

## Now It's Bipartisan: Jeanine Pirro and Chris Owens Adopt Family Court Scandal Raised by Dr. Amy Neustein and Michael Leshner

A serious problem identified by two members of the New Jersey Orthodox community has now become a bipartisan political issue. The penalization of responsible parents—usually mothers—who lose custody because they have charged the other parent with sexually abusing their children, has been adopted as a campaign plank by Jeanine Pirro, the Republican candidate for New York State Attorney General, as well as by Chris Owens, Democratic candidate for Congress from Brooklyn's 11th District.

The issue has plagued Dr. Amy Neustein, an Edgewater-

based sociologist, who, together with Michael Leshner, a Passaic attorney, wrote about the problem in their recent book, *From Madness to Mutiny: Why Mothers Are Running from the Family Courts—and What Can Be Done about It*. Dr. Neustein and Mr. Leshner are Orthodox Jews.

On Friday, May 12, just before Mother's Day, Dr. Neustein and Mr. Leshner appeared at a press conference on the steps of New York City Hall along with Ms. Pirro, Mr. Owens, and NYC Councilwoman Letitia James to discuss the problem. Ms. Pirro and Mr. Owens pledged

to work to solve the Family Court abuses, and Ms. James said she will be holding hearings on the issue next fall.

### No Retaliation

At the conference, Ms. Pirro, former Westchester County District Attorney, said, if elected as Attorney General, she would review how the Family Court handles cases in which a mother claims that her child was sexually abused by the child's father.

The review, she said, would include an examination of the policies and procedures used by the Department of Social Services in evaluating the allegation of sexual abuse.

A former Family Court judge herself, Ms. Pirro was especially concerned about the punitive measures too often imposed against the parent advocating on behalf of the child, simply because her good-faith fears of abuse could not be definitively substantiated.

"No parent should face retaliation from the very system whose help he or she seeks to protect the child. An allegation of sexual abuse that is made in good faith but proves to be unsubstantiated cannot and should not be used as the basis for awarding custody [to the other par-

*continued on page 6*

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## Kol Ami: Iran Now?

By Devorah Friedman

During his visit to the US last month, Israeli Prime Minister Ehud Olmert seemed pleased that while President Bush did not show much interest in the scope—or the bill—for Israel's unilateral withdrawal from Judea and Samaria, the US and Israel seemed in agreement about the danger posed by Iran and the mullahs' quest to go nuclear. At the Israel Day Concert last month, the question was: **Should the US and Israel consider a military strike against Iran?**



I understand that Iran poses a danger, but I'm not sure it is an imminent threat. A military strike might be seen as provocative.

**Mindy Wapner**  
Bell Rose, Queens, NY



If there were a way to do this without civilian casualties, I'd say go for it. In any case, if Israel decides it must do this, I'd support it fully.

**Fabio Perla**  
White Stone, Queens, NY



This is not the best time for a US-Israel invasion because the US is still tied up in Iraq and is pursuing negotiations with Iran. If diplomatic efforts to convince Iran not to acquire nuclear weapons fail, then it might be necessary for the US to protect its ally, Israel, and for Israel to protect itself.

**Michael Gluckstadt**  
Englewood, NJ



The answer depends on how you define "attack." If it means an invasion, then my answer is no, because neither the US nor Israel is prepared. A little selective bombing, however, wouldn't hurt.

**David Wallach**  
Kew Garden Hills, NY

## The Current Crisis: "Even in Laughter, the Heart Can Ache"

A dear friend from West Virginia offered this "win-win-win" solution to several pressing US problems: First, dig a moat the length of the Mexican border. Then, use the dirt to raise the levies in New Orleans. Finally, put the Florida alligators into the moat.

"Any other problems you want me to solve?" he asked.

\*\*\*

He won't be called on to solve Palestinian economic woes. Leading Palestinian investors are handling it all by themselves.

Last month, some of them, disappointed by losses in the declining stock market, hired local gunmen to attack the **Palestinian Stock Exchange** in Nablus. The building was damaged, but no one was killed.

Sources say foreign investors have decreased activities in the PA over the last year. Attacks on foreigners in PA areas might be one of the reasons. In April, two PA conferences designed to attract foreign investors had to be canceled. Investors feared the prospect of abduction by Fatah gunmen.

A few days after the Stock Exchange incident, a group of Hamas television critics, armed with guns, stormed an office of Palestine TV in Gaza and fired into broadcasting equipment. The gunmen alleged that the station's reports favored Fatah.

Can't put anything over on these PA gunmen. They'll figure it out every time.

Which is more than we can say for **Prof Rachel Giora** of the University of Tel Aviv. According to **Prof Steven Plaut** of the University of Haifa, Ms. Giora backs the boycott of her colleagues because she supports "every form of open criticism against the current policies of the Israeli government in the occupied territories." She supports "economic boycotts and other forms of resistance."

"Like terrorist atrocities?" Prof Plaut wondered.

We like his plan to organize an academic boycott of Israeli universities which do not fire leftists who support the boycott of Israeli universities.

In the city which started the academic boycotts against Israel, the *London Jewish Chronicle* reports that, due to the

economic crisis back home, the official Palestinian diplomatic envoy cannot afford London's prices. Not only can't he rustle up the dinars for the lavish summer garden parties favored by his fellow diplomats, he is struggling to pay his gas bills. His staff is reduced to using budget phone cards to make international calls.

He might consider emulating his countrymen back home, where members of Hamas decided to raise funds by auctioning off items of clothing that belonged to dead terrorists.

Filmed for al-Jazeera (and translated by MEMRI), the auctioneer cajoled would-be bidders by telling them about a

"holy warrior" who "sacrificed his soul for the sake of Allah." The bidding for the jacket of **Salah Shehada**, the founder of Hamas in Gaza, murderer of hundreds of innocent civilians, including five high school students at Atzmona in 2002, and an early producer of Kassam rockets, began at 20 dinars (\$28).

But when the auctioneer called out, "Who wants to buy a place in heaven for a small sum in this world," the crowd responded and the jacket eventually went for 3,000 dinars (almost \$4,250).

An auction like that might go over swell in the London Underground, don't you think? S.L.R.

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## Family Court Reform continued from page 3

ent],” she said.

### Painful Pattern

In their book, Dr. Neustein and Mr. Leshner detail numerous instances in which the Administration of Children’s Services (ACS) and other child welfare agencies misuse resources and public funds to remove children unjustly from the homes of parents, usually mothers, because they are trying to protect their children from alleged abuse.

It is a pattern with which Dr. Neustein is painfully familiar. In 1986, she lost custody of her then-six-year-old daughter, her only child, when an ACS contracting agency charged her with “child neglect” on the sole ground that she believed her child had been abused.

Custody of the child, Sherry, was given to Dr. Neustein’s ex-husband, Dr. Ozzie

Orbach, who had been accused of abusing the little girl.

### Denial

Although Ms. Orbach or someone purporting to be her now says she was never abused, Dr. Neustein and many others familiar with the case do not accept that claim. They are not even sure the denial was actually made by Ms. Orbach.

It was written in an op-ed with Ms. Orbach’s byline, but the author refused to meet anyone from the paper in person and insisted on emailing the piece. Therefore, no one knows for certain who the author was.

Some experts have conjectured that Ms. Orbach may be suffering from what they call “parental alienation syndrome,” a disorder which, they say, can result when a child is forcibly removed from a parent and told that



*Dr. Amy Neustein, left, and Jeanine Pirro, Republican for NY State AG, confer on issues concerning Family Courts*

it was the absent parent who abandoned the child.

### Ending Visitation

After the child was transferred into her father’s custody, she developed life-threatening anorexia nervosa at the age of eight. Yet, when Dr. Neustein took her to a hospital for emergency treatment – which doctors testified may have saved the girl’s life--Brooklyn Family Court Judge Leon Deutsch, who had ordered Dr. Neustein not to seek medical treatment for the child without the father’s consent, punished Dr. Neustein with an indefinite suspension of her visitation with the child.

She has not seen her daughter since.

Ms. Orbach, who recently graduated from Columbia Law School is no longer a member of the Orthodox community and, so far, has avoided contact with her mother, apparently believing the claims of her father’s supporters that everyone whose testimony supported Dr. Neustein at the time—psy-

chologists, medical doctors, an eyewitness, and the child herself—was either lying or deluded.

### Fighting for Others

In the 20 years since she lost Sherry, Dr. Neustein has campaigned dauntlessly to win back her daughter and, at the same time, to help other women who find themselves in similar circumstances. She has offered support, at no charge, to countless mothers who are facing penalties in family courts for suspecting child abuse by a father, and was the recipient of the Woman of Valor: Lifetime Achievement Award at the Battered Mothers Custody Conference at Siena College earlier this year.

“In case after case, the mother is penalized for bringing charges of sexual abuse, even when there is strong corroborative evidence,” said Dr. Neustein at the May 12 press conference. “The system, in its twisted logic, believes that if you eliminate the accuser, the accusation *continued on page 8*

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Your Hosts, Gaby Betesh & Irving Fruchter

# Family Court Reform continued from page 6

will simply go away. Unfortunately that is not the case. Instead, children are open to re-victimization when placed in the custody of the abuser. And their mothers continue to fight for their safety. So what has the system accomplished by removing the mother from the child's life?"

In their research for their book, Dr. Neustein and Mr. Leshner studied more than 1,000 cases.

"And, sad to say, many of these cases are from the Jewish community," said Mr. Leshner, who said the problem was "a civil-rights crisis."

He charged child-welfare officials with ignoring New York laws.

### New Laws

Dr. Neustein's personal story outraged Ms. Pirro and Mr. Owens, and so did the results of her expert analysis

of the problem. At the press conference, Mr. Owens said he supports federal legislative action consistent with Dr. Neustein's and Mr. Leshner's recommendations. He said, if elected, he will demand new laws to address the problem of ACS agencies unjustly removing children from their homes based on good-faith accusations of abuse.

Mr. Owens recalled that his father, Congressman Major Owens, had held hearings featuring Dr. Neustein on "this ACS scandal," and he pledged to carry on that work.

"I will work to make sure that federal money is not misused to punish mothers who try in good faith to protect their children from abuse. The child welfare system should not make innocent mothers 'childless' in retaliation for the mothers' asking the sys-

tem of law enforcement and jurisprudence to protect their children," he said.

"We need to ensure that victims of batterers or child abuse are not victimized again by the child welfare system. The resources of ACS and sister agencies must be used to protect children—not their abusers," he said.

### Destroying Families

New York City Councilwoman James agreed. By acting as they have been, Family Court judges, she said, "are not protecting families; they are destroying them."

At the press conference, Mr. Owens introduced Carline Gordon, a resident of the 11th District, whom he called a victim of some of the same forces that had victimized Dr. Neustein.

Like Dr. Neustein, Ms. Gordon was penalized by

Brooklyn Family Court when she brought charges of abuse against her son's father a few years ago. She has not seen her child in four years.

"This issue is not black or white, male or female, Democrat or Republican, but an issue of fairness and justice that everyone should understand and be willing to support," said Mr. Owens.

### Preventing Abuse of Power

Mr. Owens said he endorses amendments to the federal Child Abuse Prevention and Treatment Act that would link federal funding to the reform of child abuse prevention and treatment procedures at the state level—another proposal made by Dr. Neustein and Mr. Leshner. He also supports the modification of confidentiality rules in child abuse cases so that family court proceedings and

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records are no longer sealed in all circumstances.

He agreed with the researchers that oversight is required to assure that judges do not use their contempt-of-court powers to award custody to one parent as a means of punishing the other.

Perhaps most importantly, he supports meaningful higher court review and federal legislation allowing parents to seek relief from the federal courts in cases in which their civil rights may have been violated.

**Guilty of Belief**

Also at the press conference were representatives of the New York chapter of the National Organization for Women and Susan Lob of the Voices of Women Organizing Project (VOW).

Listening to Dr. Neus-

tein's story, Ms. Lob, director of VOW, said she was outraged that the courts and child welfare system have the power to remove a child even from "caring, non-abusive parents."

She noted that, throughout her ordeal, no one ever accused Dr. Neustein of abusing her child. Even her critics accused her only of believing her former husband was guilty.

**No Contact**

Ms. Lob noted that many mothers, including Dr. Neustein, have no contact with their children "due to decisions by the court that place children in danger."

"These decisions are often based on false information, discredited theories, lack of due process, and other serious injustices," said Ms. Lob.

Speaking for the Alba-

ny-based New York chapter of NOW, the group's president, Marcia Pappas, said she grieved with Dr. Neustein and all mothers who have lost their children after making good-faith charges of abuse.

"These mothers are treated as if they were the guilty parties," she said.

**Forced to Fight**

As Westchester DA, Ms. Pirro said she became aware that, historically, women such as Dr. Neustein have been forced to fight for their rights across the country.

Ms. Pirro said that while she certainly does not advocate automatically "taking the woman's side," she vehemently opposes the idea of "muzzling mothers with fear that if they make a good faith claim of abuse, they risk losing their children."

"All claims must be investigated and no one may be punished just for making the claim. If it turns out to be false or if there is insufficient evidence to proceed, then so be it, but there must not be punishment as there was in Dr. Neustein's case," she said.

Noting her experience as a family court and county judge, Ms. Pirro said she knows judges rely on reports made by child-protective agencies.

"But I have also been a district attorney, and I've seen enough to know that sometimes a 'review' is not an investigation. This issue is simply about mothers losing their children because they had the audacity to either pass on information or report that their child may have been sexually abused," she said. S.L.R.

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