Tragedy In Borough Park Puts Shomrim Under Scrutiny

Community watchdogs are praised, criticized for actions and delay.

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Hella Winston | Special to The Jewish Week

As the Borough Park community struggles with the brutal murder of 8-year-old Leiby Kletzky, and as more information surfaces about the history and emotional state of his accused killer, the tragedy is shining a light on the neighborhood watch groups that operate within the strictly Orthodox communities — and the largely under-the-surface tensions between these groups and the NYPD.

Those tensions became more apparent in recent days as sources in the community and the NYPD expressed frustration with how the Shomrim (Hebrew for “guardians”) operate — however well intentioned — with little accountability, sometimes hindering the work of the police.

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The Shomrim, who respond to calls about everything from vandalism to missing persons, domestic violence and sexual abuse, are highly respected in their communities. While they don’t have the power to make arrests, they tend to be trusted more than police in these tight-knit communities, as they have a reputation for responding quickly to calls and taking care of their own.

They have also been criticized at times for overzealousness bordering on vigilantism.

NYPD Commissioner Ray Kelly publicly praised the Shomrim for mobilizing the community in a massive search effort for the boy and his killer. But some close to the case question the public version of events in this case, and what they see as problematic practices engaged in by the Shomrim, often with the approval or outright cooperation of the NYPD top brass.

An NYPD official with experience in the Orthodox community told The Jewish Week it was “unconscionable” for the Brooklyn South Shomrim (which covers Borough Park) to have not called the police immediately upon learning of young Leiby going missing.

Asserting that the Shomrim members tend to “play cops” and take matters into their own hands, he called on the community to “ask the questions that need to be asked and answered” about how these groups operate.

“Who are they accountable to?” the official asked, adding that “we will never know” if the Shomrim, who keep their own files on neighborhood figures suspected of foul play, had prior information on the alleged killer. (Those files are not shared with the police.)

**Time Lag**

According to published accounts, Leiby was first reported missing to the Brooklyn South Shomrim by his mother. Statements made by Kelly note that there was “about a two or two and a half hour gap between the notification to Shomrim and the notification to the Police Department.”

While early accounts had Shomrim calling the report in to the police, NYPD spokesman Paul Browne told The Jewish Week that that the first 911 call was in fact made by the boy’s father at approximately 8:30 p.m., more than two hours after the mother’s call to Shomrim.

Calls by The Jewish Week to Yakov Daskal, founder and coordinator of the Brooklyn South Shomrim, were not returned. But in an interview with The Wall Street Journal he seemed to brush off the apparent discrepancy, saying that "it wouldn't have mattered [had the Shomrim reported to the police sooner] ... And the police wouldn't have come right away."

While Commissioner Kelly also stated publicly that the time lag would not have made a difference in this case, he did acknowledge to The Wall Street Journal that the Shomrim often do not
immediately notify police when they get reports and that this has been a “longstanding” issue for the department.

Both Daskal and Kelly’s remarks have angered some in the NYPD, who insist that police do in fact respond immediately to calls about missing children, and believe that the failure of Shomrim to report suspected crimes to law enforcement immediately (and, in some cases, at all) is a serious problem.

They believe that Kelly is downplaying his criticism of the Shomrim for political reasons, since the NYPD top brass and city officials value their relationship with the Shomrim groups.

“The first three hours of an investigation are key,” said a source within the NYPD. “And while Kelly said he would prefer [that the police] hear about [these situations] right away, it is outrageous to say it probably didn’t make a difference in this case,” especially in light of the fact that the authorities have been vague about the timeline of the murder.

Each of the Brooklyn-area Shomrim groups – in Crown Heights, Flatbush, Williamsburg and Borough Park – has its own personality and protocol, and there is an element of rivalry as well as cooperation among them.

Chaim Deutsch, the founder of the Flatbush Shomrim organization, insists that it is standard protocol within his group to call the police immediately when his volunteers receive a call about a “special category missing,” the term used to refer to a missing child or elderly or mentally ill person.

In such a situation, he told The Jewish Week, the “first thing is, [call] 911.”

**Was Aron Known?**

Among the questions that emerged this week was whether Levi Aron, the confessed killer, had previously been reported to either the Shomrim or the police.

At a press conference held by Commissioner Kelly, a reporter from the Orthodox publication, Hamodia, indicated that he had information that several 911 calls were made about Aron before this case, but Kelly said he had no knowledge of those calls.

Further, The Daily, a publication for Apple iPad tablet users published by News Corporation, has reported that the Shomrim were warned about Aron within the past several weeks, when he allegedly stalked an 11 year-old boy. However, Daskal of the Brooklyn South Shomrim denied these claims, both in The Daily and again on a radio show Saturday night.

A law enforcement source with knowledge of the case told The Jewish Week that there is “reason to believe,” based on the video footage of Aron and Leiby last Monday, that this was not, as the NYPD has publicly claimed, an abduction by a stranger, and that the two may have been acquainted prior to the tragic encounter.

Some sources within both the community and the NYPD believe the police and Shomrim are not disclosing the possibility that Aron’s violent tendencies and interest in boys were known to people in the community who should have, but failed, to report him.

Strictly Orthodox communities have a long history of not reporting crimes—and in particular, sexual crimes against children—to the secular authorities, preferring to police their own. Daskal acknowledged that his organization maintains a list of suspected molesters whom they do not report to the police because, as he told The Daily News, “the rabbis don’t let you. It’s not right.”

The issue is one of mesirah, a prohibition against informing on a Jew, which was prevalent in anti-Semitic European countries in earlier times.

The so-called list is actually a binder, which contains “mug shots” taken by Shomrim of suspected molesters and contains other information about the alleged perpetrators, including the make, model and license plate numbers of their cars, The Jewish Week has learned.

Daskal’s revelation that his group maintains such a list, though hardly news to many in the community, comes on the heels of statements made at a recent conference on Jewish law by representatives of the Orthodox umbrella organization Agudath Israel that those wishing to report child sexual abuse to the authorities must first consult with rabbis.

This opinion was reiterated last Tuesday night in Flatbush—at the same time the search for Leiby was underway—by Rabbi Shmuel Kaminetsky, the vice president of the Agudah’s Council of Rabbinic Sages. In an audio recording posted on the blog FailedMessiah.com, Rabbi Kaminetsky instructed attendees to bring allegations of child abuse to the authorities only after a “consultation with a rav [rabbi].”

While there are respected decisors of Jewish law who say the police should be called, it would appear their rulings generally are not being followed in Borough Park, where this attitude has apparently stymied police on numerous occasions.

An NYPD source knowledgeable about these issues said he feels the Shomrim only consult rabbis who “give them carte blanche” permission to do what they deem necessary to protect the reputation of the community.

Recounting two separate child abduction cases in recent years to which his organization was privy, Ben Hirsch, president and founder of the advocacy group Survivors for Justice, told The Jewish Week that “Borough Park Shomrim aggressively obstructed the investigations by intimidating members of the victims’ families who wished to assist the NYPD in the investigation.”

In each case, the girls were returned within hours, but the perpetrators were not caught and the cases remain unsolved.

Luzer Twersky is an actor, writer and film consultant who grew up in a chasidic family in Borough Park and was abused many years ago. He told The Jewish Week that “the person who caught my abuser red-handed 15 years ago was a Shomrim member, and he is still a Shomrim member. Yet the [abuser] was allowed to teach for 15 more years at various schools, until one parent took the courage to call the police.”

He said the police have a number of reasons “to cover for the Shomrim,” including not wanting to be labeled anti-Semitic. In addition, “the police need to keep the peace and the Shomrim feel the need to show that ‘we Jews can take care of ourselves.’ The police would rather have it that way than start a war.”

When asked for comment about whether or not his office would try to obtain the Brooklyn South Shomrim list of suspected molesters, a spokesman for the Brooklyn DA told The Jewish Week that “the DA encourages anyone with knowledge or suspicion of a crime to report that information to law enforcement authorities.”

The NYPD did not respond to a request for comment about the list.