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## Who Will End the Abuse?

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By ERICA SCHACTER SCHWARTZ

It began on the radio this summer. New York Assemblyman Dov Hikind ran a segment on his Saturday night talk show titled "We Are Only as Sick as Our Secrets: Sexual Abuse, Healing the Shame," featuring graphic accounts of sexual abuse of children in the ultra-Orthodox Jewish community in Brooklyn.

There had been a few high-profile cases before, but this "was when the floodgates opened," explained Mr. Hikind, an Orthodox Jew himself. Following the show, additional victims and their family members came forward to share with Mr. Hikind their own stories. "Cases of sexual abuse are not worse among the Orthodox," clarifies Mr. Hikind. "But when there's a problem and you don't deal with it, it gets worse." Over the past few months he has collected hundreds of testimonies spanning several decades, naming at least 50 alleged pedophiles across the tri-state Orthodox Jewish community, including well-respected rabbis and teachers.

But now these testimonies have become a source of contention. They have been subpoenaed for a civil suit by a lawyer representing six former students of Rabbi Yehuda Kolko, a longtime teacher at one of Borough Park's leading all-male yeshivas, who has been charged repeatedly since the 1980s with sexually molesting his students. (Last year Rabbi Kolko pleaded guilty to child endangerment.) The problem is that Mr. Hikind had sworn to keep the testimonies confidential.

Mr. Hikind claims he will "do the right thing" about the subpoena without betraying the names of any of the victims. While he will not hand over his complete list of alleged perpetrators, he says that "we are starting to share names" with Brooklyn District Attorney Charles J. Hynes.

Many people give Mr. Hikind credit for bringing much needed attention to an issue in the Orthodox community that has frequently been swept under the rug. (One exception to the silent treatment was the Orthodox Union's creation of a special commission in 2000 to investigate the sexual abuse charges against Rabbi Baruch Lanner, leader of the National Conference of Synagogue Youth, who was later convicted.) He also deserves credit for getting victims to talk at all. Mr. Hikind says that he encourages each victim who comes to him to go directly to the police, but no one is willing to. They are too afraid of the repercussions for themselves and their families in terms of reputation and marriageability.

The trouble is that subpoena or no subpoena, he has valuable information that is not being effectively utilized to investigate the alleged offenders and get them off the streets. "Dov Hikind has decided that secrecy is a more worthwhile value than child protection," explains Marci A. Hamilton, a professor at the Cardozo School of Law and an expert in clergy law. By withholding the names of the perpetrators, "he is sharing in the responsibility of every child who is harmed

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by them."

What Mr. Hikind wants to do instead is tackle the issue from within the community. He has assembled a task force of rabbis, therapists, principals and pediatricians to help the community respond to cases of sexually abused children -- raising awareness, forming a registry of teachers (so that a teacher who is removed from one school does not simply go to another) and devising a system of investigating allegations. Investigation is extremely important, he adds, because "you have to make sure an innocent person is not being thrown to the wolves."

While Mr. Hikind's effort is well-intentioned, Prof. Hamilton calls it "a doomed project." Resolving cases of sexual abuse without the legal establishment in this country "has never worked in any other religious community," she points out, citing the Catholic Church as an example. And the truth is, many rabbis agree with her. According to Rabbi Mark Dratch, the chief executive officer of JSAFE (The Jewish Institute Supporting an Abuse-Free Environment), "Rabbinic authorities do not have the expertise or ability to handle these things. Making reports [to the legal authorities] is the only way to go."

Mr. Hikind insists that his plan does not look to circumvent law enforcement, but to collaborate with it. The question, though, is if the ultra-Orthodox constituency that Mr. Hikind is working with will be a real partner in this endeavor. In the past, they have unfortunately been resistant, worrying more about the consequences of disparaging renowned Torah scholars than about protecting a child's life. Some rabbis in the community have even impeded the efforts of other rabbis who are willing to speak out and take action. Orthodox rabbi and psychologist Benzion Twerski resigned from Mr. Hikind's task force for fear of tarnishing his reputation and his family's reputation within the community. In Williamsburg, Rabbi Nuchum Rosenberg received threats for speaking out against abuse in his community.

So is Mr. Hikind's plan "doomed"? It depends. If the community is willing to take more cases to the police rather than watching alleged perpetrators float from one community to another, where they will no doubt prey again, then great. But if they are not, if they succumb to the same social pressures that have paralyzed them for decades, then every day that goes by another community of children is at risk.

No matter what happens, though, Mr. Hikind promises not to reveal any victims' names. "I will not, God forbid, destroy a person's life all over again," he says. That's good. But let's hope another child's life is not destroyed either.

**Ms. Schwartz writes a monthly column for the Jewish Week.**

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