

Waiting for Sherry Part III: Was That Really Sherry Orbach Writing in *The Jewish Press*?

Bittersweet

The trials and tribulations of its authors notwithstanding, *From Madness to Mutiny: Why Mothers Are Running from the Family Courts—and What Can Be Done about It*, is selling briskly, surpassing the expectations of its publisher, University Press of New England (UPNE).

In just five weeks since its publication date, the book has sold close to 90 percent of its initial press run and a second printing is already being planned.

Critics are calling the book the first scholarly and comprehensive study of official mistreatment inflicted on parents, especially mothers, when the issue of child sexual abuse is raised in the family court system. The book documents cases from throughout the country in which accusations of sexual abuse resulted not only in forcing children to remain in close contact with an alleged abuser, but frequently terminating parental contact with a loving mother who sought only to protect her child.

On Thursday, June 23, the authors, Dr. Amy Neustein of Edgewater and Michael Leshner, Esq. of Passaic, will be at the Barnes and Noble at Clifton Commons in Clifton, at 7:30 pm.

For Dr. Neustein, a sociologist, the news that the book is selling well is bittersweet. On one hand, there have been lectures and impressive book-signings, but success has not brought Dr. Neustein one step closer to reconciling with her daughter, Sherry Orbach, who was removed from Dr. Neustein's custody almost 19 years ago after the child's maternal grandmother, Rebbetzin Shirley Neustein, made an eyewitness report that her granddaughter had been allegedly sexually abused by the child's father, Dr. Neustein's former husband, Dr. Ozzie Orbach.

In Brooklyn Family Court, Dr. Neustein eventually lost not only custody of her daughter, but even all visiting rights. The Family Court judge, who had already ruled that the maternal grandparents could no longer visit with the child, revoked them from Dr. Neustein as punishment after Dr. Neustein and Rachel Anolick, the woman who was supervising her visits with the child, took Sherry, then 8, to the Kings County Hospital Emergency Room. Dr. Neustein and Mrs. Anolick were frantic over the child's drastic and dramatic

loss of weight. Dr. Neustein still maintains that when she raised the issue with the custodial parent, Dr. Orbach, he accused her of over-reacting.

In the Emergency Room, the pediatrician on-call, Dr. Jeffrey Birnbaum, described Ms. Orbach, according to

successfully tore them apart.

In her short email, the person purporting to be Ms. Orbach expressed interest in writing a letter to the editor in which she would, according to the email, decry the "lies" in the *Jewish Voice's* story. For example, despite the statements she made as a child and her grandmother's eyewitness testimony, the person purporting to be Ms. Orbach insisted her father had never sexually abused her.

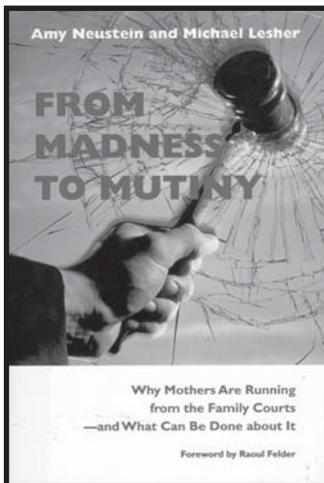
Who Is She?

The editor of *The Jewish Voice* told the author of the emails that the publication would print anything she had to say, but first needed proof that she was who she said she was. When the editor offered to come to Columbia, the person purporting to be Ms. Orbach refused.

Just recently, Naomi Mauer, publisher of *The Jewish Press*, told *The Jewish Voice* that, in response to threats of lawsuits from the person purporting to be Ms. Orbach as well as from Dr. Neustein's sister and brother-in-law, Frima and Martin Burger of Woodmere, who sided with Dr. Orbach in the custody battle, *The Jewish Press* had offered Ms. Orbach space to publish an op-ed to answer her mother's pieces.

The Jewish Voice cautioned Mrs. Mauer to accept material by the young woman only in person since the editor of *The Jewish Voice* suspected the person purporting to be Ms. Orbach was not really she.

Although Mrs. Mauer originally agreed, by the time Ms. Orbach's piece was published, *The Jewish Press* admitted accepting the column just by email. Mrs. Mauer said she believed the writer



At the center of the controversy

court testimony, as "by far the worst case of emaciation I have ever seen."

Ms. Anolick, who has since made aliyah with her family, said Ms. Orbach looked like "a concentration camp survivor." Photos of the child at that age bear out the description.

Op-Eds

Since the publication of the new book, Dr. Neustein has been featured in several articles in both *The Jewish Voice* and the Brooklyn-based *Jewish Press*.

After the first story appeared in *The Jewish Voice* last March, the publication received an email from someone purporting to be Ms. Orbach, today a 24-year-old law student at Columbia who refuses to meet with her mother, even though she is far beyond the directives of the judge and others who

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was Ms. Orbach because the person she spoke to on the telephone knew a great deal about the neighborhoods in Brooklyn in which the Neustein family resided.

Super Memory

The piece in *The Jewish Press* by the person purporting to be Ms. Orbach was entitled "Silent No Longer." The author claimed that although she had not seen her mother in 16 years, "I remember her clearly."

But those who lived through the ordeal as adults and others who have read the court records said the author's portrayal of the events surrounding the court's wrenching apart mother and child are far from accurate.

For example, the author begins her piece maintaining that "long before the legal battles began, I remember [my mother's] voluntarily sending me off to live with my grandmother in upstate New York, after which I rare-

ly saw her."

In fact, the records show that the child resided with her mother and her grandparents in Brooklyn. Dr. Neustein had no other place of residence except with her parents, Rabbi Abraham and Shirley Neustein. Rabbi Neustein was the rav of the Brighton Beach Jewish Center, and the upstate residence to which the author refers was a home belonging to Dr. Neustein's brother in Ellenville where the entire family spent time including holidays and summers.

What Grandmother Saw

According to court records, Shirley Neustein testified that the alleged child abuse incident took place in the house in Ellenville on an afternoon in May 1986, when Dr. Neustein was out. According to court records, Mrs. Neustein was in the house when Dr. Orbach came to visit his then-six-year-old daughter.

By June, the Neusteins

had left the house for Seattle, Washington, where Dr. Neustein underwent major scheduled foot surgery.

"When Amy was able to travel, they went back to Brooklyn, not Ellenville," said Mr. Leshner, Dr. Neustein's co-author.

In addition to being an attorney, Mr. Leshner is also a journalist who has written extensively on Dr. Neustein's case. *From Madness to Mutiny*, however, does not mention any of Dr. Neustein's family, including Ms. Orbach. None of the principals in any of the cases presented in the book are identified.

"Antique Brush"

The author of *The Jewish Press* piece claimed to remember "one of my rare visits to my mother's house in Brooklyn, 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."

Mr. Leshner said the piece in *The Jewish Press* increased his suspicions that the author was not really Ms. Orbach.

"Sherry, after all, must know that she was never sent to live apart from her mother. She must know that she and her mother always lived together until Family Court separated them," said Mr. Leshner.

Seen Her Room

Mr. Leshner explained that his research for his piece on the Neustein family in *The Village Voice*, led him to the home in which they resided in Brooklyn,

"I have personally seen Sherry's old room," he said, adding that she was enrolled in the Ben Yehuda Yeshiva in the summer of 1986 for the coming school year, well before she was removed by the Family Court.

"The idea that she could have been domiciled somewhere else is preposterous. It

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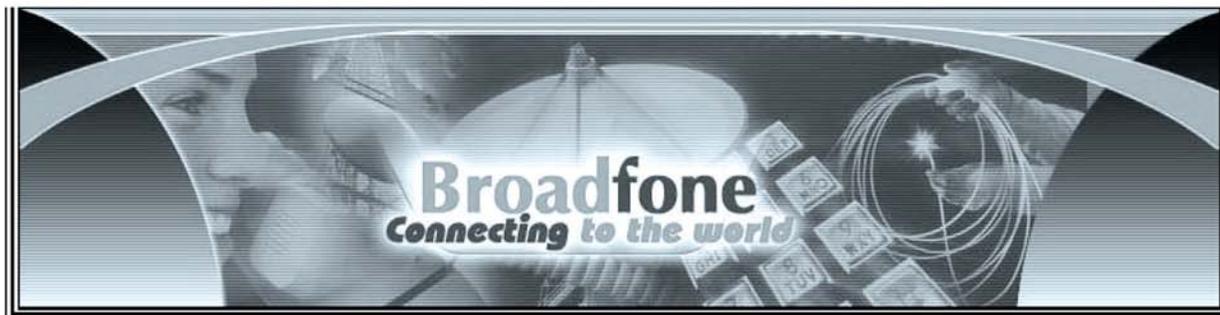
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is also preposterous to claim she wasn't close to her mother. Dr. Orbach himself admitted in court that she was," said Mr. Leshner.

Plastic Slipcovers

In early August 1986, in Brooklyn, Dr. Neustein was served with Dr. Orbach's papers, seeking custody. According to Dr. Neustein, it was the first time he had ever sought custody.

After the papers were served, Mrs. Neustein reported to police that her family had been receiving threatening phone calls. She told the police she suspected Dr. Orbach, which led to her reporting the child abuse she said she had witnessed against her granddaughter. This report prompted the involvement of the Brooklyn Society for the Prevention of Cruelty to Children.

In *The Jewish Press* piece, the author said she recalled sitting with her mother "on the plastic-covered couch in my grandmother's country home...rehearsing for hours...a sordid and false story about my father, such as a detailed account about he had molested me or about how he had thrown me violently against the wall."

"Coaching?"

According to the author of the piece, Dr. Neustein

warned her then-little girl that if she "did not tell these lies to the judge, I would be taken from my grandmother."

"If the 'coaching' took place in Ellenville, as the author of this piece now claims, it could not possibly have involved any reference to the child's father seeking custody, as she says. This is because the Neusteins could not possibly have known that the father was seeking custody of Sherry until well after they left the summer house in Ellenville, a house to which Sherry would never return," said Mr. Leshner.

He pointed out that, before being served with papers, Dr. Neustein and her parents never even suspected that Dr. Orbach would want custody of the child. They had been divorced for three years already; Dr. Neustein had full custody; and, according to Mr. Leshner, "he had never been particularly insistent about visiting Sherry, even before his mother-in-law caught him in flagrante."

Dr. Orbach's papers were served in August, by which time the Neustein family, including Sherry, was back in Brooklyn.

"It is not plausible that Dr. Neustein could have been preparing Sherry for a custo-

dy battle in a 'country house,' because when she and Sherry were in Ellenville, Dr. Neustein had no reason to expect there would be one," argued Mr. Leshner.

No Litigation Threat

"Not only was there no threat of custody litigation while the Neusteins were in Ellenville, there was no threat of litigation involving sex abuse either, because Shirley had no intention of reporting the incident—this was her testimony—as long as she felt Sherry was safe from unsupervised visits. It was Ozzie's custody petition in August, anonymous telephoned threats, and an act of vandalism that made Shirley turn to the police, to whom she explained—in response to their questions—why Ozzie might be behind such acts. If 'coaching' happened in Ellenville, it couldn't pos-

sibly have happened the way the *Jewish Press* column records it," he said.

Mr. Leshner also pointed to court records which show that Ms. Orbach reported being molested by her father to a Child Protective Services supervisor and to a prominent expert on child sexual abuse, who did not find her statement to have been 'coached.'"

"And Sherry made these reports both before and after being removed from her mother's home, so she could not possibly have made her accusations out of fear of her mother," said Mr. Leshner, who questioned the chronology of many of the statements made in *The Jewish Press* column

Tape Recordings

The author of *The Jewish Press* piece insisted that, *continued on page 26*

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after her mother lost custody and began seeing her child only once a week, Dr. Neustein would “tape record me and pose me for pictures in order to gain material for her next media performance.”

The author said she “fought back in the only way [she] could,” which seems to mean “chas[ing] her [mother] around a table in an attempt to snatch her tape recorder.”

Mr. Leshner said, in this, the author of the piece, whom he doubted was really Ms. Orbach, was guilty of “a brazen lie and the real Sherry would know it.”

“It’s true that Amy recorded the comments she made to Sherry after she was accused in court of disparaging the father. But, as far as I know, Dr. Neus-

tein has never used any tape recording she made of her daughter in any radio or television interview,” said Mr. Leshner.

Sent by the Uncle

On the other hand, Ms. Orbach’s uncle, Mr. Burger, has not only offered, but distributed without request, tape recordings of Ms. Orbach as a child. Mr. Leshner, who wrote about the case ten years ago for the *Village Voice*, received one of Mr. Burger’s tapes, as did *The Jewish Voice* just this past spring.

Mr. and Mrs. Burger, whose already fragile relationship with Rabbi and Mrs. Neustein terminated when Dr. Neustein lost custody, claim to have remained in close contact with Ms. Orbach. Rabbi

and Mrs. Neustein, both of whom are now deceased, died without ever seeing their granddaughter again.

Reached in Israel, Mrs. Anolick said she recalled Dr. Neustein taping her daughter, although, she said, the small device frequently did a better job recording Dr. Neustein’s voice than it did the child’s.

“At no time do I remember Sherry chasing Amy around to get hold of the tape recorder,” said Mrs. Anolick.

Mrs. Anolick also recalled Dr. Neustein taking photographs of her daughter, however, she said, she refrained from doing so if the child objected.

Pictures were taken, for example, when Ms. Orbach discovered Mrs. Anolick’s wedding gown and proceeded to dress up.

Blaming Mother

In *The Jewish Press* piece, the person purporting to be Ms. Orbach wrote that, for 16 years, she remained silent “as my mother spun lie upon lie about my father and me.” She mentioned nothing about how her mother lost even visiting privileges, but she blamed her mother for believing that many of the agencies involved in the Brooklyn Family Court system “punished her for revealing that my father had sexually abused me by taking me away from her.”

Stressing that her father never sexually abused her and that “reporters and alleged victims’ advocates who supported my mother chose to retell her lies without adequately checking the facts,” the author cites, without attribution, “research of child sexual abuse in court custody cases” which, she wrote, “indicates that false allegations can occur in anywhere from two percent to 60 percent of such cases.”

“And so it is far from an exact science,” she wrote. “In these instances, the accusers can often be the most vocal, the most sympathetic; and thus the most believable. But sometimes the real victim is the accused.”

Gratitude

The author closed the piece with expressions of gratitude to the “family judges, Ohel foster care, and the Legal Aid Society attorney who helped me reunite with my father in the face of con-

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siderable opposition in the media.” She also thanked her father “for the sacrifices he has made for me over the years.”

Mr. Leshner found these mentions of appreciation “mind-boggling.”

“How could Sherry offer thanks to the foster care system when expert witnesses testified under oath that she was ‘miserable’ in foster care, that she described being forced to handle excrement, that, in the words of a psychiatrist, her world was torn apart by her foster care experience? And what of the fact that she nearly starved herself to death when placed in her father’s custody?” he said.

Mr. Leshner maintained that either the piece was not written by Ms. Orbach at all, or, if it was she, her memory of events has somehow been altered.

Adult Recollections

Reached in Israel, Mrs. Anolick said her conviction that Ms. Orbach had been abused was based not on reports from Dr. Neustein, but, rather, on “Sherry’s actions and the things she stated that led me to believe her father was doing something to her.”

Mrs. Anolick said she remembered vividly Ms. Orbach’s reaction when she was once taken to her grandfather’s synagogue for Sukkoth. According to Mrs. Anolick, Ms. Orbach was so happy to be there, “she danced.”

Although it was technically forbidden by the family court judge, Mrs. Anolick and Dr. Neustein then took the child to her grandmother’s sukkah.

“Sherry was thrilled, dancing about, happier than I had seen her in a long time,” recalled Mrs. Anolick.

“Joy Seeped Out”

Although the little girl wanted to show Mrs. Anolick’s daughter her room in the home where she used to live, the adults were afraid to allow it because a visit inside the house had been banned by the judge.

According to Mrs. Anolick, the fun continued until it was time to return Ms. Orbach to her father. “All the joy seeped out,” she said. “People may think I’m exaggerating, but I am not. She became stiff, her skin hard to touch. She dropped her head and became silent and morose.”

Mrs. Anolick said when they arrived at Dr. Orbach’s home, the child did not look up. “Didn’t greet him, nothing. Just walked in,” she said.

Who Is Lying?

In an email sent to UPNE after *The Jewish Press* piece was published, the person purporting to be Ms. Orbach first complained of being “harassed” by the authors of the book, and then claimed that a statement in the May issue of *The Jewish Voice* that the publication had contacted the Columbia Law School’s dean’s office and that they could not confirm her identity was “a lie” that had rendered the dean’s secretary “furious” when shown the article.

The problem is, there is no mention in that article about contacting the dean’s office to confirm anyone’s identity. The article explains that after the person purporting to be Ms. Orbach told *The Jewish Voice* that she would refuse to meet with the editor, Ms. Orbach proceeded to inform the editor that she had met with the dean of Columbia Law School as well as with Columbia Security and any attempts to meet with her would result in the editor’s being “removed from campus.”

Contacted by *The Jewish Voice*, the executive assistant to the dean, Eva Werbell, as well as a spokesman for Columbia Security said no one had spoken to them about this matter.

No Confirmation

After the May issue was published, the person purporting to be Ms. Orbach emailed *The Jewish Voice*, informing the editor that the law school’s dean’s office was prepared to confirm her identity.

But when the editor asked Ms. Werbell if she now could confirm that the person who was sending emails bordering on defamation and slander to UPNE against Dr. Neustein, as well as attempting to interfere in promotion of the new book on a radio station in Delaware, and prompting conversations on the subject of halting promotion with the assistant director of the Jewish Community Relations Council, David Pollock, was indeed Sherry Orbach, neither Ms. Werbell nor her colleague, Natasha Gourov, would do so.

All they could offer, they said, was confirmation that someone named Sherry Orbach was a registered student at the school.

Ms. Werbell and Ms. Gourov referred *The Jewish Voice* to Jim Fox, head of public relations for the law school. He, too, would not confirm Ms. Orbach’s identity

beyond agreeing that a person with that name attends Columbia Law School.

Misspelled Words

Upon careful consideration of Ms. Orbach’s email to UPNE, in which she claimed that both Dr. Neustein and Mr. Leshner lied and that Mr. Leshner was “corrupt,” Mr. Leshner pointed out that the number of misspellings in the email of words a “brilliant 24-year-old law student ought to know,” raised further suspicions that the author was not Ms. Orbach.

When Mr. Leshner challenged the author, in an emailed reply, to back up her claim that he and her mother lied about the case in print, she wrote back that she was “too involved with work and school at the moment to fish out and correct every lie she has asserted.”

In this email, Ms. Orbach misspelled the name of one of her foster parents whom she claimed made an allegation against her father “in order to get custody of me.”

Mr. Leshner said he believed the false conclusions the person purporting to be Ms. Orbach reached closely parallel those of Mr. Burger and others who have allied themselves with him.

Asked about the suspicions that have been raised about the identity of the author of *The Jewish Press* column, a staffer in the dean’s office said, “Is it our fault there are troubled people at the school?” S.L.R.

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