



Search

Tweet



**LENS**  
[Fish Fridays' At Acme](#)  
(/features/lens/fish-fridays-acme)



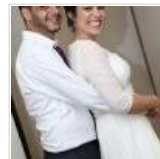
**FIRST PERSON**  
[A Rabbi Learns From His Mistakes](#)  
(/features/first-person/rabbi-learns-his-mistakes)



**TRAVEL**  
[If 'Aloha' Is In Your Future](#)  
(/features/travel/if-aloha-your-future)



**THE JW Q&A**  
[The Status Quo Is Tolerable](#)  
(/features/jw-qa/status-quo-tolerable)



**MATCHMAKER**  
[How Noa Met Yair](#)  
(/features/matchmaker/how-noa-met-yair)



**A RABBI'S WORLD**  
[On Corruption In Soccer, And Shul](#)  
(/features/rabbis-world/corruption-soccer-and-shul)



**LENS**  
[Ancient Libyan Synagogue in Ruins](#)  
(/features/lens/ancient-libyan-synagogue-ruins)

## Judge: Orthodox Protect Abusers, Not Victims

### Judge Gustin Reichbach: Stinging words at sentencing of sex offenders

10/09/09 | Hella Winston | Special to the Jewish Week

Tweet 3 Share 17 Like <http://www.thejewishweek.com/forward?path=node/2797>

At the sentencing last week of a bar mitzvah tutor and social worker convicted of sexually molesting two boys in Brooklyn, a New York State Supreme Court judge lashed out at the offender's Orthodox community for "a communal attitude that seems to impose greater opprobrium on the victims than the perpetrator."

With his stinging critique, Judge Gustin Reichbach placed himself at the center of a fierce debate in the Orthodox community over how best to police the problem of pedophilia.

Speaking from the bench the day after Yom Kippur at the sentencing of Yona Weinberg, who received a 13-month jail term, Reichbach said he found it "troubling" that the community "seeks to blame, indeed punish victims who seek justice from the ... civil society," according to a court transcript. He went on to add that the Orthodox community's religious courts are "inappropriate" and "incapable" of dealing with criminal matters.

Making his comments before a courtroom packed with supporters of the 31-year-old Weinberg – among them, according to his defense attorney, school principals, two rabbis and civic leaders – the judge spoke of receiving more than 90 letters attesting to Weinberg's character and innocence. None of the letters, the judge noted, "displays any concern or any sympathy or even any acknowledgement for these young victims which, frankly, I find shameful."

Reichbach referred to one letter in particular, written by a Mrs. Mandel and expressing sadness "that Weinberg's love of humankind has turned against him," as being "the height of chutzpah."

Judge Reichbach's comments come as the Orthodox community struggles to come to grips with the problem of child sexual abuse. Two days before the judge's statements, in what was described as a groundbreaking occurrence, an Orthodox synagogue in Passaic, N.J., drew more than 300 people to an event where several victims of sexual abuse, including a 16-year-old girl who said she had been raped, told their vivid and shocking stories.

### Recent Features (/features/2797)



[The Status Quo Is Tolerable](#)  
(/features/jw-qa/status-quo-tolerable)



[If 'Aloha' Is In Your Future](#)  
(/features/travel/if-aloha-your-future)



[A Rabbi Learns From His Mistakes](#)  
(/features/first-person/rabbi-learns-his-mistakes)



[Fish Fridays' At Acme](#)  
(/features/lens/fish-fridays-acme)



[How Noa Met Yair](#)  
(/features/matchmaker/how-noa-met-yair)



[On Corruption In Soccer, And Shul](#)  
(/features/rabbis-world/corruption-soccer-and-shul)

Other events about the pedophilia problem have taken place in the Orthodox world, but this one was unique for having attracted such a large audience to a synagogue in Passaic, known for its strong, fervently religious community.

And in the spring the Brooklyn District Attorney’s office, partnering with various agencies, including Ohel Children’s Home and Family Services, launched a hotline designed to get victims of sexual abuse to come forward and press their cases in the courts. Pressure has been mounting in recent years to combat rabbis’ and community leaders’ tendencies to handle such cases inside the community rather than going to law enforcement.

Indeed, in his statements at Weinberg’s sentencing, Reichbach praised the victims and their families for the having the courage to come forward despite communal pressures. And he made a point of indicating that precisely because of the community’s “circle the wagons attitude’ there is going to be a jail sentence in this case because anything less, I believe, would offend not only the appropriate sense of justice but would also further, in some way, if not penalize [and] ... indicate to the victims here who have ... suffered the opprobrium of the community that somehow what happened to them was not important, was not significant.”

Weinberg was convicted of nine separate crimes – seven counts of sexual abuse in the second degree and two of endangering the welfare of a child. Reichbach made the point that had Weinberg expressed any remorse at the sentencing – he remained “mute,” according to the judge – Weinberg might have been entitled to some consideration with respect to the duration of his sentence. In fact, throughout the proceedings Reichbach seemed dismayed by Weinberg’s failure to express contrition.

Kevin O’Donnell, the assistant district attorney prosecuting the case, also argued for jail time as opposed to therapy, which the defense was seeking, emphasizing that the absence of jail time would send “just a very bad message ... [not only] to the community but to the family that is in court and the two young victims in the case.”

Reichbach declined a request for an interview, saying he couldn’t speak because Weinberg is planning an appeal of the conviction.

Both Reichbach’s and O’Donnell’s words were greeted with strong praise from survivors of sexual abuse and their advocates in the Orthodox community, many of whom have, in the past, expressed concerns about the Brooklyn District Attorney’s handling of such cases. One highly publicized example was the plea bargain the DA struck with alleged child molester Yehuda Kolko last year, which allowed Kolko to avoid jail time, sex offender registration and counseling by copping to two counts of endangering the welfare of a child.

Ben Hirsch, president of Survivors for Justice, an advocacy group for survivors of sexual abuse in the Orthodox community, told The Jewish Week that “Reichbach’s compassion and admiration for the courage of these victims have resonated through our community, as has his rebuke to those within our community who would protect pedophiles.

“Not only will his just sentencing save children from this predator,” Hirsch continued, “it also sends a message that these crimes will not go unpunished, which will go a long way towards reducing the prevalence of abuse in our community.” Hirsch went on to commend Brooklyn District Attorney Charles Hynes and his staff “for their effective prosecution of this case. We hope this will encourage members of the Orthodox community to bring all cases of abuse directly to the sex crimes division of their police departments so that the justice system can do its job.”

According to Marci Hamilton, professor of public law at Yeshiva University’s Cardozo School of Law and author of “Justice Denied: What America Must Do To Protect Its Children,” there is a need for “more judges like Judge Reichbach who have the courage and moral compass to protect child victims from their perpetrators and the communities that increase the likelihood that abuse will persist.

“His comments were most valuable at a time when two other communities have taken sides against the victims of childhood sexual abuse – the Hollywood community defending the rapist Roman Polanski and the Catholic Church hierarchy litigating up to the Supreme Court its desire to keep the secrets of clergy abuse.

[//features/rabbis-world/corruption-soccer-and-shul](#)

### More like this

- [Judge Lashes Out At Orthodox Community In Sex-Abuse Case: Says It Protects Abusers, Not Victims](#)  
[//features/judge-lashes-out-orthodox-community-sex-abuse-case-says-it-protects-abusers-not-victims](#)
- [BREAKING: Judge Lashes Out At Orthodox Community In Sex-Abuse Case: Says It Protects Abusers, Not Victims](#)  
[//features/breaking-judge-lashes-out-orthodox-community-sex-abuse-case-says-it-protects-abusers-not](#)
- [Judge: Orthodox Protect Abusers, Not Victims](#)  
[//features/judge-orthodox-protect-abusers-not-victims](#)

### More Features

- |   |  |
|---|--|
| <a href="#">A Rabbi's World</a><br><a href="#">//sections/features/rabbis-world</a>                                       | <a href="#">Gift Guides</a><br><a href="#">//sections/features/gift-guides-01</a>                |
| <a href="#">All She Wrote</a><br><a href="#">//sections/features/all-she-wrote</a>  | <a href="#">Campus Confidential</a><br><a href="#">//sections/features/campus-confidential</a>   |
| <a href="#">Culture View</a><br><a href="#">//sections/features/culture-view</a>  | <a href="#">Faith Complex Videos</a><br><a href="#">//sections/features/faith-complex-videos</a> |
| <a href="#">Family Matters</a><br><a href="#">//sections/features/family-matters</a>                                      | <a href="#">Featured Video</a><br><a href="#">//sections/features/featured-video</a>             |
| <a href="#">First Person</a><br><a href="#">//sections/features/first-person</a>  | <a href="#">Fruit of the Vine</a><br><a href="#">//sections/features/fruit-vine</a>              |
| <a href="#">Gift Guides</a> <a href="#">//sections/gift-guides</a>  | <a href="#">Hammerman on Ethics</a><br><a href="#">//sections/features/hammerman-ethics</a>      |
| <a href="#">Home and Away: An American In Israel</a><br><a href="#">//sections/features/home-and-away-american-israel</a> | <a href="#">In the Beginning</a><br><a href="#">//sections/features/beginning</a>                |
| <a href="#">Lens</a> <a href="#">//sections/features/lens</a>   | <a href="#">Matchmaker</a><br><a href="#">//sections/features/matchmaker</a>                     |
| <a href="#">Neighborhoods</a><br><a href="#">//sections/features/neighborhoods</a>  | <a href="#">Reform Really</a><br><a href="#">//sections/features/reform-really</a>               |
| <a href="#">Success Without The Tsuris</a><br><a href="#">//sections/features/success-without-tsuris</a>                  | <a href="#">Table For One</a><br><a href="#">//sections/features/table-one</a>                   |
| <a href="#">The East Bank</a><br><a href="#">//sections/features/east-bank</a>  | <a href="#">The Jewish Week Q&amp;A</a><br><a href="#">//sections/features/jewish-week-qa</a>    |
| <a href="#">The JW Q&amp;A</a><br><a href="#">//sections/features/jw-qa</a>   | <a href="#">The Matchup</a><br><a href="#">//sections/features/matchup</a>                       |
| <a href="#">The Nosh Pit</a><br><a href="#">//sections/features/nosh-pit</a>  | <a href="#">Tim Boxer</a><br><a href="#">//sections/features/tim-boxer</a>                       |
| <a href="#">Travel</a><br><a href="#">//sections/features/travel</a>  |  |

### SIGNUP FOR OUR NEWSLETTER

Email: \*

#### Subscribe to the Newsletter: \*

- Send Me Information About Jewish Week Events
- Food & Wine Newsletter
- Special Offers
- The Jewish Week Free Enewsletter
- Keep Me Informed on Jewish News, Culture, and Opinion

Please select the area(s) of interest you have from the above and click the sign up button below.

“The law,” Hamilton continued, “is the only means of stemming the tide of abuse.”

Hirsch’s and Hamilton’s sentiments about the judge’s statements were echoed by Daniel Sosnowik, a member of the Flatbush Orthodox community and a captain in the New York Police Department.

“The judge made a kiddush Hashem [sanctification of God’s name] where a chilul Hashem [desecration of God’s name] was being made again, by over 90 people in the community, as well as a packed courtroom [with rabbis] and other leaders,” Sosnowik told The Jewish Week.

“People don’t realize the enormity of the chilul Hashem,” he continued. “[If someone] is convicted in a court of law, this is a system that we all abide by in this country. [Weinberg] was convicted and [people are] still out there in support of him rather than [the] victims.”

Sosnowik acknowledged the possibility that people might be publicly supporting Weinberg in a misguided attempt to protect the image of the community, but strongly condemned that practice.

“I think of the Torah’s admonitions on many occasions to dispose of the evil in your midst. And maybe it’s [repeated so often] because it’s absolutely critical to deal with it, rather than [say] ‘well, we know there’s evil, and privately I support [the victims] but publicly I can’t possibly. ... No. Dispose of the evil in your midst. My hope is that words like the judge’s, especially coming after Yom Kippur, will [make a light] go off in people’s heads that you need to be on the side of victims and not on the side of people who are doing the victimizing.”



While the reaction to Judge Reichbach’s statements, along with the event in Passaic, strike some observers as evidence of a shift in the community’s thinking about and approach to this issue, many feel that there is still much work to be done, particularly on the part of the leadership, to effect meaningful and lasting change.

“[The] Passaic event [organized by Passaic Rabbi Ron Eisenman] marked a historic change in the haredi community,” said Asher Lipner, a Flatbush psychologist who has dealt widely with the sexual abuse problem in the Orthodox community. “Unfortunately, Rabbi Eisenman’s courage,” Lipner continued, “is in sharp contradistinction to the more mainstream Orthodox rabbinic leadership who have never reached out to survivors of abuse, to give them a forum to publicly tell their stories. All efforts of victims to meet face to face as a group with the gedolim [rabbinic leadership] have been rejected. For survivors of abuse this is the ultimate betrayal, more painful in some ways than the actual sexual abuse they experienced as children.”

Even the DA’s efforts to encourage reporting of abuse are “useless as a source of change,” Lipner noted, “as long as leading rabbis refuse to do the right thing and publicly encourage victims who suffer in silence to report their abuse to the authorities.”

*A shorter version of this story was posted Friday, Oct. 2 on The Jewish Week Web site, [www.thejewishweek.com](http://www.thejewishweek.com) (<http://www.thejewishweek.com>)*

**Last Update:**  
10/08/2009 - 14:47

Tweet 3 Share 17 Like  (<http://www.thejewishweek.com/forward?path=node/2797>)   
([http://www.thejewishweek.com/print/features/judge\\_orthodox\\_protect\\_abusers\\_not\\_victims](http://www.thejewishweek.com/print/features/judge_orthodox_protect_abusers_not_victims))

[Click here to write a letter to the editor of The Jewish Week](#)  
([/.../contact/Letters to the Editor](#))

## Get The Jewish Week Newsletter

enter your email:  
[click here to subscribe](#)

## Comment Guidelines

The Jewish Week feels comments create a valuable conversation and wants to feature your thoughts on our website. To make everyone feel welcome, we won't publish comments that are profane, irrelevant, promotional or make personal attacks.

### Add comment

Your name: \*

E-mail: \*

The content of this field is kept private and will not be shown publicly.

Comment: \*

By submitting this form, you accept the [Mollom privacy policy \(https://mollom.com/web-service-privacy-policy\)](https://mollom.com/web-service-privacy-policy).

## The Jewish Week | Featured Sites of Interest

- [RAISER & KENIFF, PC. - CRIMINAL DEFENSE LAWYERS \(HTTP://WWW.CRIMINALDEFENSELAWYERS.NET\)](http://www.criminaldefenselawyers.net)
- [YACON-SYRUP \(HTTP://WWW.MYFITNESSPAL.COM/BLOG/RICKYMEYERS1/VIEW/YACON-SYRUP-EFFORTLESS-FAST-WEIGHT-LOSS-820483\)](http://www.myfitnesspal.com/blog/ricky-meyers-1/view/yacon-syrup-effortless-fast-weight-loss-820483)
- [NAPLESBAYCOLONYPROPERTIES.COM \(HTTP://WWW.NAPLESBAYCOLONYPROPERTIES.COM/\)](http://www.naplesbaycolonyproperties.com/)
- [CALGARY MLS \(HTTP://WWW.JUSTLISTEDCALGARY.CA/\)](http://www.justlistedcalgary.ca/)
- [LIMO SERVICE NJ \(HTTP://5STARLIMORENTAL.COM\)](http://5starlimorental.com)
- [INSPIRATIONAL SUCCESS QUOTES & SAYINGS \(HTTP://WWW.KEEPINSPIRING.ME/FAMOUS-QUOTES-ABOUT-SUCCESS/\)](http://www.keepinspiring.me/famous-quotes-about-success/)
- [BUY CHEAP TWITTER FOLLOWERS \(HTTP://WWW.BUYCHEAPTWITTERFOLLOWERS.CO/\)](http://www.buycheaptwitterfollowers.co/)
- [CONNECTICUT SHORELINE PROPERTIES \(HTTP://HILLYERTEAM.COM/LISTINGS\)](http://hillyerteam.com/listings)
- [HTTP://WWW.MYINSURANCEGUIDE.CO.NZ \(HTTP://WWW.MYINSURANCEGUIDE.CO.NZ/\)](http://www.myinsuranceguide.co.nz)
- [BAD CREDIT LOANS \(HTTP://BADCREDITLOANS.FREEFORUMS.ORG/BAD-CREDIT-LOANS-DIRECT-LENDERS-ONLY-BAD-CREDIT-PAYDAY-LOANS-T3.HTML\)](http://badcreditloans.freeforums.org/bad-credit-loans-direct-lenders-only-bad-credit-payday-loans-t3.html)
- [LOS ANGELES CAR ACCIDENT LAWYER \(HTTP://WWW.FARALAW.ORG/\)](http://www.faralaw.org/)
- [PERSONAL INJURY ATTORNEYS LA - WEINSTEIN LAW \(HTTP://PERSONALINJURYATTORNEYSLOSANGELES.ORG/\)](http://personalinjuryattorneysla-weinsteinlaw.com)
- [PRESCOTT FINANCIAL \(HTTP://BESTAUTOLENDERS.COM/BLOG/CATEGORY/BUY-HERE-PAY-HERE-CAR-LOTS/\)](http://bestautolenders.com/blog/category/buy-here-pay-here-car-lots/)