

Tripping Up The Prosecution

By Stephanie Saul - Staff Writer
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Last in a series.

Former New Yorker Avrohom Mondrowitz has built a quiet, comfortable life as a college professor in Jerusalem.

The syllabus for his business administration course at Jerusalem College of Engineering is posted on the Web, along with his phone number.

Mondrowitz is living so openly, it's hard to believe the psychologist and self-styled rabbi is wanted for allegedly sexually abusing four Brooklyn boys, ages 10 to 16. The charges against him include sodomy.

"I don't want this hydra to lift its head again," said Mondrowitz, declining to discuss his 1985 indictment on 13 counts. Once the host of a radio program in Brooklyn, Mondrowitz will be arrested should he ever re-enter the United States, according to the office of Brooklyn District Attorney Charles J. Hynes.

But according to U.S. Justice and State department documents, Hynes' office approved a decision in 1993 to drop efforts to extradite Mondrowitz, a U.S. citizen who has been sheltered by the Israeli government since he fled the United States in 1985.

Michael Leshner, a New Jersey attorney who obtained the federal documents after years of research on the Mondrowitz case, said the decision to drop efforts to return Mondrowitz to the United States is an embarrassing one, considering the severity of the charges.

A spokesman for Hynes, Jerry Schmetterer, was at a loss to explain the decision.

"We don't know anything about the State Department closing its file," said Schmetterer, calling the federal records a "mystery."

"We have nothing in our files to indicate we ever made that decision," said Schmetterer, emphasizing that the Mondrowitz file is still kept in a prosecutor's desk in the event Mondrowitz ever returns from Jerusalem.

Escape to Israel is merely one of the factors that can hamper prosecution of alleged sex abuse in the Orthodox community.

Police and prosecutors find that victims of alleged sexual abuse in those communities are discouraged from coming forward.

Intense pressure is often brought to bear on complainants who bypass rabbinical courts -- the community's preferred method of settling disputes -- and instead go to secular authorities. Witnesses, who are often young, become fearful and wavering. And prosecutors face pressure from a community that votes as a cohesive block.

One woman, whose son was called to testify about an alleged instance of abuse, said that extraordinary pressure was placed both on her family and on the family of the alleged victim.

"I had rabbis coming by. They threatened we'll have curses in our family. It might sound silly to you, but it was very frightening," said the woman.

She said that rabbis supplied her with a statement from a psychologist who had never examined her son, saying he was not fit to testify.

In Brooklyn, with its large Hasidic community, police have been confounded by the outcomes of some cases they investigated involving the Hasidim.

At a loss to explain the cases, some cops in the 66th Precinct, which includes Borough Park, have shrugged their shoulders and paraphrased a line from the Jack Nicholson film "Chinatown" -- "Forget it, Jake, it's Brooklyn."

One of those who recalls making the remark was retired police Capt. William Plackenmeyer, who worked for many years in Brooklyn. "In Brooklyn, it almost seemed like there were two penal codes, one for the Hasidic community and one for everyone else," Plackenmeyer said.

But Hynes' office says decisions on prosecutions are made without regard to political considerations or community pressure.

"We prosecute sex crimes. We prosecute allegations of child abuse, sex abuse," said Schmetterer. "Trained investigators conduct these investigations and come to a conclusion. They make the decision."

The arrest of a popular rabbi in the Bobov Hasidic sect in January 2000 provides another example of the pressure that can be placed on those who complain to outside officials. In that case, a 9-year-old boy accused the Brooklyn rabbi, his tutor, of physically and sexually abusing him.

In the end, Hynes' office threw out all charges against Rabbi Solomon Hafner. Schmetterer said they were found to be baseless.

But before the case was resolved, the police assigned 24-hour protection to the complainant's family, according to a law enforcement source. The family had been threatened by members of the Bobov community, the source said.

"They excoriate the victim, they run them out of the community, they make sure the victim will never marry," said sociologist Amy Neustein, who, with Leshner, researched the Hafner case and frequently writes about domestic abuse in the Orthodox community and provided documents for this article.

The boy's family later moved from Brooklyn to the quieter Bobov community in Monsey. The family would not talk to Newsday, but a friend said the move was an effort to escape community pressure.

While Hynes' office was examining the boy's allegations, the Bobov community convened a rabbinical court, a bet din, to conduct its own investigation.

The child's uncle later complained that rabbis on the bet din had asked the family to sign a document saying the boy was crazy so that they could get the criminal case thrown out. Several members of the bet din either did not return calls from Newsday or declined to discuss the religious court's proceedings.

Meantime, according to the law enforcement source, Bobov rabbis appeared in Hynes' office' to plead in Hafner's defense.

Hynes' spokesman Schmetterer would not confirm or deny that such meetings took place, but he said it is not unusual for Hynes' office to meet with community leaders on cases.

After the bet din decision, the five-member panel posted notices throughout Borough Park clearing Hafner. "Rabbi Hafner's comportment with [the child] has been in complete accord with both Torah law and the law of the land, and a parent should not hesitate to engage Rabbi Hafner as a tutor for his/her child."

With intense pressure from the community common in such cases, families also come under indirect pressure not to go public with their cases.

The social stigma attached to being the victim of sexual abuse in the general public is magnified within the Hasidic community, sources said, so much so that Hasidic victims can find it difficult to marry within the community.

And, as with sex-abuse allegations generally, parents fear causing further psychological damage to their children by placing them on the stand.

In 1995, for instance, Hynes' office charged Rabbi Lewis Brenner with repeatedly sexually abusing a boy starting in 1992 and ending in 1995, when the boy, then 15, told police. Among other places, the alleged encounters occurred in the bathroom of the rabbi's Brooklyn temple.

In a statement to the court, the boys' devastated parents said he could not even attend school, he was so troubled by "a raging cyclone of hate."

"Our son is with us physically today, but his self-respect, dignity and sense of worth were stolen from him at the tender age of 12," the boys' parents said. "Do you realize that you destroyed a world and our family, Mr. Brenner? You have stolen from our son the very essence of his life, his hopes, dreams and aspirations for the future."

The charges against Brenner initially included 14 counts, including sodomy, sexual abuse, and endangering the welfare of a minor. But a plea agreement whittled the charges down to one felony, stunning a Brooklyn judge.

"Given the nature, gravity and frequency of the sexual contact alleged in the felony complaint, this court was surprised by the People's plea offer and requested of the prosecutor a statement why it was forthcoming," said acting Supreme Court Justice Charles J. Heffernan in a court ruling.

The district attorney's office told the judge that the boy's family agreed to the plea bargain ... Recently, an official of the district attorney's office said the family did not want to go through with a trial.

The plea arrangement left Brenner a free man -- he got 5 years probation.

Brenner is the father-in-law of Ephraim Bryks, a Queens rabbi who was the subject of a story in Newsday on Tuesday.

Two teenagers told Canadian police years ago that Bryks abused them when they were youngsters. Bryks has never been charged with a crime and has denied the allegations.

After Brenner's plea deal, he asked the court to exempt him from the sexual abuse registry on grounds that his behavior occurred before the law was passed.

Heffernan refused.