

Local

Bethesda synagogue grapples with presence of rabbi convicted of sex crime

By **Michelle Boorstein** October 26, 2012

The early months of 2012 at Adat Shalom Reconstructionist Synagogue were busy with the things typical for a liberal congregation: a phone bank for gay marriage, a silent retreat, a weekend study session on unorthodox ideas such as observing Sabbath through dance and movement.

Then in February, David Kaye, a longtime Montgomery County rabbi and registered sex offender, started attending Saturday services.

Adat Shalom's three clergy had quickly agreed to a request from Kaye to pray at the synagogue, believing his presence to be in keeping with Adat Shalom's identity as an open, diverse spiritual community where all are welcome.

Through the spring and early summer, Kaye was a part of the congregation. He came for Sabbath and *oneg*, the post-service lunch. He stood with other mourners to say the communal prayer for the dead, for his parents. He went to the silent retreat.

But over the months, discomfort with Kaye's presence in some quarters of the 500-family congregation grew. Finally, he was asked to leave.

The matter came to a head last month in the days before Rosh Hashanah and Yom Kippur, the holiest days of the Jewish calendar, a time when Jews pray desperately for forgiveness, for themselves and others.

But even now, the issue continues to release a torrent of emotional arguments about judgment, inclusion and the purpose of a synagogue. Is it meant to be a sanctuary from the day-to-day world? Or a spiritual ER for even the most broken of souls? Is true forgiveness and redemption even possible in cases of pedophilia, which can be difficult to treat and, many experts believe, impossible to cure?

"Long-term friends aren't speaking to one another," said a member, whose children worked with Kaye at a youth program called Panim and who spoke on the condition of anonymity, like a dozen others, for fear of appearing to perpetuate discord. "People aren't sleeping in the same way, they're dreaming about it. People have made

arguments that have fundamentally changed how people view one another.”

The horrific crime

Kaye had been a longtime rabbi at Potomac’s Har Shalom congregation and was a leader of Panim, a large organization that trained young Jews in social activism, when he was caught in a televised sting by Dateline NBC’s “To Catch a Predator.”

He was captured on tape waiting to meet for sex someone he thought would be a 13-year-old boy. His 2005 arrest hit like a bomb in Washington’s Jewish community.

Kaye was found guilty in 2006 in federal court of using the Web to persuade a juvenile to have sex and traveling from his Montgomery home to a sting house in Herndon to do it. [He was sentenced to 6¹ / ₂ years in prison](#) and 10 years of supervised release.

To those who initially welcomed Kaye to Adat Shalom, the rabbi had served his time. To reject him would challenge whether people believe in repentance, a core Jewish value, and whether they believe a synagogue is a place where all people can work on personal redemption.

Reconstructionism, in particular, has long led Judaism in pushing the boundaries of inclusion, including equality in synagogue life for women, gays and lesbians, non-Jews and the disabled. Adat Shalom’s Web site describes Jewish life as a journey “from which no one should be excluded.”

Adat Shalom’s founder, Rabbi Sid Schwarz, a national leader in Reconstructionism and a longtime friend of Kaye’s, said he still struggles to forgive Kaye for the grave actions that threatened the stability of Panim, which he founded and called “my life’s work.” But when he first saw Kaye at Adat Shalom, he welcomed him warmly and advocated for him to stay.

“We aren’t intended to judge people all the time. It rarely takes us to a good place. It’s not our job to judge. Our job is to love and be compassionate,” said Schwarz, who is no longer officially in leadership at Adat Shalom.

In the spring, a rerun of “To Catch a Predator” aired, spreading word about Kaye’s presence, and a much different view surfaced. Some parents and other members were horrified by the presence of a registered sex offender and pedophile. The solution, in their view, was self-evident: They demanded that the synagogue board tell Kaye to leave. Advocates of Kaye, including those who had visited him in prison, spoke angrily about the possibility that a synagogue could exclude anyone, particularly one such as Adat Shalom that names inclusion first on its list of principles.

A congregation divided

Thus began the discussions with prosecutors, sex therapists, teachers and victims of sexual abuse, as well as the sifting of Jewish teachings, ancient and modern, on sin, excommunication and t'shuvah, or repentance.

The debate, [first reported in Washington Jewish Week](#), raised endless moral dilemmas.

If Kaye had been a murderer or drug addict or thief, the matter might well have faded sooner at a synagogue as liberal as Adat Shalom. But its board members considered the views of pedophilia experts, some of whom believe the condition is incurable. They pored over [articles about Jerry Sandusky](#), the former Penn State assistant football coach and convicted pedophile, and thought about how pedophiles can sometimes succeed by blending into communities where they become slowly trusted. They noted the large religious school program that is run on Saturdays, when services are going on, and they wondered how they could guarantee the safety of hundreds of children.

They pointed to Jewish texts showing the weight given to providing safety, and perhaps as important, the perception of safety or comfort, called shalom bayit, or a peaceful home.

“I see that we are arguing, the person who perpetuated a horrible crime is being depicted as a victim,” Ira Abrams, a psychologist who works with sex addicts, wrote to the synagogue’s Internet discussion group. “Therapists often look beyond the content of a situation and notice the process. My observation is that we are all being caught up in drama suggestive of an individual’s unresolved issues.”

Some questioned whether Kaye was taking responsibility. They pointed to his appeal of his conviction on the basis that the “victim” he thought he was meeting that August 2005 day in Herndon was really a group of adults.

Board president Alissa Stern, a 48-year-old Harvard-trained conflict resolution lawyer who was working as a weaver of prayer shawls when she joined Adat Shalom a decade ago, said her first instinct, like most members’, was to allow Kaye.

“We’re inclusive, but are we absolutely inclusive?” Stern asked.

She said some thought the pariah status created by sex-offender registry lists should be a civil rights issue, like that of gays, women and hunger.

“We’ve come out ahead of society on other issues. We had to ask ourselves: Do we want to spend resources on [opposing the registry lists] or on something like global warming?” she said.

Because the congregation is strongly participatory, board members wondered what would happen if Kaye stayed and eventually wanted to read on the bimah, or altar, from the Torah? What would it say to have a sex offender be given one of the common weekly public honors, such as opening the ark that holds the sacred book?

Then there were legal questions. Would Adat Shalom be obliged to follow the spirit of the sex offender registry and tell the parent of every child who attends a bar or bat mitzvah about his possible presence?

The board considered Kaye's options. He had been rejected from two other congregations but offered a place by two other Jewish groups, Stern says. Judaism teaches that it is important to pray with others, not to pray alone.

However, a group of just 10 Jews constitute a legal, or kosher, prayer community, called a minyan. Either way, what would happen to Kaye? What would happen to Adat Shalom?

In June, the board met in executive session to vote, and its members could not agree on a set of restrictions that would allow Kaye to remain at the synagogue. The board decided to tell Kaye he had to leave. A friend on the board called Kaye to let him know.

Although Kaye declined to be interviewed by The Washington Post, he said in a statement that he was disappointed with Adat Shalom's decision "not to welcome me into their midst, but I recognize that these issues are difficult to resolve. I accept Adat Shalom's decision and will move on with my life."

Kaye appears to be focused on finding a job and attending therapy. "I have prayed for forgiveness, entered into a process of *Teshuvah*" [a Hebrew term that translates roughly as repentance] "and found sustenance from God," he said in his statement.

He has also prayed, he said, "that I could find a Jewish community that would allow me to find a spiritual connection."

After Kaye's departure, the dispute, which had not been brought out in the open, continued to simmer. Kaye's supporters remained angry that he had been pushed out; two members have left the synagogue.

Finally, Adat Shalom's leaders did what came most naturally: They made the issue public.

On Sept. 12, four days before Rosh Hashanah, Stern sent an e-mail to the congregation. After hundreds of hours of weighing inclusion, safety, repentance and legal liability, among other things, she said, the board had decided that Kaye "would, sadly, not be welcome."

The news spreads

The announcement's timing seemed either cruel or apt. During the 10 days between Rosh Hashanah and Yom Kippur, Jews are told to plunge into self-reflection, seeking forgiveness from God for their sins. They wear white (like a burial garment) and fast to intensify the envisioning of their death and whether their souls are prepared.

At a Reconstructionist synagogue, this self-questioning is strongly about one's commitment to social justice and community. Judgmental comments about the transgressions of individual Jews would not be welcome lunch conversation.

"God is not a what, but a when. God is a process," said Schwarz, the Adat Shalom founder.

For many congregants, Stern's e-mail was the first they'd heard about the Kaye issue, and the debate erupted far more broadly.

One devout, elderly member didn't fast on Yom Kippur for the first time because she felt so unmoored by the ban. Others left to spend the Holy Days with Kaye. The Internet group was crowded with expressions of anger and hurt. Some people were angry that a sex offender's privacy was honored. Some threatened to leave if Kaye wasn't welcomed back. Others said they'd leave if he was.

A special class was held on Yom Kippur to examine the day's traditional prayer requiring Jews to worship with sinners; Yom Kippur fasts without wrongdoers are not valid, Judaism teaches.

And Fred Scherlinder Dobb, the Adat Shalom rabbi who had initially welcomed Kaye, gave a Rosh Hashanah sermon called "Hold Your Position Humbly" and told the congregation to quit feeling self-righteous about their view of the matter.

"Israel was our most challenging topic. It's been displaced," Scherlinder Dobb preached. "Many of us come today with heavy hearts, not sure quite what to make of the community we hold so dear."

Jeff Menick, a 65-year-old financial adviser who grew up with Kaye, no longer attends Adat Shalom.

Menick said his apathy toward Judaism was transformed a decade ago by joining Adat Shalom, with its doting and inclusive ethos. He was an usher and active congregant until the day he received Stern's e-mail. He quit, saying the congregation had lost the "shalom" in its name. Menick said that he struggles to fully forgive Kaye for the pain he has caused but still invited him over for Yom Kippur's fast-breaking meal.

This month, Menick dropped into a Northwest Washington synagogue to say the required mourner's prayer for his parents that he would have said at Adat Shalom.

Repentance “ is one of the themes of the High Holy Days, and this man wants to worship with us? ” Menick said.

He banged his hand on his office desk.

“Who in the world are we to sit in judgment? Who am I? When did I get that right? When did the board of Adat Shalom?”

Michelle Boorstein is the Post's religion reporter, where she reports on the busy marketplace of American religion.
