

ISRAELITE BETH DIN

In the Matter of

Multiple Accuser(s)

vs.

Rabbi Baruch Yehudah

The matter regarding multiple accusers vs. Rabbi Baruch Yehudah is a complex and intricate case that has had and will have a profound impact on the Israelite community on an international level and on sections of the Black Jewish community on a comparable level for many years to come. Accordingly, the Israelite Beth Din has taken a meticulous approach to implement on all applicable aspects of Torah, the protocols of the Israelite Beth Din, also hereafter referred to as the IBD, and a practical application of moral code and conduct.

The judicial system indicated in Torah provides an outlet for all parties to reconcile matters, both small and great. The result of upholding this obligation will be to assist with eliminating evil from the midst of the people, building community confidence in the judicial system that matters will be resolved both fairly and equitably, while prayerfully allowing THE CREATOR to be in our midst. When the judicial system fails, we fail, and anarchy begins to reign.

While we understand that the *Final Determination* contained herein may be difficult for many to bear, we pray that the communities understand the need to effectuate Torah and execute righteous judgment without respecting persons.

We fully recognize the sensitive nature of this matter and the families, lives and relationships that may be impacted by this *Final Determination*. However, we also recognize the requirement that was placed upon the IBD to seek out full justice before THE CREATOR of all, based on the matter that was presented. Some of those requirements include, but are not limited to:

- ❖ Deuteronomy 1:17 – *You shall not respect persons in judgment; but you shall hear the small as well as the great. You shall not be afraid of the face of man for the judgment is GOD's.*
- ❖ Psalms 82:1 – *GOD stands in the congregation of GOD; HE judges among the judges.*

The IBD involvement and investigation inclusive of full diligent inquiry and subsequent final determination on this matter has taken place over the course of approximately 18 months, due to a variety of factors. The *Final Determination* is articulated below, followed by a chronology of events and supporting documentation to fully address the involvement of all parties, which resulted in full complement of this determination.

The *Final Determination* will be placed in the forefront of this document, and all supplemental facts will be placed later in the document and will be labeled for easy reference. The summary of the facts and other supplemental information may be necessary to provide context regarding the next steps being taken.

FINAL DETERMINATION(S)

Due to the serious nature of the allegations against Rabbi Yehudah and his refusal to face his accusers in a trial setting, the Israelite Beth Din makes the following determinations:

1. Rabbi Baruch Yehudah, also referred to in this document as the Respondent, is hereby banned from all activities, spiritual, social or otherwise, in the Israelite community for not less than ten (10) years, due to his refusal to face the charges within a trial setting. As a condition of his return, the Respondent shall be required to face the accusations, and any other allegations of a similar nature, in a trial setting. Additionally, as a requirement for the Respondent to be allowed back into the community, he must agree to stand trial for these allegations and be found not guilty of the most severe charge. If he faces his accusers and is found guilty, the judges at that time will finalize the appropriate determination.

Due to the serious nature of the charges and the defendant's failure to comply, it is expected that these determinations will be adopted by any and all congregations, communities, families and individuals.

The reasons for the determinations are as follows, but not limited to:

- A. One of the crimes alleged against the Respondent is a capital crime in accordance with Torah – (homosexual molestation of a minor).
 - B. This determination mirrors a precedent set for another individual, who was accused of a capital crime and chose not to face the charges made by their accuser.
 - C. The Respondent was offered multiple opportunities to have his documents accepted so that he could go to trial. He failed to provide the necessary documents, even though he advised on multiple occasions that he would do so.
 - D. The Respondent refused to face his accusers in a similar Beth Din format wherein he himself has participated in the adjudication of matters involving others.
 - E. The Respondent has failed to accept his moral responsibility to address the matter publicly and acknowledge the items to which he has admitted.
2. The IBD is hereby removing themselves from under the jurisdiction of the International Israelite Board of Rabbis, hereinafter referred to as the IBOR. This decision is not entered into lightly. However, the IBD finds it necessary to do so for the following reasons, but not limited to:
 - A. From the time that the *Summary of Findings* was released, the IBOR has shown that they are unable and / or unwilling to remain impartial regarding matters of judicial importance and the high sensitivity related to this matter where the accused is one of their own members.
 - At no time during the meeting¹ did the subcommittee, established by the IBOR, ask to hear the accusations of the accuser(s).
 - At no time during the meeting¹ did the subcommittee⁷ ask to hear the items that Rabbi Yehudah admitted to, even though they were informed that there were recorded discussions.
 - During the second meeting⁵ with Chief Rabbi Funnye, hereafter referred to as the Chief Rabbi, he indicated he wanted to hear the accusers' statements. A few days later he advised "*I am done with the matter*⁴."

¹ Recorded meeting took place on 4.30.2023 between the IBOR subcommittee and the IBD. Recording is under seal.

⁴ Electronic communication is available for verification.

⁵ Recorded meeting took place on 8/30/2023 between the Chief Rabbi of the IBOR and the IBD. Recording is under seal.

⁷ Chief Rabbi Memorandum dated 3.10.2023

- B. The IBOR has shown themselves to be partial to the Respondent above their responsibility to execute a fair and equitable judicial process.
- C. The IBOR has shown, at the highest levels of their leadership, an unwillingness to address this sensitive matter in accordance with equity and fairness, even though the IBD provided them “*a thorough report where all legal procedures were followed,*”⁴ according to their Chief Rabbi.
 - ❖ Multiple scriptures speak to having two witnesses to establish a matter. Even though there were multiple witnesses in this case, the IBOR chose not to even hear the accounts of the witnesses.
 - ❖ The IBOR chose to disregard the “*thorough report*” issued by the IBD.
 - ❖ Both the subcommittee and the Chief Rabbi were informed that another witness statement was taken, alleging similar allegations against the Respondent, yet this was not enough impetus for the IBOR to even hear the information.
- D. The lack of cooperation and collaboration between the IBOR established subcommittee and the Chief Rabbi led to the dissemination of a Memorandum⁸ to the leaders of numerous Israelite communities, which was full of inaccurate information and unfounded accusations.
 - ❖ **It is important to note that the Memorandum⁸ released by the Chief Rabbi demonstrated no concern or empathy for the accusers nor the trauma they experienced.**
- E. The Chief Rabbi of the IBOR rejected the contents of the report that he himself acknowledged as “*a thorough report where all legal procedures were followed,*”⁴ to unjustly exonerate an individual who chose not to face his accusers in a trial setting.
- F. The Chief Rabbi of the IBOR refused to rescind the Memorandum⁸, inclusive of the exoneration, even though he acknowledged^{2,4,5} that he failed to perform his due diligence in the matter.
- G. Approximately one week after the IBOR received the *Summary of Findings* issued on 3.3.2023, they requested that the document be removed until such a time as their subcommittee was able to “*hear both sides and make a determination*”^{4,7} the matter. Yet the Chief Rabbi did not hear both sides before he made his determination. Furthermore, after the Chief Rabbi acknowledged that he failed to perform his due diligence before he released his own Memorandum⁸, he refused to honor the request of the IBD to rescind the inaccurate Memorandum⁸, even after a meeting² was convened to clearly demonstrate the inaccuracies contained therein.

These failures to apply basic but essential aspects of Torah and the judicial process, led to the release of a Memorandum⁸ which unjustly exonerates an individual who made a conscious choice not to participate in a formal trial setting that would have brought resolution to this high profile and sensitive matter.

Furthermore, the IBOR chose not to ensure that their member participate in a judicial process to bring resolution to the accusations of immoral conduct brought against him.

Note: In 2019 the New York legislature passed the Child Victims Act, S2440 – a law drafted and enacted “*to hold abusers accountable for the sexual abuse and victimization of children and minors under 18 ... By allowing the statute of limitations to begin running when a child turns 23 years of age in a criminal proceeding and the filing of civil action before a toddler, pre-teen or teenage victim turns 55 years old.*” This statute covers conduct alleged against the Respondent.

² Recorded meeting took place on 8.1.2023 between the Chief Rabbi of the IBOR and the IBD. Recording is under seal.

⁴ Electronic communication is available for verification.

⁵ Recorded meeting took place on 8/30/2023 between the Chief Rabbi of the IBOR and the IBD. Recording is under seal.

⁷ Chief Rabbi Memorandum dated 3.10.2023

⁸ Chief Rabbi Memorandum emailed 7.18.2023

Instead of reporting the allegations to the authorities, the accuser(s) chose to bring their case to the IBD. The IBD performed a complete and thorough investigation and released the *Summary of Findings* to the Israelite community. Upon receipt of that report, the IBOR had the responsibility to ensure that the Respondent complied with the recommendations contained therein. Furthermore, the IBOR had the responsibility to ensure that the Respondent faced the accusations raised. However, the IBOR did neither. Instead, they released a Memorandum⁸ full of inaccurate information.

Therefore, the IBD must take the necessary steps to ensure that the members of our communities receive complete transparency related to the matter regarding the Accuser(s) vs. Rabbi Baruch Yehudah.

To provide a full accounting to the international Israelite community, it is necessary to fully address the Memorandum⁸ released by the Chief Rabbi to the leadership of some communities. A summary of responses to the Memorandum⁸ is provided below. This summary mirrors the information presented to the Chief Rabbi during the 8.1.2023 meeting.

It is important to note that the IBD retains recordings of the meetings referenced throughout this document, except for the initial meeting with the accusers, which was not arranged by IBD officials. The IBD also maintains electronic records of all statements referenced throughout. At present, these recordings and electronic communications remain under seal. However, the IBD may unseal the communications as it deems necessary to verify the information contained in this document.

THIS ENDS THE FINAL DETERMINATION IN THE ABOVE-MENTIONED MATTER

RESOURCES

<https://malesurvivor.org/>

<https://www.nsvrc.org/>

<https://www.rainn.org/>

<https://www.cvtcnyc.org/>

<https://menhealing.org/resources-for-survivors/>

<https://malesurvivor.org/healing-resources/>

<https://www.nsvrc.org/working-male-survivors-sexual-violence>

<https://enoughabuse.org/get-help/survivor-support/>

https://www.childwelfare.gov/organizations/?CWIGFunctionsaction=rols:main.dspList&rolType=Custom&RS_ID=67

<https://www.ujafedny.org/domestic-violence-resources>

<https://1in6.org/>

<https://www.claritytherapynyc.com/services/male-survivors-of-trauma/>