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**Sent:** Monday, 25 July 2011 3:34 PM  
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**Subject:** Re: LAIBL WOLF RE: Din Toiroh  
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For those who might be interested here is the correct view of Agudas Yisroel, not like that which has been reported.

Agudath Israel of America has received several inquiries in the wake of misleading claims that have recently been made about our stance on reporting suspected child abusers to law enforcement authorities. We take the opportunity to clarify our position.

As Torah Jews we live our lives in accordance with halacha. The question of whether and under what circumstances one is halachically permitted or required to report to the authorities suspicions of child abuse (including sexual molestation) has attracted the attention of a number of our generation's most prominent rabbinic authorities. Many of their responsa have been collected in the respected Torah journal Yeshurun, Volumes 15 and 22. As elaborated at a recent Halacha Conference sponsored by Agudath Israel of America, these responsa make clear that when certain standards have been met it is not only permitted but in fact obligatory to report suspicions of abuse or molestation. The general principles that emerge from these responsa are as follows:

1. Where there is "raglayim la'davar" (roughly, reason to believe) that a child has been abused or molested, the matter should be reported to the authorities. In such situations, considerations of "tikun ha'olam" (the halachic authority to take steps necessary to "repair the world"), as well as other halachic concepts, override all other considerations.
2. This halachic obligation to report where there is raglayim la'davar is not dependent upon any secular legal mandate to report. Thus, it is not limited to a designated class of "mandated reporters," as is the law in many states (including New York); it is binding upon anyone and everyone. In this respect, the halachic mandate to report is more stringent than secular law.
3. However, where the circumstances of the case do not rise to the threshold level of raglayim la'davar, the matter should not be reported to the authorities. In the words of Rabbi Yosef Shalom Elyashiv, perhaps the most widely respected senior halachic authority in the world today, "I see no basis to permit" reporting "where there is no raglayim la'davar, but rather only 'eizeh dimyon' (roughly, some mere conjecture); if we were to permit it, not only would that not result in 'tikun

ha'olam', it could lead to 'heres haolam' (destruction of the world)." [Yeshurun, Volume 7, page 641.]

4. Thus, the question of whether the threshold standard of raglayim la'davar has been met so as to justify (indeed, to require) reporting is critical for halachic purposes. (The secular law also typically establishes a threshold for mandated reporters; in New York, it is "reasonable cause to suspect.") The issue is obviously fact sensitive and must be determined on a case-by-case basis.

5. There may be times when an individual may feel that a report or evidence he has seen rises to the level of raglayim la'davar; and times when he may feel otherwise. Because the question of reporting has serious implications for all parties, and raises sensitive halachic issues, the individual should not rely exclusively on his own judgment to determine the presence or absence of raglayim la'davar. Rather, he should present the facts of the case to a rabbi who is expert in halacha and who also has experience in the area of abuse and molestation – someone who is fully sensitive both to the gravity of the halachic considerations and the urgent need to protect children. (In addition, as Rabbi Yehuda Silman states in one of his responsa [Yeshurun, Volume 15, page 589], "of course it is assumed that the rabbi will seek the advice of professionals in the field as may be necessary.") It is not necessary to convene a formal bais din (rabbinic tribunal) for this purpose, and the matter should be resolved as expeditiously as possible to minimize any chance of the suspect continuing his abusive conduct while the matter is being considered.