

April 10, 2023

An Open Letter to the Pulitzer Prize Board,

For over a century, the Pulitzer Prize Board has recognized and awarded elite journalism, setting the standard for excellence in the field.

We understand that a series of articles by the New York Times attacking the Orthodox and Hasidic community, and particularly Hasidic schools, may be vying for this prestigious award in the investigative journalism category.

Agudath Israel of America, a 100-year-old umbrella group representing Orthodox Jews in America, under the banner of its newly formed division, KnowUs, is sending this letter to the Pulitzer Prize Board to alert it of the offensive nature of these articles, and to document – with copious sourcing – how the articles have breached numerous standards of journalistic ethics.

We believe that awarding these articles, in any way, will be seen not only as a tacit approval and furtherance of offensive, antisemitic tropes, but would diminish the standing of the Pulitzer Prize by celebrating articles of demonstrably poor journalistic integrity.

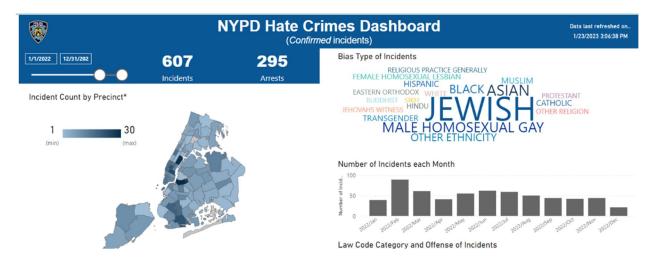
Between September 11, 2022 and March 2, 2023 the New York Times has engaged in a relentless campaign¹ of overwhelmingly negative depictions of Orthodox and Hasidic Jews, their educational institutions, and their lives.

Any constructive, legitimate issues these articles may have sought to raise were buried by misleading statistics; an unethical lack of transparency of the Times' sources; lack of balance; omission of critical context; questionable credit-taking for subsequent events; and repeated engagement in negative association fallacy.

Perhaps no body better than this august one understands that words have meaning. A free press can be an incredibly powerful force – for good or otherwise. Particularly so when these words appear, sometimes on the front page, of a prominent newspaper. The Times has misused this incredible power. And the victims of this reporting – Orthodox and Hasidic Jews in New York – are a marginalized minority already subject to a rising, frightening number of hate crimes.

Antisemitism in New York

The New York City Police Department reported 261 antisemitic hate crimes in 2022, or one incident every 34 hours.² This is up from 196 anti-Jewish incidents in NYC in 2021 and 121 crimes in 2020.³

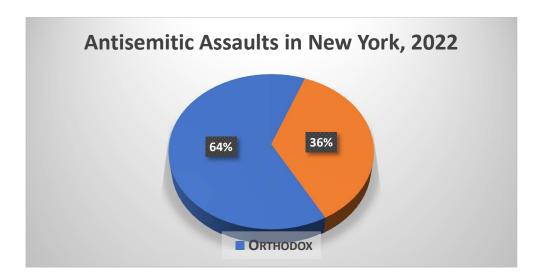


Put another way, hate crimes against Jews in 2022 comprised 43% of total hate crimes in the city, or nearly as many hate crimes as those perpetrated against Black, Asian, Muslim, LGBTQ+, Hindu, Hispanic, and every other marginalized group, **combined**.⁴ For context, it is estimated that only 14% of NYC is Jewish.⁵ ⁶

Statewide, as reported by the New York Times, antisemitic incidents are at their highest levels in decades.⁷ Nationally, the Anti-Defamation League (ADL) reports that there have been more antisemitic incidents in 2022 than in any other year since the ADL began compiling data in 1979.⁸

Orthodox Jews Bear the Brunt

According to the Audit of Antisemitic Incidents of 2022, released by the ADL in March 2023, visibly Orthodox Jews were the victims of 64% of the assault incidents in New York State.⁹



Moreover, attacks on Orthodox Jews increased 69% since 2021. 10

2023 is a dangerous time to be Jewish, especially if daring to be visibly so, in New York.

The New York Times should have considered these facts carefully before publishing poorly sourced stories and amplifying stereotypes about Jews in a series of this nature.

Full disclosure:

Agudath Israel of America is an Orthodox Jewish organization. But the concerns we raise are shared by non-Orthodox groups as well. We reproduce below the words of the ADL and the Jewish Community Relations Council (JCRC), two leading mainstream secular Jewish organizations that have expressed deep concern about the Times' recent reportage on Hasidic schools.

The Anti-Defamation League

The Anti-Defamation League (ADL) is one of the oldest and largest organizations combatting antisemitism.

On September 15th, four days after the first Times article emerged, ADL CEO Jonathan Greenblatt, standing next to Reverend Al Sharpton on the White House lawn, publicly commented regarding the New York Times coverage of Orthodox Jews. Mr. Greenblatt stated, notwithstanding that he felt that educational issues may merit examination, that the New York Times coverage of this topic was biased and framed in a manner that could increase antisemitism.¹¹

The ADL New York/New Jersey issued a statement regarding the coverage in September. On January 11th, as the articles continued in a similar vein, ADL New York/New Jersey tweeted: ¹²

In September 2022, the @NYTimes published its first investigative piece on the Orthodox community. It seemed to paint that community with a broad brush, and we issued the below statement because we were concerned about stereotyping that could lead to antisemitism...

... such stereotyping can add fuel to the fire. We ask that that the @nytimes take this into account in their investigative reporting and that the readers of these articles refrain from generalizing about these communities.

In early February, Mr. Greenblatt stated:

In an environment where antisemitism is already on the rise, in an environment where anti-Jewish hatred is already being normalized... feeding the public stereotypes, contributing to the crisis rather than elucidating it is, I think, the height of irresponsibility. The vast majority of the attacks affect Orthodox Jews.

He continued, "The clannish nature of the community, playing into the trope of Jewish power, that Jews have a malevolent agenda to manipulate things behind the scenes, were really problematic elements."

Mr. Greenblatt then shared how he met with the New York Times to discuss this. He summarized: "The Times heard, but I'm not sure that they listened."

He then concluded:

We have the right to voice our outrage at this coverage. We have an obligation to a community that is under siege to state clearly and consistently that this is not acceptable, and to demand that the paper that serves THE largest urban Jewish community in the world, endeavor to do better when addressing the issues facing that community.¹³

The Jewish Community Relations Council (JCRC) of New York

Similarly, the JCRC released a formal statement in March 2023 in reaction to the New York Times' coverage of the Hasidic Jewish community. 14

It stated, in part:

We are concerned about a pattern that has emerged in the New York Times' coverage of the Haredi community (including the Hasidic community) in recent years. Stories dealing with this community have often painted a distorted and stereotyped picture, one that lacks broader context about this highly complex community, including the positive aspects of Haredi social structure.

The cumulative effect of the New York Times' negative coverage of the Haredi community comes against the background of escalating antisemitic trends in this city and country and is likely to reinforce stereotypes of both Jews generally and the Haredi population in particular. Members of the Haredi community wear distinctive clothing that immediately sets this part of the Jewish community apart from the broader population, making it

particularly vulnerable in this moment of frightening increased antisemitism that disproportionately affects Jews who are readily identifiable as such.

We are in no way suggesting that important or critical stories go unreported.

We do believe that the New York Times has the responsibility to ensure its coverage of the Haredi community is fair-minded, accurately nuanced and contextualized, just as it should be for all communities in New York.

Antisemitic Tropes

Indeed, the articles are replete with antisemitic tropes. The articles raise and reinforce the notion that Orthodox Jews and their "bloc vote" control and manipulate politicians; that Rabbis hold some kind of menacing, iron grip on their sheep-like congregants; ¹⁵ that religious teachers are intrinsically oppressive and abusive to children; and that Hasidic Jews, generally, are inherently corrupt and intent on bilking the system. These concepts are not incidental references but recur repeatedly throughout the articles.

Thriving Communities

The Orthodox community has a long history in New York. It has produced thriving, upstanding, productive, peaceful citizens that are a jewel in the crown of diversity that makes New York so special. Its hard-working members count themselves among every profession and field. They are involved in a broad array of charitable endeavors that have contributed greatly to the social fabric of New York. Yet nowhere in the Times' lengthy articles is there any effort to balance all the negativity the articles direct against Hasidic schools with references to any of the positive aspects and results of Orthodox and Hasidic education.

Conclusion

It is not the habit of Agudath Israel of America to interlope or intervene in the deliberations of the Pulitzer Prize Board; we believe this is the first occasion Agudath Israel has done so in its one-hundred-year history. However, in light of the palpable pain in the community, present danger on the streets, and unbalanced and inaccurate reporting, we felt compelled to pen this letter.

As a Board that strives to maintain the highest standards of integrity in writing, and with a legacy of prestigious Pulitzer Prize winners, we urge you to read the Appendix to this letter and familiarize yourself with the numerous, serious infractions of journalistic ethics perpetrated throughout these stories.

Understand the environment and the facts on the ground, the daily attacks on the street that Orthodox Jews endure and experience.

And whatever you do, distance yourselves and do not affirmatively award this series.

Thank you for your kind consideration,

Avrohom Weinstock, JD Director | KnowUs

Rabbi David Zwiebel Executive Vice President | Agudath Israel of America

Endnotes

¹ **17 articles** between September 11th 2022 and March 2nd 2023.

- 9/11/22: "In Hasidic Enclaves, Failing Private Schools Flush with Public Money" Eliza Shapiro & Brian M. Rosenthal.
- 9/11/22: "N.Y. State Vote Could Raise Pressure on Officials Over Hasidic Schools" Eliza Shapiro & Brian M. Rosenthal.
- 9/12/22: "New York Lawmakers Call for More Oversight of Hasidic Schools" Eliza Shapiro, Brian M. Rosenthal & Nicholas Fandos.
- 9/13/22: "New State Rules Offer Road Map for Regulating Private Hasidic Schools" Eliza Shapiro & Brian M. Rosenthal
- 9/15/22: "A Closer Look at The Times's Report on Hasidic Schools" James Barron interviewing Brian M. Rosenthal
- 9/16/22: "It Is Long Past Time to Help New York's Hasidic Children" The Editorial Board.
- 9/23/22: "Zeldin Sees a Path to Becoming Governor. It Runs Through Brooklyn" Nicholas Fandos & Eliza Shapiro.
- 10/12/22: "<u>Hasidic School Is Breaking State Education Law, N.Y. Official Rules</u>" Eliza Shapiro & Brian M. Rosenthal
- 10/24/22: "<u>Hasidic School to Pay \$8 Million After Admitting to Widespread Fraud</u>" Eliza Shapiro & Brian M. Rosenthal
- 10/30/22: "How the Hasidic Jewish Community Became a Political Force in New York" Emma G. Fitzsimmons. Bianca Pallaro, Brian Rosenthal & Eliza Shapiro contributed
- 12/12/22: "Why Some Hasidic Children Can't Leave Failing Schools" Eliza Shapiro
- 12/29/22: "How Hasidic Schools Reaped a Windfall of Special Education Funding" Brian M. Rosenthal
- 1/11/23: "Education Firms Charged With Stealing \$2.8 Million in Child Care Funds" Brian M. Rosenthal, Eliza Shapiro and Benjamin Weiser
- 2/2/23: "Education Firms That Serve Hasidic Schools Are Barred Amid Fraud Inquiry" Eliza Shapiro & Brian M. Rosenthal
- 2/3/23: "New York Blocks Payments to 20 Firms That Serve Hasidic Schools" James Barron
- 2/20/23: "How Public Money Goes to Support a Hasidic Village's Private Schools" Jay Root
- 3/2/23: "Ban Corporal Punishment in Private Schools, New York Lawmakers Say" Brian M. Rosenthal and Eliza Shapiro

² Microsoft power Bi - app.powerbigov.us. (n.d.). Retrieved March 31, 2023, from https://app.powerbigov.us/view?r=eyJrljoiYjg1NWI3YjgtYzkzOS00Nzc0LTkwMDAtNTgzM2I2M2JmYWE1Iiwidcl6IjJiOWY1N2ViLTc4ZDEtNDZmYi1iZTgzLWEyYWZkZDdjNjA0MyJ9

³Police data shows antisemitic incidents in NYC more than doubled over last 2 years. The Times of Israel. (2023, January 10). Retrieved March 31, 2023, from https://www.timesofisrael.com/police-data-shows-antisemitic-incidents-in-nyc-more-than-doubled-over-last-2-years/

⁴ Microsoft power Bi - app.powerbigov.us. (n.d.). Retrieved March 31, 2023, from https://app.powerbigov.us/view?r=eyJrljoiYjg1NWI3YjgtYzkzOS00Nzc0LTkwMDAtNTgzM2I2M2JmYWE1Iiwidcl6|jJiOWY1N2ViLTc4ZDEtNDZmYi1iZTgzLWEyYWZkZDdjNjA0MyJ9

⁵ Heilman, U., Lapin, A., Kampeas, R., Sales, B., & Delman, A. (2017, September 26). *7 things to know about the jews of New York for Tuesday's primary*. Jewish Telegraphic Agency. Retrieved April 5, 2023, from https://www.jta.org/2016/04/18/politics/7-things-to-know-about-the-jews-of-new-york-for-tuesdays-primary

- ¹¹ Video, ADL New York / New Jersey. (2022, September 21). Full video of the remarks may be seen here: Pic.twitter.com/qm7evmnim3. Twitter. Retrieved March 30, 2023, from https://twitter.com/ADL_NYNJ/status/1572697501299507200
- ¹² ADL New York / New Jersey. (2023, January 11). 1/4 in September 2022, the @NYTimes published its first investigative piece on the Orthodox community. it seemed to paint that community with a broad brush, and we issued the below statement because we were concerned about stereotyping that could lead to antisemitism. https://t.co/rjzknhkiom. Twitter. Retrieved March 29, 2023, from https://twitter.com/ADL NYNJ/status/1613235030159167488
- ¹³ Dillon, K. (2023, February 15). New York Times played into 'age-old trope of Jewish power' in its Hasidic schools series, Adl says. Fox News. Retrieved March 29, 2023, from https://www.foxnews.com/us/new-york-times-played-age-old-trope-jewish-power-hasidic-schools-series-adl-says
- ¹⁴ JCRC of New York. (2023, March 24). JCRC-NY statement re the New York Times coverage of Haredi Community pic.twitter.com/4cgye1kaiy. Twitter. Retrieved April 3, 2023, from https://twitter.com/JCRCNY/status/1639329929060925442?ref_src=twsrc%5Etfw%7Ctwcamp%5Eembedde dtimeline%7Ctwterm%5Escreen-name%3AJCRCNY%7Ctwcon%5Es1
- ¹⁵ Barron, J. (2022, September 15). *A closer look at the Times's report on Hasidic schools*. The New York Times. Retrieved March 31, 2023, from https://www.nytimes.com/2022/09/15/nyregion/a-closer-look-at-the-times-report-on-hasidic-schools.html

⁶ These figures are even more striking when viewed in tandem with the fact that, as described below, most hate crimes are committed against **Orthodox** Jews. Considering that only about 32% of NYC Jews are Orthodox, that means that far less than 14% of the city's population stated are the victims of a staggering number of assaults and hate crimes.

⁷ Stack, L. (2022, April 26). *Antisemitic attacks in New York are at highest level in decades*. The New York Times. Retrieved March 29, 2023, from https://www.nytimes.com/2022/04/26/nyregion/antisemitic-attacks-new-york.html

⁸ ADL. (2023, March). ADL-2022-Audit-of-Antisemitic-Incidents-2021. Page 5. https://www.adl.org/sites/default/files/pdfs/2023-03/ADL-2022-Audit-of-Antisemitic-Incidents-2021.pdf

⁹ ADL. (2023, March). ADL-2022-Audit-of-Antisemitic-Incidents-2021. Page 20. https://www.adl.org/sites/default/files/pdfs/2023-03/ADL-2022-Audit-of-Antisemitic-Incidents-2021.pdf

¹⁰ ADL. (2023, March). ADL-2022-Audit-of-Antisemitic-Incidents-2021. Page 11. https://www.adl.org/sites/default/files/pdfs/2023-03/ADL-2022-Audit-of-Antisemitic-Incidents-2021.pdf



Appendix: Breaches of Journalistic Principles

I. The Highest Journalistic Principles

On its website, as its second Frequently Asked Question, the Pulitzer Board describes the following important requirement for entries:¹

What does the Pulitzer Board mean when it says that "entries must adhere to the highest journalistic principles?"

The Board is committed to honoring work that exemplifies the longstanding ethics of the journalistic profession. These include a commitment to honesty with both readers and the subjects of our work. The best journalism is transparent about its sources and methods. The rigor and completeness of sourcing is an important factor in judging the quality of submissions, whether it involves attribution in the text, footnotes or the citation of documents. These standards apply to all entrants regardless of the medium or form of the entries.

This Particular New York Times Series Does Not Uphold Pulitzer Standards

Imagine reading an article about the importance of owning a gun. The article recounts a heart-rending story about a single dad who was awoken in middle of the night by the crashing sound of a home invasion, and then prevented the violent intruders from brutally harming his two teenage daughters by firing his trusty Smith and Wesson at the attackers in a nonlethal way.

Moved, you Google the named individual in the story and learn that, in fact, the heroic home defender is *the CEO of Smith and Wesson*. This tidbit of information was entirely omitted from said story.

Now let's imagine that six other individuals appeared in the article, each paired with a traumatic story wherein guns saved their life or that of a loved one, each expressing their strong feelings about the importance of gun ownership. But upon researching these featured storytellers you find that – one by one, and undisclosed in the article –the courageous heroes are employees of the NRA, Glock, Colt, and Gun Owners of America.

Would you, as a trusting reader, not feel deceived?

This is akin to what occurred in this New York Times series.

The New York Times employs poignant anecdotes as the primary buttresses for the articles. While this letter does not deny anyone's lived experiences or opinions, transparent journalists have an obligation to reveal their sources' identity and potential conflicts of interest.

The Times repeatedly fails to respect these important standards, thereby misrepresenting its work to the reader.

A. Elana Sigall

The caption in the New York Times from the article *How Hasidic Schools Reaped a Windfall of Special Education Funding*² only describes Ms. Sigall: "As a top New York City official, Elana Sigall oversaw special education policy for children with disabilities." The text of the article adds that she is "a former top city special education official, who now visits yeshivas as a consultant."

A brief look at Ms. Sigall's public LinkedIn profile reveals that she was a NYC Chief Policy Officer, Special Education Office, for just 2 years and 10 months over her 33-year career, from 2012-2014.³

The Times was keen on describing Ms. Sigall's employment in 2012-2014, but did not reveal that, for the past several years, Ms. Sigall has been employed as the Producer of the film *An Unorthodox Education*, ⁴ which presents a highly critical perspective of Orthodox Jewish education.

Ms. Sigall is also employed as a go-to expert witness in divorce cases where one parent wishes her child to receive an education with fewer hours of religious instruction and more hours of secular instruction.⁵

She also penned an affidavit supporting Beatrice Weber in her lawsuit against her son's Orthodox Jewish school.⁶ Ms. Weber is the Executive Director of YAFFED,⁷ the primary advocacy group agitating for yeshiva and private school education to be brought in greater conformity with public school education.

For her part, Ms. Sigall describes herself as someone who "helps advise people who are *choosing* to leave the Ultra-Orthodox Jewish community and want to find new schools and educational opportunities for themselves and for their kids." ⁸ (emphasis added)

To be clear, Ms. Sigall is entitled to oppose traditional Orthodox Jewish education; to produce films documenting what she views as these schools' inadequacies; to seek employment as an expert witness against traditional yeshiva education in the context of divorce cases; and to help religious individuals leave their religion, as she also does in the Netflix series *My Unorthodox Life*. We have no doubt that Ms. Sigall is sincere in all these endeavors.

What the New York Times may not do, however, is cite Ms. Sigall solely "as a top New York City official, who oversaw special education policy for children with disabilities" without revealing the context of that (relatively brief) experience, and Ms. Sigall's extensive financial and personal conflicts of interest on this issue.

Need the trusting reader go down a Googly rabbit hole to learn all this?

B. Beatrice Weber

Beatrice Weber's name appears 38 times in the series of New York Times articles between September and December 2022. The Times pictured her four times. The Times also produced a nearly four-minute video of Ms. Weber, which feels like an advertorial, exclusively featuring Ms. Weber and her opinions.¹⁰

Ms. Weber is the executive director of Young Advocates for Fair Education (YAFFED), the organization principally behind attempts to encourage government coercion to align yeshiva education with that offered in public school.

The outsize coverage of one woman and advocacy group in reporting about a complex matter impacting hundreds of thousands seems odd. But "odd" devolves into entirely unacceptable when the Times does not identify Ms. Weber's employer and her role in this issue. "These politicians should follow the courageous example of Beatrice Weber, a mother of 10 whose children attended Hasidic schools in New York," exhorts the Editorial Board of the Times, 11 without further explanation or identification. The extended Times video simply portrays Ms. Weber as a divorced mom, with no mention of her position.

And in the article where the Times does identify Ms. Weber's position, it informs the reader only after recounting her life story and many opinions – in highly sympathetic fashion – before incidentally referencing that Ms. Weber, is employed by, nay leads, YAFFED. Ms. Weber's status as executive director of YAFFED is first identified in her 24th (of 26) appearance in the article which identifies her.¹²

C. Shlomo Noskow

"Shlomo Noskow, 42, whose children remained in Hasidic schools after he got divorced, left the community and struggled to earn a medical degree." ¹³ ¹⁴

The article fails to identify that Dr. Noskow is one of the six Board Members of YAFFED. 15

D. Chaim Fishman

"Chaim Fishman, 24, who attended Yeshiva Kehilath Yakov in Williamsburg, said that when he asked English teachers the meaning of words, they often said they did not know them." ¹⁶

The article fails to state that Mr. Fishman is one of nine Advisory Council members of YAFFED.

E. Footsteps

Footsteps describes itself as "the only organization in the United States" dedicated to assisting Orthodox Jewish individuals who choose to leave their faith.

The Footsteps mission statement:

"Footsteps supports and affirms individuals and families who have left, or are contemplating leaving, insular ultra-Orthodox Jewish communities in their quest to lead self-determined lives." ¹⁷

There is significant overlap and cross-pollination between YAFFED and Footsteps. The groups regularly sponsor, promote, and are panelists at each other's events. 18 19

From an event on March 21, 2023.²⁰



Malkie Schwartz, the founder of Footsteps, is one of six YAFFED Board members. Another YAFFED board member, Anita Altman, was responsible for the Rose Biller scholarship program, which provided financial assistance to Footsteps members, for decades.²¹

In turn, Miriam Moster, wife of YAFFED founder Naftuli Moster, is a member of the Board of Directors of Footsteps.²²

This is like interviewing Colt and NRA executives and board members in the aforementioned article against gun control without disclosing their affiliations.

Given the transparent mission of Footsteps, one would expect that when the New York Times interviewed numerous paid employees of Footsteps, it would identify them as such.

F. Julie F. Kay

"That has been a source of deep frustration for Julie F. Kay, an attorney whose legal project helps Hasidic people who leave the community fight for child custody."²³

The Times refers to Ms. Kay's work as "her legal project." In fact, Julie Kay is the Senior Legal Strategist for Footsteps,²⁴ a point the Times fails to disclose.

G. Chani Getter

"Afraid of not being granted a religious divorce, known as a get, Chani Getter signed an agreement in a Hasidic beth din in 2003 promising to keep their children in religious yeshivas." ²⁵

The Times fails to identify Mx. Getter as a listed employee of Footsteps, Scholar in Residence. ²⁶

H. Chavie Weisberger

"Chavie Weisberger was 25 and desperate to leave her unhappy marriage when she walked into a Hasidic beth din in a Borough Park living room in 2008."²⁷

The Times fails to mention that Ms. Weisberger is the Director of Community Engagement for Footsteps, and that, according to her official description, "Chavie has been a Footsteps member since 2012, and a long-time supporter of the OTD²⁸ community."²⁹

This list can go on.

II. A Distorted Sample

In addition to uncovering many interviewees with obvious, undisclosed professional and financial conflicts of interests, KnowUs found that **nearly every individual the Times profiled** in their review of Orthodox and Hasidic Jewish life, education, and divorce, was among the small percentage of Orthodox Jews who have left their faith.³⁰

We are not invalidating the opinions of those who leave Orthodox Judaism. But these voices are hardly representative of the Orthodox Jewish community at large. Featuring the opinions of the disaffected exclusively guaranteed that readers would gain a limited perspective of the Orthodox Jewish community at best, and a wildly distorted one at worst.

It almost seems as though the Times' writers simply ran through the employees, directors, and distribution lists of an advocacy group that opposes traditional Orthodox Jewish education (YAFFED), and the only group in America that assists people in leaving Orthodox Judaism (Footsteps), and somehow felt that qualifies as evenhanded research.

III. Many Roads Not Traveled

Even more puzzling is that there were many sources that a fair-minded reporter could have tapped into to better understand and represent the Orthodox Jewish community.

The New York Times created a portal after the first article was released, soliciting individuals to "Share Your Stories About Education in Orthodox and Hasidic Schools" ³¹

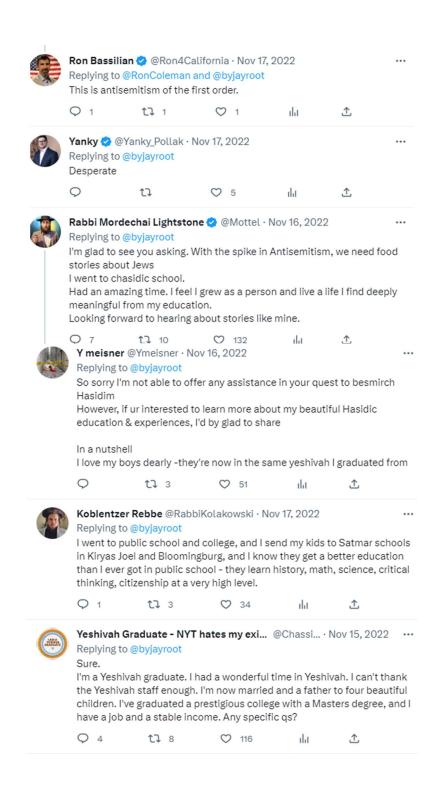
This could have been a helpful step. But Agudath Israel received numerous emails from people who were frustrated because they shared their life-stories in the NYT portal but were never featured or even contacted.³² Was this because their stories did not align with a certain narrative? Indeed, the authors clearly stated that they had been working on this story since 2019, borne of an effort to substantiate the response to YAFFED's formal complaint.³³

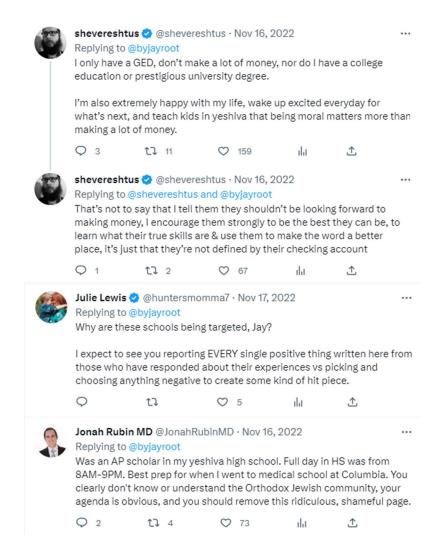
Moreover, the first, and most significant, article was published *before* the portal was even created. Subsequent articles generally repeat or expand on the angle established in the first article. In other words, the authors had labored for years crafting a certain, limited perspective. How could they backtrack when a public portal returned different viewpoints?

Indeed, the one time the Times solicited feedback from yeshiva graduates about their education on Twitter, the responses were *overwhelmingly positive*.³⁴ It is informative to review what is perhaps the only transparent and public-facing compilation of responses to the Times, yet the Times chose to bury all of these stories.

Some responses:

***	Yossi Schlussel @YossiSchlussel · Nov 16, 2022 Replying to @byjayroot My experience was great, I recieved a proper education which helps to excel in life. Thanks for asking.					ps me	
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	Hasidic American @LimanHashulem · Nov 17, 2022 Replying to @byjayroot So I got a poor Hasidic education, started a job as a assistant for a financial analyst, I learned the trade, from there I got stuck in this hedge fund firm and have nowhere to go CVS wouldn't hire me due to my poor education background.						
	Sandy Eller @sandyeller · Nov 16, 2022 Replying to @byjayroot Sent 5 kids to Rockland yeshivas where they all received excellent educations. One has a masters in nutrition, two are LMSWs, another ha a masters in accounting and the fourth has an MBA, all thanks to their yeshiva educations. So sorry that their lives don't fit your narrative.						
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A. Did the NYT Miss 350,000 Orthodox Jews?

Nestled amongst the sins of commission in the articles is a salient sin of omission. Namely, one of the most pivotal issues in every passage, or attempted passage, of Regulations by the State Education Department regarding nonpublic schools has been navigating the required public comment period. Yet the Times pays no attention to this critical factor in its many articles on the subject.

A New York State Supreme Court Justice declared the New York State Education Department's (SED) first attempt at regulating nonpublic schools "null and void" on April 17th, 2019, precisely because SED failed to publish them as Regulations and hold a public comment period. ³⁵

When SED then followed procedures and commenced a public comment period on its proposed Regulations in the summer of 2019, comments streamed in, breaking all records in New York State history. 140,000 public comments were sent to SED, the overwhelming majority of which opposed

the Regulations. Following this comment period, the Board of Regents directed staff to engage stakeholders and revise the Regulations.

When the issue reemerged in 2022 with revised proposed Regulations, 350,000 comments were submitted to SED. Per SED, "the vast majority of comments expressed philosophical opposition to State regulation of non-public schools."³⁶

In crafting a narrative about the sentiment of parents and children about Orthodox Jewish education and their desire for state-enforced change, it is **a glaring omission** not to include that hundreds of thousands of individuals wrote in to express their displeasure with state interference, twice, and few conveyed approval.

One reaches a contrary conclusion when reading only the anecdotes the Times recounts and would be utterly unaware of the history of the two public comment periods. Moreover, this point begs the question: if hundreds of thousands of Orthodox Jews wrote to SED to express their satisfaction with their children's education, and in opposition to the state changing this paradigm, could the Times not find *one* such individual to interview and include in one of their 17 stories on the topic?³⁷

IV. Falsely Claiming Credit for Real World Impacts

Another serious breach of journalistic ethics involves the Times claiming or implying that its reporting on this issue resulted in the introduction of new legislative proposals, legal outcomes, or the passage of Regulations.

A. Claiming Credit for Corporal Punishment Legislation

Shortly after the Times wrote that "New York State lawmakers have introduced several bills that would ban corporal punishment in private schools after The New York Times reported that students in some Hasidic Jewish religious schools have been regularly hit, slapped or kicked by their instructors," the Sponsor of the main bill described, Senator Julia Salazar, took to Twitter to publicly correct the record: ³⁹



To be clear: We introduced this bill because the law should *explicitly* ban corporal punishment in all schools. The use of physical or violent methods to ostensibly discipline students has happened in many schools. I haven't seen any evidence of it being a pattern in yeshivas.

🗿 Eliza Shapiro 🤣 @elizashapiro · Mar 2

New York is poised to ban corporal punishment in private schools, following a New York Times investigation on Hasidic boys schools nytimes.com/2023/03/02/nyr...

10:07 AM · Mar 2, 2023 · 192.6K Views

69 Retweets 29 Quotes 432 Likes 16 Bookmarks

This unusual step taken by a sitting New York State Senator of openly clarifying her legislative intent in this forum, and negating the intent professed by the Times, was then publicly seconded by her Co-Sponsor on the bill, Senator Andrew Gounardes.⁴⁰

B. Falsely Implying Credit for a Host of Changes

The Times has implied that its coverage has resulted in numerous changes, including: the New York State Board of Regents passage of substantial equivalency Regulations; the state commissioner of education, Betty Rosa, ruling that a Hasidic boys' school in Brooklyn did not provide a sufficient secular education; New York City officials halting financial relations with 20 companies that provide education services; and a private Hasidic school in the state agreeing to pay fines.

In an interview with the writers, it is claimed that "The series has had widespread impacts, some of them immediate." The article then proceeds to list the accomplishments above. 41

It is a matter of public record that the SED has been attempting to pass Regulations since 2018, originating from a YAFFED complaint issued in 2015. That the Regulations passed on September 12th, 2022 only as the result of an article published a day earlier, strains credibility. Did the Times deliberately choose to publish its article the day before the Regents were scheduled to vote on the new Regulations because it knew that the Regents were about to approve the Regulations, and the Times wanted to later imply that its reporting was the reason for the Regents vote?

In addition, as the Department of Justice public statement on the topic makes clear, the education entities that were barred from doing business with New York City were indicted for their alleged schemes involving government-funded childcare programs for low-income families and after-

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school programs.⁴² It is unclear how this story or indictment resulted from the Times' various articles on test scores, corporal punishment, or Jewish divorce.

The fines paid by a private Hasidic school were for issues going back to 2010, and the case had been pending for years. There is no indication that the fines were assessed because of any of the issues reported by the Times.

The only thing that can be accurately said about any of these developments is that they occurred *after* the Times coverage. Assuming a causative relationship for things which occur after something else occurs is fallacious, and in many cases, untenable, based on the timeline.

V. Presenting Misleading Data

In addition to its heavy reliance on anecdotes, sourced from parties with significant conflicts of interest, another central pillar of the New York Times series is adducing seemingly compelling data which is actually faulty or lacking context.

A. Poverty Data

A key argument is that substandard Hasidic education has resulted in joblessness and poverty.

In the Times' words:

The result, a New York Times investigation has found, is that generations of children have been systematically denied a basic education, trapping many of them in a cycle of joblessness and dependency.

Segregated by gender, the Hasidic system fails most starkly in its more than 100 schools for boys. Spread across Brooklyn and the lower Hudson Valley, the schools turn out thousands of students each year who are unprepared to navigate the outside world, helping to push poverty rates in Hasidic neighborhoods to some of the highest in New York. ⁴³

This is highly misleading.

Below are the 2022 federal poverty guidelines.⁴⁴

2022 Federal Poverty Guidelines						
Household Size	100%	130%	185%	400%		
1	\$13,590	\$17,667	\$25,142	\$54,360		
2	\$18,310	\$23,803	\$33,874	\$73,240		
3	\$23,030	\$29,939	\$42,606	\$92,120		
4	\$27,750	\$36,075	\$51,338	\$111,000		
5	\$32,470	\$42,211	\$60,070	\$129,880		
6	\$37,190	\$48,347	\$68,802	\$148,760		
7	\$41,910	\$54,483	\$77,534	\$167,640		
8	\$46,630	\$60,619	\$86,266	\$186,520		
9	\$51,350	\$66,755	\$94,998	\$205,400		
10	\$56,070	\$72,891	\$103,730	\$224,280		

Poverty guidelines are dependent on family size. Hasidic communities tend to have larger families – seven or more children in a family is not uncommon. Certain antipoverty programs are available to individuals earning below 400% of the federal poverty guidelines. Thus, a typical Hasidic family with seven children would be eligible for certain programs if their income was below \$205,400. Would anyone argue that, objectively, a family earning up to \$205,400 is poorly performing?!

There are other serious flaws with using poverty rates as a measure of financial success for an individual. Poverty rates are determined by *family* income, not individual income. In a family with many children, at least one spouse is less likely to work full time. That does not mean that the spouse that does work is earning less money.

Moreover, poverty rates do not account for the age of the earner. Hasidic families tend to skew younger, when individuals are typically at a lower earning capacity. This itself substantially biases results, as examined in detail in the Wall Street Journal.⁴⁵

B. Actual Income

Is other data available that more accurately depicts the income of Orthodox and Hasidic Jews the Times could have utilized?

Here is a snapshot from the 2021 Pew Research Study:⁴⁶

Half of Jews live in households earning at least \$100,000

% of U.S. Jews with a family income of ...

		\$30K- \$49,999	\$50K- \$99,999	\$100K- \$149,999	\$150K- \$199,999	\$200,000 or more
Orthodox	12	14	35	17	6	16
Conservative	8	11	28	15	11	27
Reform	6	10	22	19	16	26
U.S. adults	26	22	32	11	4	4
Protestant	29	21	32	11	4	3
Catholic	21	22	35	12	5	4
Unaffiliated	27	24	29	10	4	5

While these metrics do not control if both spouses are employed or for the age of the earner (flaws discussed), this study measured actual income, not income relative to family size (addressing the first flaw).

As is clear, 22% of Orthodox Jewish households earned more than \$150,000, compared to 8% of the general public, and 26% of Orthodox households earned less than \$50,000, compared to 48% of the general public.⁴⁷

To drill down to the Hasidic sector of Orthodoxy, see the below from the December 2021 Nishma Research study:^{48 49}

	M.O.	Hasidic	Yeshivish
INCOME AND SAVINGS:			
Median Household Income	\$188K	\$102K	\$164K

While Hasidic families did not earn quite as much as their Modern Orthodox and Yeshivish Orthodox Jewish brethren, Hasidic families earned a median household income of \$102,000, far better than the median U.S income of \$70,784.

In an amicus curiae brief submitted in opposition to YAFFED's (unsuccessful) lawsuit, YAFFED v. Andrew Cuomo, Betty Rosa et al, Dr. Awi Federgruen mathematically analyzed several of YAFFED's claims surrounding income and funding, now being repurposed and repeated by the New York Times.

Dr. Federgruen is the Charles E. Exley Professor and Chair of the Decision Risk and Operation Division of the Graduate School of Business of Columbia University.⁵⁰

His conclusions, from his sworn, legal Declaration were:

However, even to the extent that income distributions are used as a proxy for the adequacy of educational systems, it is absolute income levels that should be considered, rather than how these levels compare with federally specified poverty levels. The latter increase rapidly with household sizes, and, as stated repeatedly in the YAFFED report, itself, household sizes are very large in the Hasidic community...

The US Census Bureau reports on income distributions in the 59 Community Board Districts in New York City. Its source is the 2010-2014 American Community Survey 5-Year Estimates > People > Income & Earnings: income/Earnings.

What this data demonstrates is that the Williamsburg and Borough Park Districts — where the vast majority of New York City Hasidic families reside — rank in the top or second quartile of the 59 districts, respectively. More specifically, Williamsburg has the 14th largest percentage of males with an annual income in excess of \$100,000, and Borough Park has the 27th largest in this ranking.

The two districts assume very similar positions when ranking the districts by the percentage of males with an annual income in excess of \$ 50,000. The percentages are computed with respect to the total population of males, 18 years or older.

To summarize my conclusion: the income distributions in Williamsburg and Borough Park, far from signaling inadequate educational preparation, compare favorably with the majority of New York City community' board districts.

What emerges from all of this is that multiple reputable data sources demonstrate that Hasidic Jews are stalwart breadwinners with higher incomes than the general population by any evenhanded measure other than the wildly misleading metric the NYT selected.

VI. Misunderstanding or Misrepresenting Basic Educational Funding Flements

Several articles evidence a lack of understanding of how education is funded in New York.

For example, the premise of the article entitled *How Hasidic Schools Reaped a Windfall of Special Education Funding* is the assertion that, due to changes to special education reimbursement made by Mayor Bill de Blasio, as lobbied for by Orthodox Jewish groups, mainstream Orthodox Jewish schools or service companies have received a surfeit of special education funding.

To wit, the opening paragraphs of the article:

Less than a decade ago, New York City drastically changed the way it provided special education to thousands of children with disabilities.

State law requires cities to deliver those services to students in private schools, even if the government has to pay outside companies to do it. But for years, when parents asked, New York City officials resisted and called many of the requests unnecessary.

In 2014, Mayor Bill de Blasio changed course. Responding to complaints, especially from Orthodox Jewish organizations, he ordered the city to start fast-tracking approvals.

The policy has made it easier for some children with disabilities to get specialized instruction, therapy and counseling. But in Orthodox Jewish religious schools, particularly in parts of the Hasidic community, the shift has also led to a windfall of government money for services that are sometimes not needed, or even provided, an examination by The New York Times has found.⁵¹

There is just one problem with this logical leap: the change to special education reimbursement made by Mayor de Blasio in 2014 had *nothing to do with the receipt of funding in the schools the article discusses*.

In fact, as described by Mayor de Blasio⁵² and as reported by the New York Times in 2014,⁵³ ⁵⁴ the Mayor changed the process for <u>parents</u> to receive reimbursement for their child, if the child was deemed requiring placement in a dedicated special education school.

All the incidents, studies, and schools cited in the lengthy 2022 Times article relate to <u>supplemental</u> services received in a general education setting, not reimbursement to a parent for a special education school tuition.

This is not a minor error.

VII. Negative Association Fallacy and Group Blame

The Times engages in the particularly ugly tactic of negative association fallacy and group blame in several articles.

For example, when one Martin Handler was arrested for alleged fraudulent activity regarding his after-school programming for private schools in New York City, somehow all of Orthodox Jewish education was on trial throughout the Times' three articles on the topic.⁵⁵ The story became not what Martin Handler, the individual, was accused of doing, but that some of his clients were Orthodox Jewish families, which somehow careened into a discussion reiterating how poor Orthodox Jewish education is for tens of thousands.

This connection is illogical, irrelevant, and offensive. Illogical because Orthodox Jews comprise 47% of New York City's private school population, so it is unsurprising that a NYC based service provider for private school parents would include Orthodox Jews.

Irrelevant because the Times makes no allegations that Mr. Handler's' clients had anything to do with Mr. Handler's activities or were involved in any wrongdoing. Rather than sympathizing with

the Jewish families who never received the services Mr. Handler promised them, the Times, instead, victim-shames them, and somehow uses the opportunity to self-promote its previous coverage decrying Orthodox Jewish education.

But this entire line of reasoning is also terribly offensive. Even if the Times somehow found a way to tie Mr. Handler's schemes to a Hasidic Jew or a yeshiva (it didn't), would this make all yeshivas or Hasidic Jews immoral? Imputing condemnation to an entire people or system following the alleged misdeeds of one is the height of stereotyping and group blame.

No one would accept casting a wide net of culpability based on the misdeeds of individuals on an entire ethnicity, color, creed, or gender, in any other context. This practice should be equally unacceptable when perpetrated against Orthodox Jews.

VIII. Conclusion

Thank you for reading this letter to its conclusion.

Orthodox Jews worldwide were shocked, offended, and confused by the coverage found in these articles, as though looking at a funhouse mirror that bizarrely resembles you, yet is but a cartoonishly distorted facsimile.

We urge this distinguished Board to review the contents of this letter and Appendix carefully.

Endnotes

¹ 2023 Journalism Submission Guidelines, Requirements and FAQs. The Pulitzer Prizes. Retrieved March 31, 2023, from https://www.pulitzer.org/page/2023-journalism-submission-guidelines-requirements-and-faqs#:~:text=What%20does%20the%20Pulitzer%20Board,the%20subjects%20of%20our%20work.

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- 8 PJFM in conversation: Joe Kolman & Elana Sigall, director & producer of an unorthodox education: Dr. Elliot Ratzman, chair in jewish studies at Earlham College, interviews Joe Kolman and Elana Sigall, director and producer of an unorthodox education,...: By Philadelphia jewish film and media. Facebook. (n.d.). Retrieved March 29, 2023, from https://www.facebook.com/PhillyJFM/videos/pjfm-in-conversation-joe-kolman-elana-sigall-director-producer-of-an-unorthodox-/218240723655790/
- ⁹ See Episode 9 of the Netflix series My Unorthodox Life. Ms. Sigall joins Julia Haart in touring a facility which Ms. Haart wishes to purchase to provide free housing and daycare for anyone "looking to leave an environment that is very fundamentalist." Ms. Sigall adds how "One of the things we've seen in our work is that a lot of the people, even if they leave, or want something more, they want the community feeling." Ms. Haart adds that they miss Shabbos, and so they need to recreate that feeling for people who want to leave Judaism. (Kolman, J. (2023, January 19). *My unorthodox life episode 9 excerpt*. Vimeo. Retrieved March 29, 2023, from https://vimeo.com/777326207/7a68a5861c)
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² Rosenthal, B. M. (2022, December 29). *How Hasidic schools reaped a windfall of Special Education Funding*. The New York Times. Retrieved March 29, 2023, from https://www.nytimes.com/2022/12/29/nyregion/hasidic-orthodox-jewish-special-education.html

³ Elana Sigall - Educational consultant - self-employed | linkedin. (n.d.). Retrieved April 4, 2023, from https://www.linkedin.com/in/elana-sigall-972b233a

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- ¹⁴ Incidentally, that Dr. Noskow "struggled to earn a medical degree" is a less than convincing expression of educational hardship.
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- ³⁶ Proposed Addition of Part 130 of the Regulations of the Commissioner of Education Relating to Substantially Equivalent Instruction for Nonpublic School Students, September 1, 2022, page 10.
- ³⁷ This is in addition to the obvious point that nonpublic school parents typically pay anywhere from \$5,000 to \$20,000 tuition per year per child. It is also not uncommon for Orthodox Jewish families to be large. Parents may work two or three jobs to make this happen. Clearly, parents make the very tangibly difficult decision to send their children to Orthodox Jewish schools because it is critically important to them that they receive the upbringing and education that they do.
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³¹ The New York Times. (2022, September 11). Share your stories about education in Orthodox and Hasidic schools.

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- 2/2/23: "Education Firms That Serve Hasidic Schools Are Barred Amid Fraud Inquiry" Eliza Shapiro & Brian M. Rosenthal
- 2/3/23: "New York Blocks Payments to 20 Firms That Serve Hasidic Schools" James Barron

⁵⁴ Note that the photograph used by the Times on December 29, 2022 of the press conference held by Mayor de Blasio is identical to the one used in the June 24, 2014 article describing it.