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Clergy as Mandated Reporters

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We are here today because the current systems within our churches, synagogues, mosques, and temples are NOT working. When children disclose abuse, they are NOT being protected. When it comes to OUR children's safety, our religious leaders are FAILING.

We have all heard the news reports. Various news media groups across our nation are definitely keeping busy. They have told us loud and clear, over and over again that religious court systems have been turning their backs on our children, not just recently, but FOR GENERATIONS.

We already know the problems. So if those of us in this room right now, don't work to change things today, it is we who are allowing more children to be abused and neglected; we are allowing more children to be told to keep silent. Things MUST change. OUR CHILDREN ARE SUFFERING.

Dealing with child abuse is never easy. What do you do when you hear that a friend of yours has been named as the alleged offender in a sexual abuse case? What do you do when you hear the allegations that a colleague or family member is molesting a child? The natural reaction is to slip into denial. No one wants to believe that someone they know, and possibly trusted, is a sex offender. But it is for exactly this reason we are here today, and have to change things. WE MUST make our clergy members mandated by law to report when they SUSPECT a child is at risk of harm. We can't be judge and jury to people we know and care for.

All we have to do is log on to our computers and go to The Awareness Center's web page "Clergy Abuse: Rabbis, Cantors and Other Trusted Officials" (www.theawarenesscenter.org/clergyabuse). You will find about fifty cases of rabbis, teachers, camp-counselors, scout leaders, etc., who had articles written about them in the news media. All of these individuals have been accused and some convicted of child molestation. Most of the alleged victims of these alleged offenders went to their rabbis for help. Too many were ignored and/or told to keep silent. Often the victims and victims' families were intimidated by their leaders if they went to State officials.

Just look at the case of Rabbi Baruch Lanner, the case of the kosher butcher in Chicago, or the case of Rabbi Ephraim Bryks. All three men were known in the communities as being problematic, as having problems with sexual impulse control. Yet these men were allowed to continue to harm children. All three men were well protected by their local religious leaders in their respected communities. All of these men's victims were left unprotected and told to be silent.

Rabbi Baruch Lanner

www.theawarenesscenter.org/lanner_baruch.html

Baruch Lanner was regarded as one of the most brilliant, dynamic and charismatic educators in Jewish life in today's world. He was the director of regions of the National Conference of Synagogue Youth, an arm of the Orthodox Union. Rabbi Lanner worked with and supervised teenagers for more than thirty years. Lanner was also a principal and teacher at religious high schools. For many years he led a highly successful six-week summer program in Israel offering Bible study to up to 300 American boys. His criminal sexual behavior was known not only all over the United States, but also on an international level.



Even though Rabbi Lanner is credited with bringing hundreds, perhaps thousands, of children closer to Judaism, reports of his criminal behavior have been circulating since the 1970's. Although Baruch Lanner was convicted of child molestation, he is sitting at home instead of in prison awaiting his appeal. One reason stated by the Asbury Park Press (October 9, 2002) is "he fears he may become a victim of sexual abuse by fellow inmates."

The Kosher Butcher

www.theawarenesscenter.org/kosherbutcher.html

Before I start to tell you about this case. I want you to know this is a story that could easily have happened in Rockville, Baltimore, or any town in the State of Maryland. The offender could have been Muslim, Catholic, Buddhist, or from any other religious group.

The kosher butcher is a story of a man who was allegedly allowed to molest children for over thirty years. It's a well-

known case in the Jewish community of Chicago. The only written description of this case is an article in the Chicago Jewish News, dated January 28, 2000.

After this story broke, the editor of the paper, and the two sisters who broke the story were met with hate from members in the community. It was one of those deep dark secrets no one wanted to be made public.

There were never any criminal charges brought up against the butcher, even though many religious leaders were aware of the criminal behavior of this sexual predator. The religious leaders were NOT mandated reporters. Needless to say the kosher butcher was allowed to continue to find more victims, and he did.

There's more to this story than a pedophile being enabled by his community to continue his or her molesting career. There was a child who grew up in the same apartment building as the butcher. When this child became an adult he took on similar criminal sexual behaviors to his neighbor the butcher.

Rabbi Avrohom Mondrowitz

www.theawarenesscenter.org/Mondrowitz_Avrohom.html

Rabbi Avrohom Mondrowitz, was the son of a rabbi. He went to school and became a clinical psychologist. He moved to New York and set up his practice. He also mimicked the behavior of his neighbor, that same butcher. With the community's hush-up of the butcher's acts, there is no evidence that Rabbi Mondrowitz was abused by him." But there is plenty of information about Rabbi Mondrowitz's criminal sexual behavior, that would make anyone who understands the dynamics of those who offend, extremely curious about his history.

Rabbi Ephraim Bryks

www.theawarenesscenter.org/bryks_ephraim.html

Rabbi Ephraim Bryks is originally from Denver, Colorado. In this case, accusations about his inappropriate behavior with children started surfacing in the 1980's. These accusations also included making sexual advancements to women in his congregation. When his alleged victims disclosed their experiences to a rabbinic leader in their community, they were basically told to keep silent. The rabbi advised them not to go to the police or child family services. He told them to deal with the allegations internally with the synagogue board. The children were not offered psychotherapy to help them cope with their alleged victimization. Unfortunately a teenager who didn't have the coping skills to deal with his memories ended up committing suicide.

Over the years Rabbi Ephraim Bryks has left a trail of alleged victims from such far-away places as Winnipeg, Canada. He is currently located in New York City. There are no documented cases or public information regarding any victims in New York, yet he has been let go by schools (one characterized as firing), but the schools will not discuss the matter.

For years alleged victims have been going to rabbinic leaders in their communities looking for guidance. For years rabbinic leaders have found it more important to protect an alleged sexual predator over protecting our children.

Currently 49 year-old Rabbi Ephraim Boruch Bryks continues to run a school in Queens, NY. He is currently a

member of the Rabbinical Council of America (RCA) and the Vaad Harabonim (member of the rabbinical committee that makes important decisions within the community) of Queens.

Question: Who decides who sits on a religious court? It is possible that Rabbi Bryks does? He is on the committee in Queens that makes important decisions.



In the secular world, judges disqualify themselves when they are too close to the parties in court hearings. Surgeons usually do not operate on family members. Religious communities in a city or town, are usually pretty small circles--everyone seems to know each other. My question to you is, why should we allow our clergy any leniency when it comes to reporting suspected child abuse or neglect?

For the sake of conserving time, and reducing redundancy, I'll use the term "rabbi" to represent all clergy, and the term "synagogue" to represent all houses of worship. When using the word "bet din," which translate into rabbinical court, I'll be referring to any entity that investigates and/or prosecutes cases within a religion's court system.

Let's take a step back from child abuse for a moment. Let me ask you a few more questions.

If there is an arson fire at your local synagogue in Olney, Maryland, who would you want to investigate this crime? If you are Jewish, do you call the local rabbinical court (bet din)? Or do you expect the Olney Police and Fire Departments to be informed, put the fire out, and carry out the investigations?

If there's a shooting on your street, who should investigate the crime, your local religious court, or the local Police Department?

So I ask you, when a rabbi, priest, pastor, cleric or any other member of the clergy, SUSPECTS a child is being abused and/or neglected, whom should she or he call? The religious court in Baltimore? Or the State of Maryland's Child Abuse Hot-line?

Before answering that question, I want you to think about something. We all know how difficult it is to prosecute a case when children are involved. We are all aware of how important it is to protect a crime scene to avoid contaminating evidence. Police departments and child protection workers undergo specific training that allows them to minimize contamination of information and maximize the chance of finding out what really happened. Keeping this in mind, does your local religious court have experience in forensic interviewing? Do they know how to do victim-sensitive interviews? Is the clergy member who suspects a child is at risk, trained in collecting evidence? My bet is that your answer to all of these questions would be NO.

The Awareness Center strongly believes that all members of the clergy should be mandated by law to call the Maryland State Child Abuse Hot-line when they SUSPECT a child is in danger. This is not an unusual request. We are asking you to mandate clergy to do what every other citizen in Maryland is mandated to do.

Our teachers, doctors, psychotherapists, childcare workers, medical personnel--are all mandated, by law, to report when they SUSPECT a child is may be being abused or neglected.

According to the law, it is NOT at the discretion of a teacher, therapist, child care worker or doctor, to substantiate the abuse, to decide whether they'd rather investigate it themselves, or to make a judgment call about the authenticity of the allegations or it's motive. The law specifically states that if you are a mandated reporter who SUSPECTS a child may be in danger, you make a phone call. If you don't, you are breaking the law. The Awareness Center asks you to mandate that members of the clergy not be given preferential treatment. We ask that you hold them accountable as every other citizen. Remember that, by definition, clergy are teachers, counselors, and can also be seen as doctors to our souls. It seems almost barbaric that they have been exempt, and are attempting to continue to be. Are the mandated reporting laws in place to protect offenders or to protect children?

In a recent article in the Washington Post, Na'ama Yehuda--a co-director of The Awareness Center--was quoted as saying "I don't believe that pedophilia has a religion." Child abuse is a criminal matter, not a religious one.

There has never been any research done stating that sexual abuse happens more in one religion than another. But we do have resources that indicate that one out of every 3-5 women, and one out of every 5-7 men in the United States have been sexually abused by their eighteenth birthday. Until proven differently, that means that a quarter of all Catholic, Muslim, Jewish, Buddhist, Christian women and about a fifth of all Catholic, Muslim, Jewish, Buddhist, Jewish, Christian men have been molested in their childhood.

Keeping this in mind, we have a huge problem on our hands, a problem that is just beginning to be addressed in religious circles. In fact, we would most likely not be here today if the news media did not do their job. They heard stories from victims, investigated and found cover-ups. It's sad to say the only salvation these survivors had, was that their victimization was making headline news.

Quote from Former Student of Rabbi Bryks (name withheld upon request):

I don't have to be politically correct, my (and my friends) dealings both directly and indirectly with the Rabbinical Counsel of America (RCA) and the Orthodox Union (OU) over Rabbi Bryks indicate clearly to me that they are utterly incapable of dealing with allegations of abuse. There are no mechanisms, no understanding of the problem in the structure of any bet din, and frankly no desire to deal with it. Rabbi Billet and Rabbi Weintraub (#2 in OU but as such is also on the RCA board), are both aware of Bryks, who continues to be a member of the RCA, but are in no rush to establish codes of conduct/balances and checks/investigatory mechanisms to deal with misbehaving members.

Although, I've found child "protection" agencies to be anything but that (few resources, political pressures and frankly sloppiness and laziness), I'd still have more faith in them than a private organization paid for by a body that employs the accused. Private organizations are just that, private. It is essential to create paper trails with offenders, secrecy and silence simply protect them.

Quote from Survivor #1 (name withheld upon request):

Back in the 1970's I went to the guidance counselor at my school (Conservative Jewish Day school). I told her about my father's violent temper and showed her the marks on my arms. I just couldn't imagine going back home that night. I was asking for help. She told me to come back later in the day. She had to consult with the school rabbi. When I went back, she told me there was nothing she could do. My bruises wouldn't photograph well enough. There was nothing anyone could do. I had no choice but go back home. No hot-line report was made.

I always wondered what my life would have been like if someone would have referred me and my family to therapy, or if I would have been removed from my home. I wonder if I would have done better in school? No one wanted to listen to me. No one wanted to get involved. As an adult I was having problems with my jaw. I had special x-rays taken and learned that my jaw had been broken in a few places and that by the calcification, it must have happened when I was about 5. My dentist looked bewildered and then explained to me, by the angle of the break. It could only have been caused by a fist.

Quote from Survivor # 2 (name withheld upon request):

"I am from a Reform background. For many years I felt no connection with Judaism. How could I? In 1986 I went to my rabbi. I really liked him, and thought I could trust him. I went to him in tears; I didn't know what to do. My father was molesting me. I was in high school. When I told him about the abuse, he told me I was making it up. I guess the pregnancy that I aborted was just a figment of my imagination too?"

The Awareness Center is not here to claim that all religious leaders ignore the pain of children, but we are here to say that if our clergy were mandated to report when they SUSPECT a child is at risk, our children would have a chance. Child abuse investigation is the role of law enforcement and child protective services NOT the clergy.

Several years ago teachers, therapists, child care workers, and just about every other individual who has contact with children became mandated reporters. Everyone except our clergy. Our children need you to change this. Please remember this bill is not about protecting the rights of clergy. This bill in front of you is about protecting innocent children from being abused and making sure abusers don't go on abusing.

Think about it--as we speak, at least one more child is being hurt (and with 90% of abused kids being abused by someone they know), most likely becoming a victim of a trusted adult. This is one more child who may gather their courage to go to a member of the clergy for help, instead of those individuals who ARE already mandated to report. If you review all of the cases on The Awareness Center's web page, you may start to wonder if this child, too, will be silenced. Will the alleged offenders be investigated by our criminal justice system? Or should the case be kept quiet, so that the alleged offender and his or her family, and the community not be embarrassed? Remember it is your child, your niece, nephew, cousin, etc, that may be at risk.

One of the biggest arguments I've heard over and over from members of the clergy is that if they became mandated to report when they SUSPECT a child is at risk, no one would talk to them. This is the same argument that was used by teachers, doctors and therapists when they were faced with the same bill. And yet they ARE mandated reporters, and let me tell you a secret: people still see therapists, they still seek medical attention, and children still go to school. Having these professionals become mandated reporters did not force them to close shop--but it did and does protect children, every day. It is a fact that both adults and children still seek advice from, and disclose their deepest secrets to, trusted

figures who are mandated reporters.

Unfortunately, there have been too many times that I have been mandated by law to make hot-line reports. Most of the time, I wished that I wasn't required by law to do so. But because the law is in place, I make the reports. Sometimes the cases were founded, and sometimes there was either not enough evidence or no evidence. It doesn't matter. I reported my suspicions and law enforcement did its job.

EXAMPLE #1

I was working with a three year old girl. I got a call from her mother, who was extremely upset. The girl was at a play group and started asking her male playmates to pull down their pants. This behavior is not that unusual, but the girl proceeded to perform oral sex on her friend.

Is this normal child behavior? The answer is NO.

I always explain to clients prior to starting treatment that I am a mandated reporter, and explain what that means. After this mother disclosed the story, I reminded her about the mandated reporting laws. I suspected that someone that this girl has contact with was molesting her, so I called the child abuse hot-line. The police and child protection workers did their job. The girl was not a sex offender. She was NOT taken from her family, because she wasn't being abused in her home. This three-year old girl was sexually reactive. She was acting out what she saw being done to one of her playmates by his father in her neighbor's home.

EXAMPLE #2

www.theawarenesscenter.org/rubin_adam.html

Last year, there was an incident involving several 12-13 year old female students at Beth Tfiloh, in Pikesville, MD. They told a staff member at the school that they had been exchanging e-mails with Adam Rubin, who had been a coach at their school. The girls told the teacher that Rubin's messages had become sexual in nature. The school's rabbi's policy is to make hot-line reports when they SUSPECT a child is at risk, so a hot-line report was made.

With the permission of one of the girls' parents, detectives began having conversations with Rubin on the Internet using the girl's account, according to the charging documents. The e-mail messages quickly turned sexual, with Rubin explicitly describing how he wanted to sexually interact with the girl, police said. The next night, he expressed concern about what would happen to him if he was caught having sex with a minor, according to the charging documents. A meeting to consummate the online relationship was arranged. Rubin told the girl to wear something "comfy" but that he liked "tight miniskirts" and "midriff tops," the documents said.

Police arrested Rubin in a sport utility vehicle near the Atrium of the Pikesville shopping center. According to the charging documents, Rubin told police he had received as many as 30 pictures on the Internet from underage girls either nude or in a state of arousal and that he thought he had a "problem -- an addiction to the Internet, talking to young girls on it." If Beth Tfiloh didn't report this case, there could have been more victims.

At the risk of over-stating, please bear with me when I clarify once again that being mandated reporter does not mean that we are mandated to INVESTIGATE allegations of abuse. Rather it means that we are required by law to report a situation IF we have a reason to believe that a child MIGHT be at risk of harm and/or neglect. This is true for ALL cases of suspected child abuse.



The investigation part needs to happen, of course, but it is up to highly trained, highly skilled people who have experience in these matters. As a mandated reporter you leave the criminal investigation up to a multi-disciplined task force that work together as a team. And an extremely important element here is that it's an UNBIASED team--they do not have personal relationships with the alleged offender and/or victim. If these highly trained professionals do have such a relationship with an offender or victim, they excuse themselves from investigating the case at hand.

A member of the clergy--just like a therapist or teacher or doctor--who suspects child abuse, and especially in a member or by a member of their community, isn't unbiased. They should not be the ones to investigate. They should, however, be mandated to report suspected child abuse and neglect.

I am here today representing The Awareness Center, asking you to help us focus our attention on the children, rather than on the perceived image of religious groups. Some of these groups have spent or are planning to spend millions of dollars, contracting with private risk management groups, mostly devised to help prevent law suits, rather than to help heal our children and our communities.

The role of clergy, in the process of healing their community is unique. By working as liaisons with child protection services (rather than against them, by not reporting when they suspect abuse in the community) our clergy can become the missing link in meeting our goal to protecting our children. They can educate child protection workers on the customs and traditions specific to each communities.

Please, let us NOT BE AFRAID OF EACH OTHER. Child protection services aren't there to break up families and/or demolish the spiritual bond individuals have with God--they are there to protect children and to offer services to families in need.

The monies spent on private risk management agencies doesn't protect children. It doesn't provide the services needed to help heal the families, or our various religious communities. The only ones we need to be wary of are those who continue to harm our children. We need to STOP protecting offenders--whether they are clergy or lay-people. We need to all be made responsible to our children.

Please help support this bill. Please vote to have clergy join the many others who are already required to put children first by being mandated to report SUSPECTED child abuse and neglect.

Thank You.