Queens when their advisory board member was an Ohel social worker who would canvas the place in search of an unsuspecting mother with a healthy, adoptable infant or toddler.

As mentioned earlier, Rabbi Isaac Trainin of the Jewish Board of Family and Children's Services (New York), was suspicious of Ohel and certainly didn't consort with them. Neither did the Jewish Family Services of Philadelphia, as seen from the correspondence of the *Coalition for Jewish Children*. But Ohel's alleged consorting with the Jewish Family Services of Clifton/Passaic has caused an unsuspecting mother to be bereft of all of her three children.

#### IV. How the Coalition for Jewish Children Protects Ohel's Fraudulent Baby-Selling Scheme from Prosecution

*"I'm shaking like a leaf. I've never seen the Governor so mad! He [Mario Cuomo] called me into his office this morning and warned me not to investigate Ohel! The Governor said that as soon as the NY Post ran the story he got calls from major Jewish organizations yelling at him for allowing my department to launch an investigation into Ohel's baby-selling"* – Statement of lawyer for NYS Department of Social Services to Dr. Amy Neustein on November 20, 1987 after the NY Post ran a story on Ohel: "Adopt Agency Under Kickback Probe," Tim McDarragh, New York Post, November 20, 1987, p. 7. The investigation of Ohel's baby selling was terminated and they never faced charges for their crimes.

Years later, Ohel's child theft operation would leak out again into the papers. In 2008 a battered woman (a non Orthodox woman born in Uzbekistan) with two children went to Ohel to seek counseling for her then six-year-old son who was evidencing disciplinary problems. Ohel, instead of providing therapy, talked the mother into allowing her son to spend weekends with a wealthy Orthodox Jewish Manhattan couple (both lawyers) who had approached Ohel about volunteering for their Big Brother program, which is federally funded. What the mother didn't know was that this wealthy couple was on the prowl to find a child for adoption and had approached Ohel and other Jewish organizations about finding a child to adopt. Ohel played along and encouraged the mother to send the boy to the home of the Manhattan couple for Shabbos, without disclosing their sinister motive for doing so.

After a couple of months of these weekend visitations, the lawyer couple threatened the mother that if she didn't sign a paper for an "open adoption" the legal couple would make a report to the Administration of Children's Services to have her found guilty of "neglect" of her two-year old child who she was still nursing. The mother ran to Ohel to ask for them to speak with the couple and ask them to cease and desist with their threats to make a report to child protective services against her. Instead of helping, the mother received a call from Ohel's attorney and was shocked at his vulgarity. (This was the same attorney who said to Dr. Neustein's counsel *"So what if Sherry goes into foster care, she's already been sexually abused!"*)

The attorney for Ohel, Harvey Jacobs, told this innocent mother, Nina Yusupov, that "she could go F\_k herself" when she complained bitterly to him about this extortion and blackmail attempt by the Big Brother volunteer who stole her child from her. Ms. Yusupov would later state in a notarized affidavit: "I was very afraid of him [Jacobs], as he spoke like gangster. I was left crying hysterically, realizing that I

was now up against a mafia. It felt like organized crime: Ohel's ganster lawyer, the Bergenfelds who threatened me and try to scare my sister, and the absolute apathy from the Ohel social worker who had persuaded me to get my son into the Big Brother program with the Bergenfelds, a program run by Ohel" (March 6, 2022, pp. 2-3).

To date, the mother cannot get her son back though she signed the paper for an open adoption under threat of losing her younger, breast-feeding child. A modern-day "Sophie's Choice" indeed. As a parenthetical note, the "open adoption" was nothing more than a ruse since the mother has not been allowed by the couple that took her son from her to see her child in all these years. Ohel has told ACS they are against the mother seeing her son even though Ohel never as much as made a complaint against the mother for any sort of "neglect" and had not even considered therapy for the mother who they felt was fine.

The Orthodox Jewish organizations that formed the Ohel cartel would show just how much of a stalwart or barricade Ohel would be for this desperate mother struggling to get her stolen child back into her arms. Unaware of the criminal enterprise she was up against, she relentlessly knocked on doors of COJO Borough Park for help, the Orthodox Union, and other major organizations (all of whom have tight affiliations with Ohel) to no avail. She hadn't realized it, but she was up against the "bulwark" of the Orthodox Jewish community, the apt metaphor assigned to Ohel in the *Village Voice* by veteran investigative reporter (an author of books on political corruption) Wayne Barrett. Not surprisingly, the Orthodox Jewish organizations were cold and unhelpful to this mother. As such, Ohel's intentionally-created secret fraternity, the coalition of five of the most powerful Orthodox Jewish organizations including Ohel, served its purpose. This mother, an immigrant from Uzbekistan, was not fighting a single, standalone foster care agency, operating under contract with the city/state of New York funded with both state and federal monies. Instead, she was up against a formidable "syndicate" that allowed "child racketeering" to be carried out with impunity. She became a victim of the Ohel crime syndicate as did one of the authors of the Shonda Report (Amy Neustein) and many other mothers likewise...till this very day.

To the mother's credit, in her arduous attempt to get her son back she was able to form a nexus of activist Orthodox women who enthusiastically rallied behind her. (These women are willing to serve as witnesses to the blackmail and extortionist crimes committed against this unsuspecting natural mother who was tricked by Ohel into sending her child to a couple in search of a child.) As a result of these activist women showing up in both Family Court and later in Surrogate's Court to lend support for this natural mother in her quest to regain her stolen son, the NY Post took an interest in her case and wrote up a feature story about her struggle: [Rich NYC couple stole my son \(nypost.com\)](https://nypost.com/2022/03/06/rich-nyc-couple-stole-my-son/). However, shortly after that article appeared, Ohel made strong demands of the (pending) adoptive mother, who was serving as a volunteer in their federally funded Big Brother program, by asking her and her husband to give a generous donation to Ohel.

The adoptive mother was in fact outraged over the size of the "donation" Ohel had demanded from her in order to "quiet" the unrest caused by the natural mother's story appearing in the press. The adoptive mother then called out to critics of Ohel to garner support in fighting off their extortionist demands, explaining that Ohel was "shaking her down" for over 150K for the adoption to go through. She explained that Ohel asked her to make the "donation" about a month or two before the adoption would be finalized. In fact, she went further and urged the Ohel critics to uncover the systematic pattern of

Ohel's engagement in baby-selling by looking up the names of the adoptive parents in the Surrogate's Court files and then matching their names to the donor list appearing on Ohel's 990s and other financial records.

The (pending) adoptive mother at the center of the "shakedown" was convinced there was a relationship between the eleemosynary/charitable division of Ohel and their "rewarding" of such donors with adopted children they had ensnared from unsuspecting mothers. However, fearing she'd lose the child if she were to continue her efforts to expose this venal baby-selling scheme, the adoptive mother retreated in her campaign against Ohel. And in fact, several months later she appeared to indicate that she had come to a more reasonable financial arrangement with Ohel for their finding the adoptee for her and in helping her with getting ACS and the Surrogate's Court to banish the natural mother from the boy's life.

Most interestingly, the adoption after all these years has never been finalized. Yet, the natural mother cannot get her son back because Ohel, together with ACS, got the Family Court to issue orders of protection which have been renewed. The mother is terribly afraid she'll be arrested if she tries to retrieve her son. She wants very much to work with law enforcement to open up this child trafficking/baby-selling scheme engineered by Ohel. She is a very strong and balanced person who is willing to serve as a Government witness. Please see Ms. Yusupov's affidavit:

<https://raw.githubusercontent.com/ScignScape-RZ/torg-a3r/torg-wip/docs/private/an/Affirmation-of-Nekadam-Iminova--March-6-2022.pdf>. Here is a photo of her son who, after years of living with the couple who used their Big Brother Big Sister role with Ohel to take this child from the natural mother, showed off his drug operations: <https://raw.githubusercontent.com/SignScape-EZ/torg-a3r/torg-wip/docs/private/an/drug-dealing.jpg>

- V. The Syndicate's Gangster Lawyer, Harvey Jacobs, threatens a disabled battered woman with being "thrown out on the streets" if she didn't assign him as administrator of her children's trust funds; and then threatens to take her teenage children away from her – putting them in separate foster homes where they would never see one another – if she doesn't comply with the shelter's assignment of an apartment building without an elevator even though she was paralyzed from the waist down

In a case that started in 2011 and went on for several years thereafter the mother of four teenage girls who was living at the Ohel battered women's shelter was threatened by Ohel's attorney, Harvey Jacobs, that if she didn't make him the administrator of her children's trust funds, she would have to leave the battered women's shelter at once she The mother was left permanently disabled from a recent car accident – suffering from nearly complete paralysis below her waist – and was destitute. Ohel promised to help her obtain SSI for herself and other necessary subsidies. Ohel paid Jacobs to represent her.

However, things started to go down an “unsavory” path according to the mother. First, Jacobs became importunate, demanding that the mother assign him the role of administrator of the children’s trust funds so that he could collect a fee for himself. She became suspicious when he started to threaten her that if she didn’t comply with his request she would be “thrown out” of the shelter and be “out on the street.” His aggressive and harassing behavior made the mother fear that if Jacobs were to be the administrator of her children’s trust, he would engage in self-dealing. In addition, Jacobs insisted she “pay him on the side” as “cash payments” even though she saw the legal agreement with Ohel which compensated him fully for his legal work in helping her get the subsidies she was entitled to. It struck the mother as such “bizarre” behavior for a lawyer for an agency to be demanding that a resident of a battered shelter to pay the legal fees that were fully covered by the agency as part of their battered shelter program.

Jacobs had in fact so much influence at Ohel that when the mother refused to partake in this shady scheme, he got Ohel to pressure her to leave the shelter at once. The mother, crippled from the accident, and responsible for four teenage girls, was then threatened by the Ohel supervisor that they would take all of her children away from her and separate them from one another if she didn’t sign a lease for a severely subpar housing unit they found for her. To wit, given her condition, she could not live with her children in a small one bedroom apartment in a walk-up as she desperately needed an elevator because of her disability. Fearing Ohel would make good on their threats to take her children away from her, she relented and signed the lease. Two weeks after moving in she slipped while walking down the stairs and broke her knee, requiring emergency surgery. The apartment was on the fourth floor and a cruel joke to play on a woman paralyzed from a car accident. In short, the posture and demeanor of this social service agency shows a clear pattern of heartlessness which is something that one does not expect from the social service sector. But even worse, the skullduggery, deceit, and maliciousness of Attorney Harvey Jacobs and the Ohel staff begs the question of how much longer will Ohel be able to keep their crime syndicate hidden from public view?

#### **VI. The Ohel Cartel/Crime Syndicate enabled the Strategic Use of a Corrupt Rabbinic Court to Obstruct a Sex Abuse Investigation by threatening the Mother with Withholding a Get (a Jewish Divorce)**

A mother, whose 13-year-old girl was sexually abused by the father went to Ohel for assistance on the advice of members in her community who were unaware of Ohel’s functioning as a crime syndicate. After being subjected to acts of extortion and threats, as explained below, the mother went outside her community to the Brooklyn Family Center which found the mother’s concerns about her child to warrant redress:

*“Ms Kupferstein is particularly worried about her 13-year-old daughter who, despite this family’s strict religious upbringing, is sleeping in the same bed with her father behind locked doors. Ms. Kupferstein reported to me that her daughter, who has typically undressed in the bathroom for privacy, is currently undressing in the master bedroom in the presence of her father. Ms.*



*Kupferstein also took pictures of her husband and daughter in bed together...It is my understanding from Ms. Kupferstein that she will be appearing before the judge in this case tomorrow morning, and I felt that it was imperative to request, via this letter, that these concerns be addressed. Given the apparent attempts to thwart her reporting of these concerns, I felt that a letter to the Court on her behalf could be of some benefit”*— Letter of G. Christopher Turner, Ph.D., May 4, 2011, pg. 1.

The case entailed an ultra-Orthodox father who was accused of domestic violence and child abuse. The father met with Ohel and then suddenly Agudath Israel, a member of the Ohel cartel, became involved and the mother found herself under a vehement attack by Ohel.

First, Ohel’s lawyer, Harvey Jacobs, assembled a rabbinic court headed by Rabbi Mendel Epstein (now serving a federal prison term) whose closeness with Agudath Israel was so pronounced that even after Epstein’s conviction, Agudath Israel would publicly proclaim his innocence. As a point of fact, Epstein was not a women’s advocate nor was he an advocate for men. He would swing in the direction of who paid him the most. The mother saw the accounting sheet which showed that Ohel paid Epstein with public funds (approximately \$500) to convene the rabbinic court.

Second, the mother urged the rabbinic court to convince Ohel to protect her children from abuse. Epstein told the mother that Harvey Jacobs wanted her to drop her concerns about the sexual abuse and if she refused to do so she would be denied a Get, a Jewish divorce, which would render her unmarriageable. The mother protested and pleaded both with Rabbi Mendel Epstein and with Attorney Harvey Jacobs. According to the mother, Jacobs was threatening and intimidating, and acted like a “hoodlum.”

As soon as the mother relented and withdrew the abuse charges to get a Jewish divorce, Jacobs, together with ACS, went to court and asked for all the children, including the nursing infant, to be stripped from the mother and sent into the father’s custody. The infant daughter soon thereafter landed in the emergency room of the hospital diagnosed as “malnourished and dehydrated” and suffering from “acute cellulitis of the lower back” (Docket Number V-33886-9/09; Emergency Order to Show Cause, May 3, 2011).

Ohel, though denying any domestic violence or child abuse in this case and using public funds to orchestrate a rabbinic court to threaten the mother into dropping all charges, ran up large bills for the delivery of services for this family. To wit, Ohel’s records show a letter to the judge recording the mother’s attendance in almost forty individual and group counseling sessions for domestic violence. Moreover, Ohel for many years used public funds to finance therapy sessions for the children even though Ohel coopted a corrupt court to railroad the mother into dropping all allegation of child abuse and her quest for proper redress so that she can protect her children. In short, Ohel stripped a mentally and physically healthy mother of her children, using extortion and threats to gain her consent to dropping the abuse charges (by tapping into their crime syndicate to arrange a rabbinic court that would execute their threats and extortion), and then billed the state and federal government for years of counseling sessions for the children and almost a year of counseling for the mother for domestic violence.

VII. The Coalition for Jewish Children Shields Ohel from Investigations into Fraudulent Billing/Falsification of Business Records/Theft of SSI Monies

Theft of SSI Monies and Fiscal Threats made against Ohel Residents:

Recent Communication with Residence Manager from a non Ohel Facility

*"I know of a number of emotionally challenged young adults at Ohel who are being presently coerced and manipulated by Ohel. They are threatened that they will lose their Section 8 [federal public housing subsidy] if they were to leave Ohel. They are being kept illegally at a place under the threat of losing their much needed housing subsidy. They are well enough to leave and go out on their own but Ohel wants to hold them back because of the flow of money from government agencies....I can also document a current case where Ohel appears to be 'pocketing' the SSI monies appropriated for the resident, leaving the resident without any money to cover her basic needs "* – Telephonic communication of the residence manager of a large group home at another human services facility, other than Ohel, with Amy Neustein (February 8, 2022.) **The residence manager emphasized that Ohel's "enormous" clout derived from their "alliances" with powerful Jewish organizations has made it "per impossible" to expose their fiscal crimes.**

Ohel Records Show Deliberate Theft of SSI Monies (Files Obtained out by Ohel Counselor and Whistle Blower Dina Borenstein)

*"Chaya has reminded me that Ohel received \$13,508 for Freddie Fuchs in 1989. At the time the money was deposited and \$1000 was given to Freddie. Since then the money has sat in the account and we have been extremely nervous to do anything with it **as we were sure one of the agencies would "catch on" and ask for it back.** The money was deposited before I started working here and so I don't know who gave it to him or why. Chaya feels that Freddie is now on his own and should be given the opportunity to decide what he wants to do with the \$12,508 balance" – Interoffice memorandum from Office Manager Joy Bezael to her bosses, Manny Wertman and Nachman Weinstock, January 19, 1998.*

Here is the Response from Manny Wertman, Director at Ohel Children's Home and Family Services

*"WHOA! Slowdown. Who gave it to him and why? Needs investigation. Then (sic) we decide what to do with it."*

*"This money was deposited in 1989 – before I began to work here. I looked at your records; you noted was 13,508 (SSA for insurance). I spoke with Chaya and she can't find a copy of the actual check but her records note that it was a Social Security check. I looked in his intake file to see if there was any correspondence re: the deposit and there was nothing. I guess the next step would be to go into his 1666 chart. Unfortunately I don't have access to the charts as they are locked and you have the key. At your convenience I will open the chart and see if [it] contains any information on the*

*subject” – Interoffice memorandum from Joy Bezalel to her boss, Manny Wertman, cc’d to Nachman Weinstock, January 28, 1998.*

#### Ohel’s Office Manager who Revealed Theft of SSI Monies was run out of the Country

Joy Bezalel, the office manager who brought up this matter to her director, Manny Wertman, was forced out of the country by Ohel, according to employees who knew her and went to the US Attorney’s Office at the Eastern District of New York to report this conspiracy to rob the disabled of their federal subsidies, along with other systemic fiscal crimes that were observed by these whistle blowers who worked for Ohel.

#### Chief of Business Crimes at EDNY Advises Major Media Coverage to Spur Investigation

*“Dr. Neustein, we’ve sent the Social Security Administration to investigate. We have confirmed that Freddy Fuchs never received the social security payment that was appropriated for him, and if Ohel took the money this constitutes a fiscal crime. But given Ohel’s strength we strongly advise you to go on 60 Minutes or any high profile media program so that there is a public outcry for investigating Ohel. Only then can we overcome their unusual base of political support” – telephonic communication from AUSA Jason Brown, Business Crimes Bureau Chief, Eastern District of New York to Dr. Amy Neustein, December 15, 1998.*

### **Deliberate Falsification of Business Records to Inure to Ohel’s Financial Benefit**

#### Falsification of Business Records to Manipulate Eligibility Requirements for Placement in Ohel

*“We went to state offices to report Manny Wertman for instructing us to ‘conceal’ the true diagnoses of the residents (that is, the Ohel contract only allows for emotionally disabled admissions and not those who are mentally retarded) so that they would ‘falsely’ qualify for placement in Ohel when in truth they were not eligible for placement. **The investigation was interrupted when powerful organizations, such as the OU [Orthodox Union] and Assemblyman Dov Hikind, pressured the state investigator, whose name is Mr. Rupino, into dropping the investigation into Ohel. They also pressured Rupino into dropping the investigation into the complaint of Nachman Dov (the super) about Ohel’s CFO getting kickbacks from contractors**” – statements of two former Ohel employees, Moshe Finkelman and Yehudah Taub, made in the presence of Dr. Neustein to Gordon Mehler, Chief, Special Prosecutions (Public Integrity) Eastern District of New York, October 1998. Mr. Mehler referred the matter to Mr. Brown who advised high level media, as mentioned above.*

#### Falsification of Financial Status to Falsely Qualify for Federal Underwriting of a Foster Care Placement and Falsely Certifying a Child with a Higher Level of Disability in order to get greater Reimbursement

A Human Resources Administration supervisor testified as a whistle blower at a NYS legislative hearing in 1993 about “fiscal irregularities” with federal and state funds covering the placement of children in foster care who have been placed their voluntarily by fathers going through a divorce. In such cases, there is proof that some of these fathers are medical doctors, real estate developers, and financial advisors, enjoying a good income. Foster care agencies, under those circumstances, must ask for remuneration from parents who are well able to afford the costs of foster care placement.

Yet, Ohel lies on the RES form, indicating that the child is “indigent” and in need of AFCD and emergency assistance funds. The whistle blower testified that her colleague witnessed these fiscal abuses and “asked for someone from the state to come and review the practices of Ohel” but “was stopped in her tracks” and “taken away” from the team in charge of reviewing the Ohel agency. Shortly after testifying, **the whistle blower was admonished by her superior, whose husband was affiliated with the Orthodox Union (an active member of the Ohel cartel), that if she would continue to make inquiries about Ohel, she would be “brought up on disciplinary charges”** (testimony at NYS legislative hearing conducted by Senator David Paterson, May 14, p. 34).

In more recent years, other former Ohel employees have spoken about similar fiscal abuses. Some have pointed out that Ohel’s records have been falsified to get maximum reimbursement by certifying the children as “special” and “exceptional” when they did not qualify for these higher level categories of reimbursement.

#### Buying Property for Personal Use and Benefitting from an Exemption from Real Property Taxation for Property Owned by a Religious Organization

Several Ohel whistle blowers over the years, namely David Yelloz, Moshe Finkelman, and Yehudah Taub, have pointed out that Ohel employees, using the religious institution exemption under the Real Property Law, have purchased homes for themselves and have benefited undeservedly from a recurring quarterly property tax exemption. In fact, the “code” name used in the Ohel files to record these property purchases is a “Mr. Tent” – using a play on words as Ohel is a Hebrew word that translates into “tent” in English – as the owner of the property as listed in the Ohel files.

Moshe Finkelman told one of the authors of the Shonda Report (Amy Neustein) how arrogant it was on Ohel’s part to commit this crime and then to make a laughing matter out of it by devising a fictitious character called “Mr. Tent.”

#### Diversion of Ohel Resources for Private Use

According to several Ohel whistle blowers, Ohel’s records show their staffing and compensation for housekeeping services. However, what is not shown is that these same housekeepers are farmed out to the vacation homes of Ohel executives to prepare for family events while federal and state monies cover the costs of the housekeeping. This is theft of resources and a falsification of business records.

### **VIII. The Coalition for Jewish Children Enables Ohel's Sexual Exploitation of Mentally Disabled Adolescents**

There are several current cases from 2021 and 2022 that show how the cartel has been assisting Ohel in grabbing up mentally challenged adolescents by colluding with its cartel member, the Orthodox Union, which has a program called “Yachad.” This program is an integral part of the Orthodox Union's National Jewish Council for Disabilities. Yachad runs a sordid school called “Ivdu” which has shown over and over again to be colluding with Ohel to trump up charges against unsuspecting divorced mothers (married couples are not victimized) to help Ohel fill their foster homes and group homes. In short, the school makes spurious reports against unsuspecting mothers to ACS and the children are then seized from the mother and placed in Ohel where they are used for child exploitation, as proven in the case below. Roughly 10% of the student body has been affected by Ohel's aggressive seizure of mentally disabled children. As noted in the prior section, until very recently, Ohel's contract doesn't even allow for mentally disabled/retarded children, as it only allows for emotionally disabled children. Thus, placement in Ohel of a retarded child is a commission of fraud on its face.

- In the case of Soya Radin, a mother had her 15-year-old mentally challenged daughter, Hannah, seized from her after her estranged husband colluded with an Ohel attorney (Steve/Shlomo Mostofsky – who was a good friend of his – to have the child placed at Ohel. The father's motive remains unknown but he would often threaten his wife with placing their daughter in Ohel. The father was prosperous but miserly, and perhaps placement of the child in Ohel was the ideal solution for this stingy father as the agency, using state and federal funds, would take over all the child support expenses.
- After Hannah was cruelly sent to Ohel the child was assisted in setting up a Facebook account and an email address, using both forms of social media to construct highly seductive messages. Within a short time, her postings and emails lured a pedophile down to her school, a religious man who was listed in the Sex Offender Registry after his prior conviction for pedophilia. This man became verbally aggressive, using strong sexual language, with Ms. Radin's mentally challenged daughter, and a school teacher reported this to the mother. The mother's attempts to get the local police to arrest this man, who had violated his terms of parole, were obstructed by the chief administrator of the school. The mother, likewise, urged Ohel to protect her child from this pedophile given that the child was now in their care. Ohel refused to help. This is very hard to understand given that this child was in their custody and they had a responsibility to protect her from harm. Even worse, given that Hannah had <70 IQ, placing her in the retarded range, and that her mother as a devoutly religious woman had shielded her daughter from exposure to sexual content, it is plausible that Hannah would have needed some assistance at Ohel in constructing those seductive messages that effectively lured a pedophile to come down to her school to meet her in person.
- The mother witnessed within just a few months of her daughter's placement in Ohel how she began to show “preoccupation” and “obsession” with sexual themes. Her behavior changed too: she began to act in a lewd way. (This has not been reversed till today. The child who remains at Ohel is not the “same child” she raised, according to the mother.)

Here is what the pediatrician, who is willing to serve as a federal witness, wrote about the child's removal from the mother and the inappropriateness of setting up social media accounts for a retarded girl:

*"Hannah's testing and results confirm that she is a mentally challenged individual with a low IQ. It is totally inappropriate that she, a mentally challenged and vulnerable child, should have a Facebook and email account. Apparently this was initiated by the school without the mother's knowledge. This is extremely dangerous and potentially exposes Hannah to the dangers of the Internet and the hidden perverts that lurk within its confines. Hannah has been in her mother's sole care since birth. Mrs. Radin has had many challenges and despite the difficult and trying social, economic and family trials (abandonment by the father of the children, financial strains, and special needs children), she has always provided for Hannah's needs as well as those of her other children. Hannah is in need of familiar faces and places. She is not capable of making independent decisions and can be misled... This child should be immediately returned to the mother to prevent further physical and emotional harm to my patient" – letter of Dr. Hylton Lightman (child's pediatrician, December 15, 2014)*

- Ms. Radin, who is a childcare professional herself, has found corroborating cases starting from the time she lost her own daughter to Ohel till present. Ms. Radin was recently told by the chief of staff for a local councilwoman's office that in the past few months alone they have been hearing from a number of desperate mothers whose children were recently taken away from them at the instigation of the Ivdu special ed program and Ohel. These mothers, according to the councilman's office, are not drug addicts who have abused or neglected their children. Instead, they are divorced women raising their children as single parents and are vulnerable to Ohel. Unfortunately very few attorneys have been successful in opposing Ohel, as noted by the director of the legal clinic mentioned above. In the full 79-page report there are specific details explaining why Ohel has the power it enjoys, partly based on their formation of a cartel with other Orthodox organizations to work in unison. The members of the cartel and the date of formation is provided in the full report.
- Ohel's monetary gain is derived not only from the sexual exploitation of such mentally disabled children, such as those they snatched by colluding with Ivdu, but from their seizure of SSI monies, including back owed monies, sitting in children's bank accounts. In Soya Radin's case, for example, there were thousands of dollars sitting in Hannah's bank account as back-owed SSI monies. The mother had been designated as the representative payee or signer on the account and was saving the money for her daughter. However, once Ohel seized her child from her they immediately got a court order to close the child's bank account while transferring the sizeable balance (approximately 6 or 7K) of back-owed SSI monies to a new account for the child where Ohel was now designated as the representative payee instead of the mother.

- Ms. Radin's child was never given the back-owed SSI money, and according to her daughter the money is no longer in her account. In fact, Ohel is allegedly continually siphoning off the SSI monies allotted to Hannah and not using it for her daily needs. Hannah has consistently, till this very day, been asking her mother for food and clothing money though Ohel should be paying for these expenses from the SSI monthly payments into the child's SSA bank account that Ohel supervises. In other Ohel cases, whistle blowers have complained about Ohel's seizing of food stamps from the disabled residents and giving it to the staffers for the purpose of buying food for meetings between Ohel administrators and private donors.
- Ms. Radin's mentally disabled child is still at an Ohel group home and according to the mother has been warned that if she were to leave Ohel, she would be "out on the street." Ohel has told the child that since Section 8 (public) housing is now by referral only, she would never be able to get federally subsidized housing if she were to leave Ohel and go out on her own. This is a familiar reprise in which Ohel coerces their mentally and emotionally challenged residents to stay at Ohel, claiming that no other organization will give them Section 8 if they were to leave Ohel.

### Postscript

In August 2022, the Times of Israel reported on a demonstration in front of Ohel by former employees, mothers whose children were ripped away from them to be prostituted by Ohel, and advocates protesting Ohel's habitual use of employees who rape children across two generations. The demonstrators had pleaded with Ohel to discharge a staff member who had sexually tortured children of two generations: [NY Jewish social services organization accused of papering over sexual assault suit | The Times of Israel](#) Insiders would claim that Ohel couldn't fire the employee because he "knew too much": knowledge of Ohel's embezzlement, sex crimes, prostitution/pornography, raiding of trust funds, fraudulent use of tax exempt status, use of staff for private purposes (e.g. cleaning their homes), tormenting of residents to provoke psychiatric episodes to artificially create a need for hospitalization, inducing dangerously high sugar levels in diabetics,<sup>21</sup> and so forth.

As a final note, shortly after the *Times of Israel* exposé of Ohel, they ramped up their public relations campaign. As a result, Ohel received "branding" in the most aggressive form of marketing. Ohel, legally registered as Ohel Children's Home and Family Service, had its renaissance as "Ohel Unstoppable." All the write ups and ads dropped the legal name of their entity for which they receive >70M per year of public monies. Instead, they rebranded themselves as "Ohel Unstoppable." Perhaps wishful thinking???

Ohel "Unstoppable" charges \$500 per person at their annual dinner: Their guest of honor had previously been exposed by veteran investigative reporter Wayne Barret: [Sheldon Silver's gang: How longtime friends of the disgraced Assemblyman got power positions – New York Daily News \(nydailynews.com\)](#)  
<https://raw.githubusercontent.com/ScignScape-RZ/torq-a3r/torq-wip/docs/private/an/ohel-ad.pdf>

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<sup>21</sup> Personal communication with Dr. Arnold Silverberg who served as chairman of the endocrinology department at Maimonides Medical Center in Brooklyn. Silverberg was perturbed about Ohel's gross negligence in which they withheld the patients' prescribed insulin and gave them a large amount of food containing refined sugar so as to cause diabetic coma which warrants an immediate hospitalization. This inured to Ohel's financial benefit because it allows patients to qualify for recertification at their agency based on the (artificially created) medical crisis.

