

SUPREME COURT OF THE STATE OF NEW YORK  
NASSAU COUNTY

-----X  
JESSE FRIEDMAN,

*Plaintiff,*

vs.

KATHLEEN M. RICE, in her official capacity as Nassau County District Attorney and her individual capacity, JOHN BYRNE in his official capacity as information officer for the Nassau County District Attorney and individual capacity, and SHAMS TAREK in his official capacity as information officer for the Nassau County District Attorney and individual capacity,

*Defendants*  
-----X

**COMPLAINT**

Plaintiff Jesse Friedman, by and through his attorney Ronald Kuby, hereby sets forth and alleges as its complaint in this action, as follows:

1. This claim arises from acts of the defendants, and alleges multiple false and defamatory statements that were designed to, and did, harm Friedman in his reputation, enjoyment of life, quality of life, and economic interests. These acts and omissions include publishing statements that Friedman was punished while in prison for writing and distributing horrific pornography that described acts similar

to those for which Friedman was wrongfully convicted, and statements alleging that Friedman was a psychopath. These were false and defamatory statements of material fact, and Rice and her agents knew, or it is highly likely that they knew, that these statements were false. The purpose of such statements, as noted by the Hon. Justice F. Dana Winslow, J.S.C., was to portray Friedman publicly, in the midst of a highly-publicized review of his conviction, as a “bad guy.” Transcript of Hearing, Friedman v. Rice, No. 4015-2013 (Sup. Ct. Nassau Cnty. Aug. 22, 2013), Exhibit A at 24:1.

2. These actions and omissions constitute the tort of libel. Additionally, they were so outrageous in character and extreme in degree as to go beyond all possible bounds of decency, constituting intentional infliction of emotional distress. The details of said acts are set forth below.

### **The Parties**

3. Plaintiff Jesse Friedman (“Friedman”) maintains his postal address at 119 West 23<sup>rd</sup> Street, New York, New York, 10011 and is a resident of Connecticut.

4. Defendant Kathleen M. Rice (“Rice” or “the DA”) is the District Attorney of Nassau County, New York. She is a resident of Nassau County, New York.

5. Defendant John Byrne is the former information officer for the office of the Nassau County District Attorney, Kathleen Rice.

6. Defendant Shams Tarek is the current information officer for DA Rice.

### **Statement of Facts**

7. In the late 80s, in the midst of a national hysteria surrounding false allegations of mass sexual abuse of children in day care centers and schools (epitomized by the McMartin Pre-School Case), Long Island teacher Arnold Friedman and his teenage son Jesse and another teenager, were charged with hundreds of counts of violent sexual abuse of children alleged to have occurred in computer classes offered in the Friedman home.

8. Under tremendous pressure from law enforcement and the community, Friedman pled guilty.

9. In August of 2010, the United State Court of Appeals for the Second Circuit, determined that there was a “reasonably likelihood that Jesse Friedman was wrongfully convicted.” Friedman v. Rehal, 168 F.3d 142, 160 (2d Cir. 2010).

10. On November 8, 2010, in response to the Second Circuit decision, Rice commissioned a “conviction review” ostensibly to evaluate the fairness of Jesse Friedman’s 1988 conviction.

11. On June 24, 2013, Nassau County District Attorney Kathleen Rice published a report entitled “Conviction Integrity Review: People v. Jesse Friedman,” (hereinafter the “Rice Report”) which set forth her conclusions, and the material facts she “found,” upon completing the re-investigation of the 1989 conviction.

12. Rice published the Rice Report on the Nassau County District Attorney’s website together with an Executive Summary accompanied by a press release at:

<http://www.nassaucountyny.gov/agencies/DA/NewsReleases/2013/062413friedman.html>.

13. This suit is not based upon the conclusions of that report, though they are incorrect and contrary to the implied expectation of the Second Circuit. It is based upon separate, gratuitous, and knowingly false claims made within that report and subsequent to it, in promotional documents such as press releases and executive summaries, and in other direct communications with the tabloid press and other media.

The Rice Report Statements:

14. In the Executive Summary to the Rice Report, published June 24, 2013, Rice made the following materially false statements about Friedman and his prison disciplinary record:

“He also was punished for writing and distributing ‘fictional’ stories that described violent and disturbing sexual acts, including incest, bestiality, and child rape.” Page iii-iv.

15. In the main body of the Rice Report, Rice made the following materially false statements about Friedman:

“In July 2000, just a few months later, Jesse again faced disciplinary action for writing and distributing three stories depicting lurid, violent, and disturbing sexual acts, including bestiality (forcing a woman to have sex with a dog), child incest, and rape. [footnote citing an Inmate Misbehavior Report dated July 13, 2000, omitted]. All three stories are overlaid with strong overtones of sadism and control, with sexual pleasure secondary to dominance or revenge. In one story, Jesse describes an incestuous relationship between three children—two girls and one boy—that their father discovers, and then gleefully joins [footnote citing an Inmate Misbehavior Report dated July 13, 2000, omitted]. That story ends with a caveat penned by Jesse:

Note: Please DO NOT use this story as a reason to practice incest, or especially incest with minors! It could get you arrested! However, if you have any questions, comments, or suggestions about this entirely fictional story, please write to me [footnote citing an Inmate Misbehavior Report dated July 13, 2000, omitted].”

Pages 50-51.

16. These statements were entirely false and defamatory. Rice knew these statements were false, or highly likely to be false at the time she made them for, *inter alia*, the following reasons:

- a) The text of the document Rice falsely identified as having been authored by Friedman encourages readers to contact the author and provides an email address for this purpose. No inmate at Cossackie Correctional Facility, or any other New York State correctional facility, including Friedman, had

access to email. As the chief law enforcement officer of one of the nation's largest counties, Rice is well aware that prisoners in such facilities do not have internet access.

- b) The stories she alleged had been written by Friedman were printed with a high quality laser printer. Neither Friedman, nor any other inmate at Cossackie Correctional Facility, had access to a high-quality laser printer. Friedman had access to a manual typewriter only.
- c) A simple "Google search" of any distinctive phrase from the document would have instantly led to the actual source of the document, which is publicly available pornography written by and credited to others online. Despite having had nearly three years to fact-check her Report, Rice either did not perform this minimal due diligence even after other elements of the provenance of the document made it highly unlikely that Friedman could have physically authored the document, or knowingly included this damaging false claim.
- d) At the time he was in prison, (from 1989 to 2001) Friedman was not charged with "writing and distributing" these materials, and the documents in Rice's possession make no reference to Friedman "writing and distributing" these documents.

- e) While in prison, in an unrelated incident, Friedman was *charged* with possessing an entirely different piece of unapproved literature and he was found *not guilty* at a hearing on these charges.
- f) During Rice's conviction review investigation, her review team questioned Friedman, but never raised a question about this pornography or suggested that it existed or might figure prominently in their Report. Friedman had never seen this material and was unaware of its existence, let alone the defendants' contention that he had written, possessed, and distributed it. The first time he encountered this material was when he read the Rice Report. Rice could have questioned Friedman at that time, or indeed at any time because Friedman made himself available throughout Rice's review, about the document described herein at paragraph 11 she falsely accused Friedman of authoring, but declined to perform this basic act of due diligence. Moreover, Friedman's counsel repeatedly requested defendant Rice's agents to provide him with a copy of the Report *before* publication, precisely to avoid false factual statements. This request was consistently refused.

17. Rice directed her subordinates to supply the text of these materials to, at least, the *New York Times* and the *New York Post*.

18. In response to receipt of these materials, the *New York Post* published a news story under the headline: “Jailbird Perv a Smut Writer.” The story provided the most salacious details of the pornography and falsely stated that Friedman “was disciplined in July 2000 after prison guards found the stomach-churning smut in his cell.” Selim Algar, *Jailbird Perv a Smut Writer*, N.Y. Post, June 27, 2013, at N14, Ex. B.

19. That same day, at least fourteen other publications with the headline “Perv was a ‘Horny’ Jailbird Smut Writer,” published variations of the story, each linking to the *New York Post*. Ex. C.

20. At a court hearing on June 28, 2013, Friedman’s attorneys detailed the trivial steps they took to locate the actual source of this pornography online, noted the document was printed on a device to which Friedman did not have access while in prison, and provided documentation that Friedman had been found “not guilty” of possessing pornography (again, not even the same pornography included in the Rice Report).

21. Friedman’s attorneys further noted that Rice’s own documents, which showed the infraction for which Friedman was charged, omitted any mention of the incest and bestiality pornography. Transcript of Hearing, Friedman v. Rice, No. 4015-2013 (Sup. Ct. Nassau Cnty. June 28, 2013), Ex. D, at 28:8-30:5.



22. Notwithstanding this documentation and courtroom presentation, on June 28, 2013 John Byrne, the information officer for the office of the Nassau County District Attorney, published another false and defamatory statement, emailing a reporter for the Great Neck record:

Mr. Kuby provided a nearly illegible document in court today and claims that Friedman was not punished for possessing these stories. While Mr. Schwartz correctly noted that the DA's office did not have this document, even if Kuby's claims are true, Mr. Friedman's possession of these pornographic materials is well-documented in prison records.

23. In fact, prison records to which Byrne referred prove that Friedman did not possess such materials.

24. On July 3, 2013, Mr. Kuby wrote a formal letter to John Byrne, demanding a retraction. Mr. Kuby received no response to his letter.

25. On August 22, 2013, Assistant District Attorney Robert A. Schwartz confirmed in open court that Friedman had been found not guilty. Ex. A, at 23:5-8.

26. Notwithstanding that fact, the new information officer for the office of the District Attorney, Shams Tarek, then knowingly made additional false and defamatory statements to a reporter with the Great Neck Record on or about August 30, 2013, stating:

While Friedman's attorney has recently provided documentation that he was found not guilty in a disciplinary action by the Department of Corrections, Jesse Friedman signed a document in prison acknowledging that the pornographic stories depicting child rape,

incest, and bestiality, which were confiscated from him, would not be returned.

27. In fact, Friedman never possessed any such material, and never acknowledged or admitted that any stories “depicting child rape, incest and bestiality” were confiscated from him, nor that he ever possessed such materials.

28. He denied possession of such materials and was found not guilty of possessing them.

The Pogge Statements:

29. Rice also published and quoted from the work of a psychologist, David Pogge, regarding Friedman’s personality.

30. The Rice Report inaccurately described in the Report as a “prominent psychiatrist” though he was actually a novice psychologist just two years out of school at the time.

31. Pogge met with Jesse in 1988 at the request of lawyer, Peter Panaro, in the hope Pogge would become an expert for the defense.

32. With full knowledge that the information contained therein was false, Rice used dozens of quotations from Pogge to unleash a defamatory tirade designed to turn public opinion against Friedman and support the inaccurate findings in her Report.

33. In her Report and Executive Summary, she publicized the false statements of psychologist Pogge in which he referred to Friedman as a:

“psychopathic deviant,” “a psychopath,” “self-centered, manipulative, egocentric,” someone who “abused drugs,” “extremely egocentric,” “capable of breaking the law,” “narcissistic, antisocial, passive-aggressive, badly behaved,” “a very heavy drug user” and “drug dependent,” “pansexual,” someone whose “personality was consistent with someone who was capable of committing the crimes with which he was charged,” “someone who believed he was better than other people,” someone who “lies all the time, and derives gratification from fooling others,” and was, “not a good citizen.”

34. She repeated these statements, in shorter form, in the Press Release, which referred to Friedman as “a narcissist and psychopath who was capable of committing the crimes with which he was charged.”

35. Prior to Rice’s publication of said statements, on March 5, 2013, Mr. Kuby had written to Madeline Singas, Chief Assistant District Attorney for Nassau County. March 15, 2013 Letter from Ronald Kuby to Madeline Singas, Exhibit E.

36. In the letter, Mr. Kuby informed Singas that he understood that the review team had consulted Dr. David Pogge regarding the psychological evaluation Dr. Pogge had performed prior to Friedman’s trial. Mr. Kuby informed Singas that at the time Dr. Pogge saw Friedman as a defense consultant, he had a disqualifying, unethical, and undisclosed conflict of interest in that he was also part of the North Shore University Hospital “Crisis Program” assigned to work with Friedman’s alleged victims.

37. Mr. Kuby, in the same March 15, 2013 letter to Singas, informed Rice that he had retained an expert on human sexual behavior. Dr. Richard Bohn

Krueger, M.D., to evaluate Dr. Pogge's assessment of Friedman. Dr. Krueger explained that the test Dr. Pogge administered to Friedman should never have been administered to a person who maintained that he was innocent of sexual abuse charges, and that this was specifically stated in the instructions printed on the test.

38. He further stated that Dr. Pogge's report was a generic, computer-generated report based on faulty input.

39. Despite having been explicitly informed of Dr. Pogge's conflict of interest and his mishandling of Friedman's evaluation, Rice used Dr. Pogge's discredited evaluation as a pretext to defame Friedman, and to inflict emotional pain and suffering upon him.

40. Rice knew that such statements would be widely disseminated given the media interest in her three-year review process, and took all steps necessary to insure her false and defamatory statements received the widest possible dissemination. All of the statements complained of herein were widely reported in various media.

41. For example, the *New York Times*, reporting that Rice had justified Friedman's conviction, noted that "other evidence damaging to Friedman's case" included a "psychiatric evaluation damaging to Friedman's case" included a "psychiatric evaluation conducted for his defense that labeled him a 'psychopathic

deviant.’ ...” Peter Applebome, *Teenager’s 1988 Sexual-Abuse Conviction was Justified, Report Says*, N.Y. Times, June 24, 2013, pg. A21, Ex. F.

42. A *Daily News* article the same day, under the headline “Jesse Friedman is 100% Guilty of Sexually Abusing Children, Reinvestigation by the Nassau County District Attorney Concludes,” reported that Friedman was “labeled a ‘psychopathic deviant’ by his own shrink...” Dareh Gregorian, *Jesse Friedman is 100% Guilty of Sexually Abusing Children*, June 24, 2013 N.Y. Daily News, Ex. G.

43. The North Country Gazette, also on June 24, 2013, reported that Friedman’s “psychiatrist” found him to be a “narcissist” and a “psychopath” and “was capable of committing the crimes with which he was charged.” *Report Affirms 1988 Friedman Sexual Abuse Conviction*, North Country Gazette, June 24, 2013, Ex. H.

44. The false and defamatory report, executive summary, and press release remain published on the website of the Office of the District Attorney, Nassau County.

45. These acts emanated from and took place in the Nassau County District Attorney’s Office, 262 Old Country Road, Mineola, New York, 11501.

46. This claim accrued on the 24<sup>th</sup> day of June, 2013. On September 20, 2013, Friedman served Defendants with a Notice of Claim, pursuant to New York General Municipal Law sec. 50-e.

47. Plaintiff has suffered irreparable damage to his reputation and has suffered extreme emotional distress, pain and suffering, and loss of enjoyment of life as a result of Rice's tortious actions.

**First Cause of Action: Defamation**

48. Plaintiff repeats and realleges the allegations contained in paragraphs (1) through (45) as if fully set forth herein.

49. As described above, Defendants made defamatory statements publicly and disseminated them intentionally regarding Plaintiff.

50. Those statements falsely alleged that Plaintiff had engaged in the creation of pornography in a manner designed to expose Plaintiff to public contempt, ridicule, aversion, and disgrace, to induce an evil opinion of him in the mind of the public, and to deprive him of friendly intercourse in society.

51. Defendants made those statements while knowing of their falsity, or having access to such facts that they should have known of their falsity.

52. Defendants repeated those statements even after knowing they were false.

53. The statements were made without privilege or permission, and were *per se* defamatory.

54. As a result of Defendants' defamation, Plaintiff was damaged in an amount to be determined at trial.

**Second Cause of Action: Intentional Infliction of Emotional Distress**

55. Plaintiff repeats and realleges the allegations contained in paragraphs (1) through (54) as if fully set forth herein.

56. Defendants in this case did not merely conduct an illusory review of a long-past wrongful conviction, but went out of their way to create, seemingly out of whole cloth, new outlandish accusations against Plaintiff.

57. Those allegations include that he manufactured and distributed shocking pornography involving bestiality, incest, and child-rape. They stated further that Plaintiff was labeled a "deviant", "psychopath", "pansexual" and other harmful descriptors by a psychologist whom they had been informed had conducted an unethical and unreliable examination, decades ago.

58. Moreover, Defendants went out of their way to disseminate the falsities, not only in the Rice Report, but by intentionally inducing articles in national and local articles, to broadly and deeply inflict harm upon Plaintiff.

59. Such conduct is outrageous in character, extreme in degree, and goes beyond all possible bounds of decency. It is utterly intolerable in a civilized community.

60. As a result of Defendants' intentional infliction, Plaintiff was damaged in an amount to be determined at trial.

61. WHEREFORE, Plaintiff demands judgment against the Defendants as follows:

62. Awarding Plaintiff damages to be determined at trial;

63. Ordering the retraction and correction of those statements complained of;

64. Awarding Plaintiff his costs incurred in bringing this action, plus pre-judgment interest, post-judgment interest, and reasonable attorneys' fees; and

65. Granting to Plaintiff such other and further relief as the Court deems just and proper.

Dated: New York, New York  
June 19, 2014

The Law Offices of Ronald L. Kuby

By: \_\_\_\_\_

Ronald L. Kuby  
119 W. 23<sup>rd</sup> Street  
New York, New York 10011  
(212) 529-0223



# EXHIBIT A

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU : TRIAL TERM PART 3

-----X

In the Matter of JESSE FRIEDMAN,

Index No.  
4015/13

Petitioner,

-against-

KATHLEEN M. RICE, in her official Capacity  
as the NASSAU COUNTY DISTRICT ATTORNEY,

Respondent,

For a Judgment Pursuant to Article 78  
of the Civil Practice Law and Rules.

-----X

August 22, 2013  
Mineola, New York

B E F O R E : HON. F. DANA WINSLOW,

Justice.

A P P E A R A N C E S :

LAW OFFICE OF RONALD KUBY  
By: RONALD KUBY, ESQ.  
LEAH BUSBY, ESQ.  
LINDA TVRDY, ESQ.  
For Petitioner

NASSAU COUNTY DISTRICT ATTORNEY  
By: ROBERT A. SCHWARTZ, ADA  
JUDITH R. STEINBERG, ADA  
For Respondent

A L S O P R E S E N T :

GARY SCHOER, ESQ.  
For Witness Number 14

COPY

Lisa M. Porteus, RPR  
Official Court Reporter

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1 MR. SCHWARTZ: But Brady comes up in the  
 2 context of a criminal trial. It doesn't come up in the  
 3 context of a FOIL request. And that's why the courts say  
 4 your need for the records, even if you claim it's Brady  
 5 material, is irrelevant.

6 THE COURT: Thank you, sir. Because if, in  
 7 fact, you're saying there is no criminal aspect to this  
 8 matter, then there cannot be a finding of sexual offender  
 9 level 3. That is a criminal matter, as well. It is a  
 10 prohibition against the petitioner having contact, living  
 11 close to, being in the proximity of children and others,  
 12 including his own. He can't have his own.

13 Now, that being the case, it is -- and maybe we  
 14 should herald back to Tony Soprano. There is a time when  
 15 Tony Soprano and Junior and others walk around with  
 16 bracelets in their house. They were far freer than Mr.  
 17 Friedman was, because they had the house, they could make  
 18 the telephone calls, they could make a call and leave.  
 19 But they weren't free to -- they weren't free, and  
 20 neither is Mr. Friedman free, to go where he wished, when  
 21 he wished, so long as it didn't constitute a criminal  
 22 act.

23 But what we're looking at is the notice of the  
 24 petition, and the petition is requesting the records with  
 25 response to the September 19, 2012 request, all of the

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1 records, and directing respondent to provide petitioner  
2 with the entire case file of its prior investigation, and  
3 granting the release to petitioner of the records and  
4 minutes of Jesse Friedman.

5 Now, since you are there, I am most anxious to  
6 receive from you the Department of Corrections violation  
7 that was the topic for far too long, in my view, in our  
8 last hearing, in which the Court ordered a certified copy  
9 so it knew, was there a violation. And the Court  
10 believed that it -- there may not have been any  
11 overriding need other than the Court needing to see that  
12 piece of information because, Mr. Schwartz, you  
13 considered it so important, Mr. Kuby, you considered it  
14 so important, but more particularly, all of the written  
15 submissions considered it important, so important. Every  
16 single one of the submissions made, all of the affidavits  
17 in opposition, affidavits in support, memorandum or  
18 memoranda of law contain references to it.

19 Do you have that, the official records of a  
20 violation that occurred on June 28th, 2013, that the  
21 Court requested?

22 MR. SCHWARTZ: I don't have any records  
23 regarding that beyond what Mr. Kuby provided on the last  
24 court appearance.

25 THE COURT: Let me just refresh your

er 1 recollection, then. You said that Mr. Kuby wrote in, no,  
and 2 or did something -- maybe it wasn't Mr. Kuby himself, but  
3 it was somebody from his office if it wasn't Mr. Kuby.  
4 That's what I'm asking. Remember that part?

to 5 MR. SCHWARTZ: Yes, your Honor. And I did have  
ion 6 someone from my office call the Department of Corrections  
ur 7 and make inquiry. They did confirm that he was found not  
copy 8 guilty of that charge.

9 MR. KUBY: Thank you.

10 MR. SCHWARTZ: But they couldn't provide any  
hat 11 additional information regarding the circumstances.

12 THE COURT: So all of the information contained  
it 13 in the report and the advisory report, with references  
en 14 that would appear to rely on it because it used it, has  
very 15 to be questioned. Is that right?

16 MR. SCHWARTZ: Well, I stand by what I just  
17 said. He was found not guilty --

18 THE COURT: No, Mr. -- no.

19 MR. SCHWARTZ: But, your Honor --

20 THE COURT: One of the things that I know that  
21 you know, you have to answer my question. It was a  
22 perfect deflection. I congratulate you for that. But  
23 the congratulations end there.

24 That was an important part of the totality of  
25 the submissions, whether it should or should not have

1 |           been, because he's a bad guy is the best way to say it.  
2 |           He's a bad guy. Look at what he did. And the Department  
3 |           of Corrections -- let the record reflect that the  
4 |           District Attorney's Office is nodding his head, and I  
5 |           assume that it is in agreement, or at least tacit  
6 |           agreement. Fair enough, sir?

7 |                       MR. SCHWARTZ: I don't know that I was nodding  
8 |           my head intentionally, your Honor. So I can't agree to  
9 |           that statement.

10 |                      THE COURT: Do you agree that it was used in  
11 |           some fashion in making determinations in this case?

12 |                      MR. SCHWARTZ: It was included in the report,  
13 |           but I think it was actually a very small part of the  
14 |           report.

15 |                      THE COURT: Oh, how small? On a scale of one  
16 |           to ten, was it a one, two, five, six, eight? Tell me the  
17 |           number if you can.

18 |                      MR. SCHWARTZ: In the scheme of the whole 150-  
19 |           something page report, I would say it's probably a one or  
20 |           a two.

21 |                      THE COURT: One or two. I will accept the two,  
22 |           and say to you, then, under those circumstances this  
23 |           Court has the right to remove any two or three pages it  
24 |           wants until it reaches what figure? 90 percent? 95  
25 |           percent?

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We can't, we can't, function in the judicial system in this fashion. This is a country that at this point has no -- and I emphasize that -- has no feeling of credibility towards its institutions. That starts with the lowest and goes to the highest. We don't trust our institutions. You have to show, you have to prove, and that's what the country is saying. If it isn't saying it in a loud voice, it's saying it by staying out of the fray.

All right. The material that was provided -- this is a real problem, Mr. Schwartz, for the Court -- do you recall that counsel for the petitioner in 1987 and 1988 requested Brady material and the ADA said there is none, none at that time?

You asked Mr. -- and I will use his name -- Mr. Panaro to trust you, trust that there is no Brady material. At this point in time I don't believe that you're saying that there is nothing in the 17,365 pages that this Court has received in the form of documents that doesn't have some Brady material, and I'm talking about the unredacted portion, the portion that Mr. Kuby didn't see. But even in the redacted portion there is some material.

MR. SCHWARTZ: Your Honor, I think this is an important point.

LMP

# EXHIBIT B



Product	Section	FW Section	Edition	FW Edltion	PN	IssueDate
The New York Post	News		NN-01	Metro	014	06/27/2013
<b>Caption:</b>	Jesse Friedman Wrote own porno stories.					

### **Jailbird perv a smut writer**

**[Exclusive]**

By Selim Algar

"Capturing the Friedmans" star Jesse Friedman stashed a sick collection of porn stories he wrote related to underage sex, incest and bestiality during his stint in prison, The Post has learned.

The convicted child molester — who wants his sex-offender status reversed so he can enjoy having kids — was disciplined in July 2000 after prison guards found the stomach-churning smut in his cell, according to an incident report.

Along with his father, Josh, Friedman was convicted of molesting children in their Great Neck, LI, home in the 1980s.

Paroled in 2001, he has waged an exoneration campaign ever since the 2003 release of the Academy Award-nominated documentary.

In a letter to his uncle sent while in prison, Friedman admits to penning his own porn stories behind bars because he was often "horny" and needed to purge his brain.

The three stories found in Friedman's cell on July 13, 2000, revel in graphic descriptions of unspeakable perversity — including one tale that describes a fictional father's sexual encounters with his three children, ages 13 to 14.

In that tale, Josh, the father, directs sexual activity among his kids, Lisa, Lucy and Tom, for his own pleasure.

A note at the end of the story warns readers not to practice incest or have sex with minors.

"It could get you arrested!" the note states.

Another story found in Friedman's possession describes a mother who has children with her son and engages in sexual relations with their dog.

"My son Patrick wants to father another child and I have agreed to let him at the end of this year when our little girl turns 2 years old," the fictional mother states.

The final tale tells of a man who violently beats a woman after she makes fun of his manhood, and then she's forced to have sex with a dog.

Friedman's wife, Elisabeth Walsh, told the Huffington Post this week that her husband's jailhouse reading list was just mainstream smut on the level of Penthouse magazine.

In campaigning for Friedman's exoneration, the couple has pushed to have him taken off the sex-offender list, and has announced their intention to have children of their own.

Friedman, now 44 and working as a book dealer in Bridgeport, Conn., claims he gave a false confession to police to avoid a life sentence and that his accusers trumped up the raps against him.

Along with attorney Ron Kuby, Friedman blasted a report released Monday from Nassau County District Attorney Kathleen Rice released Monday that staunchly affirmed Friedman's conviction.

Friedman will appear in court tomorrow with Kuby in an attempt to access the exact statements made against him by his accusers.

The DA has refused to provide the information citing the accusers' rights to privacy as sex-abuse victims.  
[selim.algar@nypost.com](mailto:selim.algar@nypost.com)

# EXHIBIT C

+Ron Search Images Maps Play YouTube News Gmail Drive Calendar More ▾

perv was horny jailbird smut writer

Ron Kuby

**Web** Images Maps Shopping More ▾ Search tools

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**Perv was a 'horny' jailbird smut writer - Topix**

[www.topix.com/city/great-neck.../perv-was-a-horny-jailbird-smut-writer](http://www.topix.com/city/great-neck.../perv-was-a-horny-jailbird-smut-writer) ▾  
Jun 26, 2013 - "Capturing the Friedmans" star Jesse Friedman stashed a sick collection of porn stories he wrote related to underage sex, incest and bestiality ...

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**Perv was a 'horny' jailbird smut writer | AllOverNews.net**

[www.allovernews.net/news/perv-was-a-horny-jailbird-smut-writer](http://www.allovernews.net/news/perv-was-a-horny-jailbird-smut-writer) ▾  
Capturing the Friedmans" star Jesse Friedman stashed a sick collection of porn stories he wrote related to underage sex, incest and bestiality during his stint in ...

**Perv was a 'horny' jailbird smut writer | Grouperly | New...**

[www.grouperly.com/news/perv-was-a-horny-jailbird-smut-writer](http://www.grouperly.com/news/perv-was-a-horny-jailbird-smut-writer) ▾  
Capturing the Friedmans" star Jesse Friedman stashed a sick collection of porn stories he wrote related to underage sex, incest and bestiality during his stint in ...

**Perv was a 'horny' jailbird smut writer - News of New Yor...**

[us.covertimes.com/...us.../perv-was-horny-jailbird-smut-writer/762506](http://us.covertimes.com/...us.../perv-was-horny-jailbird-smut-writer/762506) ▾  
Jun 27, 2013 - Today's newspapers from . More than 0 newspapers. Today's edition from the best virtual covers stock on the internet.

**Perv was a 'horny' jailbird smut writer - Worldnews.com**

[article.wn.com/view/2013/06/.../Perv\\_was\\_a\\_horny\\_jailbird\\_smut\\_writer...](http://article.wn.com/view/2013/06/.../Perv_was_a_horny_jailbird_smut_writer...) ▾  
Jun 27, 2013 - Capturing the Friedmans" star Jesse Friedman stashed a sick collection of porn stories he wrote related to underage sex, incest and bestiality ...

**Newshour | Perv Was A 'horny' Jailbird Smut Writer**

[www.newshour24.com/US/.../Perv-Was-Horny-Jailbird-Smut-Writer.htm](http://www.newshour24.com/US/.../Perv-Was-Horny-Jailbird-Smut-Writer.htm) ▾  
Jun 27, 2013 - Capturing the Friedmans" star Jesse Friedman stashed a sick collection of porn stories he wrote related to underage sex, incest and bestiality ...

**Long Island Roundup: Perv was a 'horny' jailbird smut wr...**

[longislandroundup.blogspot.com/.../perv-was-jailbird-smut-writer.html](http://longislandroundup.blogspot.com/.../perv-was-jailbird-smut-writer.html) ▾  
Jun 27, 2013 - of unspeakable perversity. Friedman and his attorney, Ron Kuby, blasted a report released Monday by Nassau County District Attorney ...

**Nassau County Roundup: Perv was a 'horny' jailbird smu...**

[nassaucountyroundup.blogspot.com/.../perv-was-jailbird-smut-writer.ht...](http://nassaucountyroundup.blogspot.com/.../perv-was-jailbird-smut-writer.ht...) ▾  
Jun 27, 2013 - of unspeakable perversity. Friedman and his attorney, Ron Kuby, blasted a report released Monday by Nassau County District Attorney ...

**Perv was a 'horny' jailbird smut writer - Got News Wire**

[newyork.gotnews.com/news/perv-was-a-horny-jailbird-smut-writer](http://newyork.gotnews.com/news/perv-was-a-horny-jailbird-smut-writer) ▾  
Vote! Perv was a 'horny' jailbird smut writer · read more... Share |  
Published By: POST - Wednesday, 26 June. Latest News; Vote! Perv who broke into NYC jail ...

**Perv was a horny jailbird smut writer - - Perv was a horn...**

[www.best.at/news/Perv-was-a-horny-jailbird-smut-writer,936727.html](http://www.best.at/news/Perv-was-a-horny-jailbird-smut-writer,936727.html) ▾  
Jun 27, 2013 - Perv was a horny jailbird smut writer. News from Arts and Entertainment.

# EXHIBIT D

1 SUPREME COURT OF THE STATE OF NEW YORK  
2 COUNTY OF NASSAU: TRIAL TERM: PART 3

-----X

3 In the Matter of  
4 JESSE FRIEDMAN,

5 Petitioner,

INDEX NUMBER:  
4015-13

- against -

6 KATHLEEN M. RICE, in her official  
7 Capacity as the  
8 NASSAU COUNTY DISTRICT ATTORNEY,

9 Respondent.

-----X

Mineola, N.Y. 11501  
June 28, 2013  
APPLICATION

10 BEFORE:

HONORABLE F. DANA WINSLOW, JUSTICE

11 APPEARANCES:

12 LAW OFFICE OF RONALD KUBY  
13 Attorney for Petitioner  
14 BY: RONALD L. KUBY, ESQ.  
15 BY: LEAH BUSBY, ESQ.

16 NASSAU COUNTY DISTRICT ATTORNEY  
17 Attorney for Respondent  
18 BY: ROBERT A. SCHWARTZ, ADA  
19 BY: JUDITH R. STEINBERG, ADA  
20

21  
22  
23 COPY

24  
25 CHERYL D. CHESTER, CSR RPR  
Official Court Reporter

1 Mr. Kuby, sir?

2 MR. KUBY: Thank you, Judge. Well, it was a long  
3 and fascinating colloquy. I would like to go back to the  
4 question, at least the question that I heard you asking,  
5 which materials were presented to the -- I am going to call  
6 them the outsiders versus the DA's office, if I may do that.  
7 Which materials did the DA's office review that were not  
8 provided to the outsiders?

9 From what I heard Mr. Schwartz saying, I think that  
10 is absolutely correct, from what I know of the process and  
11 after the process ended. I do have access to the outsiders.  
12 I do know a bit about what happened out there. Mr. Schwartz  
13 has stated, quite honestly, that the initial determination  
14 of what the panel should see was made by the district  
15 attorney's office. So you already had this very substantial  
16 filter put in place, that whatever gets shown to the panel,  
17 we're going look at it first and make a decision as to  
18 whether or not the panel really needs to see this.

19 Mr. Schwartz said well, a lot of this is just  
20 because there are so many pieces of papers and these folks  
21 are really busy. To a certain extent that is true. What  
22 did not tell you is that the district attorney's office  
23 invoked its rights, both under the grand jury section of the  
24 CPL not to reveal the grand jury minutes, as well as their  
25 50-B rights to not reveal to the panel anything that would

1 tend to identify sex abuse victims.

2 So the same screen that they're applying to me is  
 3 the screen they applied to the outsiders. There was no  
 4 court order ever sought to show good cause as to why the  
 5 outsiders should see this material. Although I did  
 6 specifically ask that the chief assistant district attorney  
 7 go to court and get an order so you can show it to the panel  
 8 and you can show it to us. If you come in and say there's  
 9 good cause, and we agree there's good cause, I can't imagine  
 10 that any judge is going to say no, I'm not convinced of  
 11 that. I think that in most cases the court would defer to  
 12 the parties on that determination, provided that there were  
 13 proper safeguards in place for no further disclosure. The  
 14 DA's office refused to do that.

15 The DA's office uses 50-B as a shield, has  
 16 consistently been used not just against our desire to have  
 17 some information, but also in determining what they think  
 18 the outsiders should see. I don't believe the Court used  
 19 the phrase garbage in garbage out, but certainly that  
 20 principle. A determination is only as good as the evidence  
 21 on which it's made, is certainly relevant here. If you look  
 22 at the advisory committee statement, they acknowledge that  
 23 they did not review the evidence. In fact, I think until  
 24 you got it, Judge, you are the first person in 25 years who  
 25 doesn't get a pay check from them who has ever taken a look

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1 at it.

2 They're dancing around the question. But I suggest  
3 a simple way of proceeding to the Court. They take  
4 everything that was given to the review panel and they hand  
5 it over with a little index. Then they take everything that  
6 the DA's office reviewed, that is one pile. It is what the  
7 outsiders saw. The other pile is what the insiders saw.  
8 And I know that the insider pile will be substantially  
9 larger and contain substantially more information of  
10 precisely the type that will help us establish good cause.  
11 The Court can then review that body of documents that the  
12 DA's office decided they weren't going to bother the pretty  
13 little heads of their advisors with. Because while I can't  
14 know the details of what they fail to provide because, of  
15 course, it's all opaque, I do know that many, if not most,  
16 of the original police reports were not provided to the  
17 members of the outside team. So that is one way to proceed

18 Now, the DA's office made a shockingly disturbing  
19 statement to the Court that in many ways, I think,  
20 characterizes, better than I can, the flaws in this process  
21 and, frankly, some of the disingenuousness. The DA's office  
22 took the position that they were not going to include the  
23 so-called salacious material. If the Court reads the  
24 papers, even if the Court doesn't, the salacious material  
25 they are referring to were eight pages of incest and

1 bestiality and child porn that they supplied to members of  
2 the press this week in response to the press making a FOIL  
3 request. So they weren't going to offend their tender  
4 sensibilities, but as soon as the press say hey, we would  
5 like bestiality and incest porn, they handed it right over.  
6 So they're not sparing everybody's sensitivities here.  
7 They're more than willing to hand it over.

8 The real reason they didn't include this has  
9 nothing to do with the content of these documents. Because  
10 we actually got these documents last night, after the New  
11 York Post ran a huge story about Jesse Friedman writing  
12 incest and child porn in prison based on the FOIL documents  
13 they got. If the DA's office -- that was the fastest  
14 turnaround for FOIL. We haven't gotten a single piece of  
15 paper from them in two years. But the press said, please  
16 send us some bestiality and torture porn, it's online within  
17 48 hours. Amazing what they can do when they try.

18 What they did not include is the fact that they  
19 left out the word "not" in their submission. That is to  
20 say, we can now establish Jesse Friedman did not write that  
21 pornography. The reason we know that is through a fairly  
22 brief search, admittedly a somewhat unpleasant one, online.  
23 We were able to determine this pornography exists online.  
24 It is credited to a person with another biline, and has  
25 nothing to do with Jesse Friedman's authorship. Moreover,

1 if you look at the document, I don't know if you have, they  
2 wanted to spare your tender sensibilities, it was clearly  
3 written on a fairly decent word-processing device. And  
4 Jesse Friedman, in prison until 2000, had a crummy little  
5 Smith Corona. So, accordingly, he didn't write it. The  
6 DA's office could have figured it out if they cared to, as  
7 could the outsiders.

8 Jesse Friedman did not possess it. The reason we  
9 know Jesse Friedman did not possess it, is we have the  
10 actual inmate misbehavior report that charged him with  
11 possessing this material. And the disposition says "not  
12 guilty". Here is a copy for the Court. Here's a copy for  
13 the DA's office. That actually says not guilty in two  
14 different places. Admittedly, Judge, this was done, the  
15 original document was done on that triplicate thermal paper  
16 of a generation ago or two generations ago.

17 It's not that easy to assume the Court has done  
18 78's before on prisoner possessions. Jesse Friedman was  
19 charged with possession of this pornography. He was also  
20 charged with unlawful possession of inmate legal material,  
21 and offering legal assistance in exchange for money or  
22 favors. He was charged on July 13, 2000. He had a hearing  
23 commenced on July 26, 2000 and July 27, 2000, and he was  
24 found not guilty. The last page, which is the computer  
25 printout of the DOC's inmate report, indicates that

1 adjudication. It shows he was, in fact, found guilty of two  
2 charges relating to possession of another prisoner's legal  
3 material, but makes no mention of pornographic bestiality,  
4 incest pornography, because he was found not guilty of it.  
5 He didn't possess it.

6 THE COURT: Hold it. You are saying that the  
7 absence of a determination is equal to a negative  
8 determination; is that right?

9 MR. KUBY: No, although I could because I think --

10 THE COURT: I am sure you could.

11 MR. KUBY: My Latin isn't good, but I think  
12 inclusio -- by including this you exclude it.

13 THE COURT: I would suggest you stay away from  
14 Latin.

15 MR. KUBY: What I will say is, if you actually  
16 look, and admittedly it's difficult to see -- maybe the DA's  
17 office in their investigative efforts may be able to get  
18 another copy of the specific handwritten adjudication, which  
19 contains the three charges, unauthorized assistance,  
20 unauthorized possession of legal material of another  
21 prisoner, which is the third one, and literature, which is  
22 the charge referred to on 7-13.

23 There are handwritten notations from the hearing  
24 officer. Guilty of the first count, which is unauthorized  
25 assistance. Number three, guilty of giving another

1 prisoner, possessing his legal materials. As to the  
2 literature, which is referenced in the 7-13 report, it is  
3 written not guilty. In fact, the not guilty is written  
4 twice. Now, when it goes to the computer system it doesn't  
5 list all of the charges for which you were acquitted. The  
6 computer disciplinary record just illustrates what the  
7 primary document shows. This was just a complete and utter  
8 and total falsehood that served no purpose whatsoever in  
9 terms of what we are actually trying to find out here.

10 THE COURT: Why don't we then go to what we are  
11 trying to find out?

12 MR. KUBY: Moving on to what we are actually going  
13 to find out, our obligation is to show good cause as to why  
14 we should have these documents under 50-B (2)(b).

15 THE COURT: Before you begin, under Civil Rights  
16 Law 50-B, who is the victim? Who is a victim? Is a victim  
17 a person who made a statement at one time or another to law  
18 enforcement, recanted thereafter, and is willing to come  
19 forward? Is that person a victim?

20 MR. KUBY: I think in the issues of the law,  
21 although this doesn't help my position --

22 THE COURT: Go right ahead, because I have looked  
23 at various cases and I haven't seen, in the eyes of the law  
24 the question. Go ahead.

25 MR. KUBY: I think that there are two arguments.

1 One is, I am sure the DA's office will make it, unless and  
 2 until the conviction is overturned by a court of competent  
 3 jurisdiction that person remains a victim.

4 Then there is the common sense interpretation,  
 5 which is somebody who allegedly made statements when he was  
 6 eight-years-old in response to improperly, admittedly  
 7 improper techniques used by the police at that time, and has  
 8 now come forward, as did Kenneth Doe, who fully recanted as  
 9 a grown man and says you know, I have always felt bad about  
 10 this. I didn't like what happened. But let me tell you  
 11 these things never happened, they never happened.

12 THE COURT: And is that person a victim on a common  
 13 sense basis?

14 MR. KUBY: Of course not on a common sense basis.

15 THE COURT: A legal basis you think he might be?

16 MR. KUBY: I think, you know, the prosecution can  
 17 make an argument certainly, and it's not incredible or  
 18 disingenuous, that you retain your status, your legal  
 19 status, unless and until the conviction is overturned, since  
 20 it was the conviction -- why should I argue against myself?  
 21 Ask them.

22 THE COURT: Because -- hold it.

23 MR. KUBY: Yes, sir.

24 THE COURT: Thank you very much. I'll do the  
 25 questioning. Thank you.

# EXHIBIT E

**LAW OFFICE OF RONALD L. KUBY**

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119 WEST 23RD STREET, SUITE 900  
NEW YORK, NEW YORK 10011

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LEA SPIESS

STAFF  
SUSAN BAILEY  
PROCESS SERVER  
LUIS R. AYALA

Madeline Singas  
Chief Asst. District Attorney  
Nassau County District Attorney's Office  
262 Old Country Road  
Mineola, New York 11501

March 5, 2013

Re: Dr. David Pogge

Dear Chief Assistant Singas and Members of the Panel:

In reviewing my notes to insure that every possible piece of information in my possession is provided to you, I noted that during one of your interviews with Jesse, you informed us that you had provided Jesse's prison psychiatric records to Dr. David Pogge for his review and evaluation. You or Meg stated something to the effect that Dr. Pogge opined that Jesse's prison psychiatric records were consistent with Dr. Pogge's own evaluation of Jesse some 25 years ago. It appeared that you were using Dr. Pogge in some sort of consultative capacity.

I was recently amazed to learn that sometime either in December 1987 or January 1988, Dr. Pogge worked directly with Drs. Kaplan, Samit, Pelcovitz, and the other therapeutic child wranglers in providing their special brand of therapy to the "victims" of Jesse and Arnold Friedman. I attach a flyer from the "Family Crisis Program" initiated by Dr. Kaplan. (Exhibit A).

Jesse Friedman saw Dr. Pogge in October 1988, at a time when Peter Panaro was interviewing psychologists he was considering using as experts if the case were to go to trial. When Dr. Pogge agreed to meet with Jesse, which he did a couple of times, he never disclosed to Jesse Friedman or to Peter Panaro his conflict-of-interest (that he was part of the Crisis Program working with Jesse's alleged victims, and also working with Jesse's lawyer). A direct conflict like that would have absolutely precluded Dr. Pogge from seeing Jesse Friedman for any



evaluation, if professional norms were adhered to. Dr. Pogge had an absolute duty to immediately disclose this conflict and his failure to do so is but one more black page in a dark chapter.

No doubt, your investigation has uncovered this already, and you have made the appropriate disciplinary referral, so Dr. Pogge must finally answer for his transgressions. If so, of course, you obviously are not relying on Dr. Pogge in any fashion in your upcoming report. But given the opacity with which this process has been conducted, I feel that I must tell you things that you certainly know already, just to be safe.

In addition, my belated discovery of Dr. Pogge's disturbing double-dealing piqued my interest as to the quality of his work for Jesse. I engaged Dr. Richard Bohn Krueger, M.D., currently the Medical Director of the Sexual Behavior Clinic of the New York State Psychiatric Institute & Columbia University, and asked him to review the Pogge materials. Dr. Krueger's *curriculum vitae* is attached hereto as Exhibit B.

Dr. Krueger's report, attached hereto as Exhibit C, establishes that Dr. Pogge should never have used the MultiPhasic Sex Inventory to assess Jesse Friedman. The test itself states that it is not to be used with clients who deny sexual assault or misconduct allegations. (Exhibit D). In addition, Dr. Krueger asserts that these tests cannot be used to ascertain probable guilt, *vel non*, of a particular person.

Last, Dr. Krueger notes the extremely "tendentious" and "negative" image of Mr. Friedman portrayed in the Pogge report. The operative section of the report, which is a *machine-generated generic statement the program produces automatically* assuming the subject being assessed *has already confessed his guilt*, uses pejorative language such as: "This man is or has been deeply involved in the abuse of drugs..." and "edgy, irritable and hostile." In other words, the statement that begins "This man..." which seems to be a direct personal assessment of Jesse Friedman, is in fact something the computer generates automatically in response to certain input. In this case, since the input is inaccurate because Jesse was maintaining his innocence, the statement is without basis, represents no forensic assessment, and is utterly irrelevant.

Ironically, Dr. Pogge's assessment, like so many other elements of this case, is based on a supposition of guilt – here that supposition was so strong it caused him to use the wrong test, one that is not to be used with people who maintain their

innocence. It is a test which a world-renowned authority points out is widely known to be inappropriate in this circumstance.

In this way, Dr. Pogge, not unlike Detective Sgueglia, came into the case assuming Jesse Friedman was guilty, and it was a small matter for him to fit Jesse into a box that had already been tailored for his frame.

Thank you for your attention to this matter.



Ron

cc: Patrick J. Harnett  
Susan Herman  
Mark F. Pomerantz  
Barry Scheck

**EXHIBIT A**

FAMILY CRISIS PROGRAM  
 Department of Psychiatry  
 Division of Child and Adolescent Psychiatry  
 NORTH SHORE UNIVERSITY HOSPITAL  
 A Teaching Center of Cornell University Medical College  
 400 Community Drive  
 Manhasset, NY 10030

**DIRECTOR:** Sandra J. Kaplan, M.D.  
**ASSISTANT COORDINATOR:** Carol Samit, C.S.W.

**DIRECT CLIENT SERVICES:** Crisis intervention; evaluation and treatment is provided to families and to children who are victims of physical abuse, sexual abuse, neglect or witnesses of spouse abuse.

**POPULATION:** Reported cases of child physical abuse, child sexual abuse, child neglect and cases of spouse abuse. Residence in Nassau County.

**REFERRAL SOURCE:** Range of legal and social service agencies and institutions, i.e., Child Protective Services, schools, courts, Nassau County Coalition Against Domestic Violence, physicians, hospital clinics, as well as self-referral.

**EVALUATIONS:** Psychosocial assessment, psychiatric mental status examinations are available for each family member; psychological evaluation as indicated and conjoint family interaction interview are conducted by at least two members of an interdisciplinary team.

**EARLY CHILDHOOD SCREENING:** Evaluation of pre-school age children who are witness to or subject to violence.

**TREATMENT MODALITIES:** Individual supportive psychotherapy, long-term insight oriented psychotherapy, play therapy, couple therapy, group, family therapy and medication as indicated. Use of behavior modification for skill development, child management, control of violence behavior and cognitive treatment of depression.

Specialized group treatment of adolescent incest victims, mothers of incest victims, latency age group for acting-out boys, child development/parent training, and women's group.

**CLINIC HOURS:** Monday to Friday - 9:00 AM to 5:PM. Evening hours by appointment.

**FEE:** Sliding scale, Medicaid, insurance reimbursement.

**STAFF MEMBERS:** Sandra Kaplan, M.D. - Director, Child, Adolescent and Adult Psychiatrist  
 Carol Samit, C.S.W. - Assistant Coordinator  
 Gerardo Montero, M.D. - Child, Adolescent and Adult Psychiatrist  
 David Pelcovitz, Ph.D. - Clinical Psychologist  
 David Pogge, Ph.D. - Clinical Psychologist  
 Kate Fitzgerald, C.S.W. - Psychiatric Social Worker  
 Renee Krieger, C.S.W. - Psychiatric Social Worker  
 Yael Layish, C.S.W. - Psychiatric Social Worker  
 Karen Stone, Ph.D. - Clinical Psychologist

**SERVICES TO AGENCIES AND THE COMMUNITY:** Case consultation, information, referrals, speakers, presenters at local and national conferences, training, research, and school based education/prevention programs.

**EXHIBIT B**

**Date CV Prepared** February 9<sup>th</sup>, 2013

**Personal Data**

**Name** Richard Bohn Krueger, M.D.

**Office Address** Medical Director  
Sexual Behavior Clinic  
New York State Psychiatric Institute & Columbia University  
Department of Psychiatry, Unit #45  
1051 Riverside Drive  
New York, N.Y. 10032

**Private Practice** 210 East 68th Street, Suite 1-H  
New York, New York 10065-6024

**Telephone** (212) 740-7330 (New York State Psychiatric Institute)  
(212) 740-7341 (New York State Psychiatric Institute)  
(212) 517-6624 (private office)  
(212) 517-4073 (private office fax)  
(917)-750-1596 (cell phone anywhere, anytime)

**Email** rbk1@columbia.edu

**Birthdate** 7/23/45

**Academic Training**

1967 B.A. Albion College, Albion, MI

1977 M.D. Harvard Medical School, Boston, MA

**Traineeship**

1977-1978 Internship in Medicine, Boston VA Hospital, Boston, MA

1978-1980 Junior and Senior Residency, Medical,  
Boston VA Hospital, Boston, MA

1980-1983 Residency in Psychiatry, Department of Psychiatry  
Boston University, Boston, MA

**Licensure**

1977-Present	Narcotic License #AK 961-0684
2006-2008	Buprenorphine License #XK 961-0684
2006-6008	New York State Buprenorphine Authorization #000646
1989-1991; 1997-Present	New Jersey Registration #MA 53098
1989-Present	New York License Registration #177371
1995-Present	New York State Worker's Compensation #177371-2

**Board Certification**

1980	American Board of Internal Medicine, #74112
1984	American Board of Psychiatry and Neurology, Inc., in Psychiatry, Certificate #26401
1996	American Board of Psychiatry and Neurology, Inc., Added Qualifications in Forensic Psychiatry, Certificate #382, recertified through 2016
1997	American Board of Psychiatry and Neurology, Inc., Added Qualifications in Addiction Psychiatry, Certificate #1183, certified through 2017

**Professional Organizations and Societies**

1978-Present	American Medical Association
1978-Present	Massachusetts Medical Society
1981-Present	American Psychiatric Association
1981-1989	Massachusetts Psychiatric Association
1985-Present	American Academy of Psychiatry and the Law
1989-Present	New York Psychiatric Society
1991-Present	New York Academy of Science

1993-Present	Association for the Treatment of Sexual Abusers
1996-Present	American Academy of Forensic Sciences
2002-Present	Society for Behavioral Neuroendocrinology
2002-Present	International Academy of Sex Research
2003-Present	American Association for the Advancement of Science
2004-Present	International Association of Forensic Mental Health Services
2004-Present	American Psychopathological Association
2004-Present	The Society for the Advancement of Sexual Health
2006-Present	International Academy of Law and Mental Health
2006-Present	International Association for the Treatment of Sexual Offenders
2010-Present	Education Committee, American Academy of Psychiatry and the Law

#### **Academic Appointments**

1983-1989	Clinical Instructor in Psychiatry, Boston University Medical School
1985-1989	Clinical Instructor in Psychiatry, Harvard Medical School
1989-1998	Assistant Clinical Professor of Psychiatry, Columbia University, College of Physicians and Surgeons
1998-Present	Associate Clinical Professor of Psychiatry, Columbia University, College of Physicians and Surgeons

#### **Hospital Appointments**

1982-1987	Consulting Psychiatrist, Hampstead Hospital, Hampstead, NH
1983-1984	Staff Psychiatrist, Westwood Lodge Hospital, Westwood, MA
1984-1988	Staff Psychiatrist, Pembroke Hospital, Pembroke, MA
1985-1986	Assistant Psychiatrist, McLean Hospital/Bridgewater State Hospital Program, Bridgewater, MA



- 1985-1989 Consulting Psychiatrist, Massachusetts Treatment Center,  
Bridgewater State Hospital, Bridgewater, MA
- 1985-1989 Assistant Attending Psychiatrist, McLean Hospital, Belmont, MA
- 1988-1989 Attending Psychiatrist, Waltham/Weston Hospital Waltham, MA
- 1989-1998 Assistant Attending Psychiatrist, Columbia  
Presbyterian Medical Center, New York, NY
- 1990-2000 Attending Psychiatrist, Gracie Square Hospital, New York, NY
- 1990-2000 Attending Psychiatrist, Lenox Hill Hospital, New York, NY
- 1991-1994 Research Psychiatrist II, Department of Biological Psychiatry,  
New York State Psychiatric Institute, New York, NY
- 1991-1994 Member, Department of Biological Psychiatry, New  
York State Psychiatric Institute, New York, NY
- 1991-1994 Research Psychiatrist II, New York State  
Psychiatric Institute, New York, NY
- 1991-Present Attending Psychiatrist, New York State  
Psychiatric Institute, New York, NY
- 1994-1998 Clinical Psychiatrist II, Inwood Mental Health Clinic, Washington  
Heights Community Service, New York State Psychiatric Institute,  
New York, NY
- 1995-Present Medical Director, Sexual Behavior Clinic,  
New York State Psychiatric Institute, New York, NY
- 1998-Present Clinical Specialist II, Sexual Behavior Clinic, New York State  
Psychiatric Institute, New York, NY
- 1998-Present Attending Psychiatrist, New York Presbyterian Hospital, New York,  
NY

**Honors**

- 1966 *Phi Beta Kappa*
- 1966 *Omicron Delta Kappa*

- 1967-1968      Rotary International Scholarship for study at University of Stockholm, Sweden
- 1983             John Murray Prize for Research in Psychiatry, Department of Psychiatry, Boston University Boston, MA
- 2004             Distinguished Alumni Award, Albion College, Albion, MI
- 2007             Distinguished Service Award from the New York State Alliance of Sex Offender Service Providers and the New York State Chapter of the Association for the Treatment of Sexual abusers presented "in appreciation of your many years of service. We honor you for your dedication, leadership, clinical expertise and scholarly contributions to the field of sex offender management" NYSATSA/NYSASOSP May 3<sup>rd</sup>, 2007, Poughkeepsie, NY

**Fellowship and Grant Support**

- 1990-1994      Co-Investigator, NIMH, (MH35636) 09-13 Affective and cognitive consequences of ECT 1990-1995 (subject to MERIT award extension to 2000). \$1,008,144 direct costs (90-95). Principal Investigator Harold A. Sackeim
- 1992-1993      Principal Investigator, Cambridge Neuroscience (#CNS-1879-001). A placebo-controlled study of pramiracetam in depressed inpatients undergoing electroconvulsive therapy
- 1992-1993      Principal Investigator, Cambridge Neuroscience (#CNS-1879-002). A follow-up study of patients completing protocol (#CNS-1879-001) (a placebo- controlled study of pramiracetam in depressed inpatients undergoing electroconvulsive therapy)
- 1992-1994      Co-Investigator, NIMH, (MH47739) 01-05 Continuation pharmacotherapy following ECT. (NYSPI site \$759,101 direct costs all sites \$2,490,284). Principal Investigator Harold A. Sackeim.
- 1993-1994      Co-Investigator, Dana Foundation Research Program on Age-Related Memory Defects (ECT memory project). \$250,000 direct costs. Principal Investigators Eric Kandel and Lewis P. Rowland.

**Other Grants and Contracts**

- 11/2000-9/2001 Contract No 0208-2001-07 (MH) with Department of Probation of the United States District Court for the Southern District of New York; contract for the evaluation and care of federal offenders convicted of sexual crimes.
- 5/2001-9/2001 Non-competitive Purchase Order #50668A with the Department of Probation of United States District Court for the Southern District of New York for to administer penile plethysmograph and polygraph examinations.
- 10/2001-9/2002 Non-competitive Purchase Order #56640 with the Department of Probation of United States District Court for the Southern District of New York to administer Individual and Group Mental Health Counseling/Sex Offender.
- 2006-2007 Consultation Agreement with GalaxoSmithKlein regarding development of methods and scales to assess for pathological sexual behavior, pathological gambling, and other disorders of impulse.
- 2007-2008 New York State Office of Mental Health Policy Scholar Grant for 2007-2008 academic year, for project entitled "An Analysis of Treatment Response and Medication Satisfaction in a Group of Patients Treated with Gonadotropin Releasing Hormones Agonist Therapy for Hypersexual and/or Paraphilic Disorders and An Analysis of Diagnoses of a Group of Patients Arrested for Crimes Against Children over the Internet." Amount awarded: statistical, data entry, and research design support provided by the New York State Office of Mental Health.

**Departmental and University Committees**

- 1992-1995 NYSPI-Columbia University IRB Psychopharmacology I Subcommittee, member
- 1992-1995 New York State Psychiatric Institute-Columbia University Department of Psychiatry Institutional Review Board, member

**Teaching Experience and Responsibilities**

- 1977-1980 Clinical Instructor in Medicine, Tufts University School of Medicine (taught medical students, interns, and residents in medicine)
- 1977-1980 Clinical Instructor in Medicine, Boston University, School of Medicine (taught medical students, interns, and residents in medicine)

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|------------------------|---|
| 1980-1983              | Clinical Instructor in Psychiatry, Department of Psychiatry, Boston University (taught medical students and residents in psychiatry)  |
| 1983                   | Taught seminars in clinical interviewing using videotape for medical students and psychiatric residents at Boston University  |
| 1983-1984              | Taught Boston University medical students during their psychiatry rotation at Westwood Lodge Hospital   |
| 1989-1991<br>1994-2000 | Faculty, Psychiatric Medicine I and Psychiatric Medicine II, teaching Columbia first and second year medical students   |
| 1991-1993              | Supervisor PGY IV Residents in psychiatry at Columbia P&S in consultation and liaison psychiatry  |
| 1991-1994              | Supervisor and instructor, Columbia medical students and psychiatric residents in performing ECT  |
| 1991-1994              | Developed and directed a Continuing Medical Education Fellowship on Electroconvulsive Therapy offered by the Department of Psychiatry of Columbia P&S and the Department of Biological Psychiatry of New York State Psychiatric Institute |
| 1994-1997              | Clinical Supervisor, Columbia psychology interns  |
| 1994-1998              | Supervisor, Columbia PGY III medical students in their outpatient experience during their psychiatry rotation   |
| 1994-2005              | Faculty, Harlem Hospital Residency in Psychiatry, teaching PGY II residents on sexual disorders and paraphilias and their treatment   |
| 1994-present           | Evaluation supervisor, Columbia PGY III psychiatric residents   |
| 1996-present           | Faculty, Creedmoor Psychiatry Residency, teaching PGY III psychiatric residents on sexual disorders and their treatment   |
| 1999-present           | Faculty, Columbia Cornell Fellowship in Forensic Psychiatry   |

**Other Professional Activities**

- |           |   |
|-----------|---|
| 1984-1989 | Consulting Psychiatrist, Blue Cross/Blue Shield, Utilization Review Program       |
| 1984-1989 | Consulting Psychiatrist, The Neurologic Center at Forest Manor, Middleborough, MA |

- 1984-1989 Consulting Psychiatrist, Jordan Hospital, Plymouth, MA
- 1985-1989 Consulting Psychiatrist, The Boston Neurobehavioral Center, Boston, MA
- 1985-1989 Consulting Psychiatrist, The Massachusetts Treatment Center, Bridgewater, MA
- 1988-1989 Consulting Psychiatrist, McLean Health Services, Belmont, MA
- 1988-1989 Consulting Psychiatrist, Framingham Court Clinic, Framingham, MA
- 1989-1998 Consulting Psychiatrist, Sexual Behavior Clinic, New York State Psychiatric Institute, New York, NY
- 1989-1991 Attending Psychiatrist, Inpatient Psychiatric Unit, Allen Pavilion, Columbia Presbyterian Medical Center
- 1994 Guest Reviewer, *Biological Psychiatry*
- 1995-Present Member, Sexual Offenders Committee, American Academy of Psychiatry & the Law
- 1995-Present Authorized Provider, State of New York Worker's Compensation Board
- 1995-Present Expert Consultant, New York State Health Department's Office of Professional Medical Conduct (OPMC), Albany, NY
- 1996-Present Expert Consultant, New Jersey State Board of Medicine Trenton, New Jersey
- 1996-2002 Member, Board of Directors, The New York Academy of Traumatic Brain Injury, Inc.
- 1997-2001 Member, Psychopharmacology Committee, American Academy of Psychiatry & the Law
- 1997-Present Member, Board of Directors, New York State Chapter, Association for the Treatment of Sexual Abusers
- 1998-2000 Consultant, NY State Office of Mental Health/Sidney Albert Institute of the Parsons Child and Family Center Workgroup on Developing a Statewide System of Care for Child and

	<b>Adolescent Sexual Abusers</b>
1998-2001	Chairman, Psychopharmacology Committee, American Academy of Psychiatry & the Law
1999-2002	Consultant, NY State Office of Mental Health Task Force on Sex Abuse
2000	Guest Reviewer, <i>Psychiatry Research</i>
2001	Guest Reviewer, <i>Practical Psychiatry and Behavioral Health</i>
2003	Guest Reviewer, <i>Progress in Neuro-Psychopharmacology &amp; Biological Psychiatry</i>
2005	Guest Reviewer, <i>European Archives of Psychiatry and Clinical Neuroscience</i>
2005-2011	Vice-President, New York State Chapter, Association for the Treatment of Sexual Abusers
2007	Guest Reviewer, <i>Sexual Abuse</i>
2007	Guest Reviewer, <i>Journal of Nervous and Mental Disease</i>
2008-2011	Member, The Trauma and Stress Committee, American Academy of Psychiatry and the Law
2008-Present	Member, DSM-V, Sexual and Gender Identity Disorders Work Group
2008-Present	Expert Reviewer, <i>Journal of Sex Research</i>
2009-Present	Expert Reviewer, <i>Journal of Sexual Medicine</i>
2009-Present	Member, Society for Sex Therapy and Research (SSTAR)
2009	Guest Reviewer, <i>Harvard Review of Psychiatry</i>
2010	Guest Reviewer, <i>CNS Spectrums</i>
2011	Guest Reviewer, <i>Sexual Abuse</i>
2011	Guest Reviewer, <i>Neuropsychiatry</i>
2011	Guest Reviewer, <i>Sexuality &amp; Culture</i>

- 2011                      Guest Reviewer, *Journal of Abnormal Psychology*
- 2011-Present            Member, Education Committee, American Academy of Psychiatry and the Law
- 2011-Present            Member, Sexual Health and Disorders Committee of the World Health Organization; this committee is composed of international authorities and is making recommendations for revision of the sexual disorders section for ICD-11 (The International Classification of Diseases-11<sup>th</sup> Edition)
- 2012                      Guest Reviewer, *Archives of Sexual Behavior*
- 2012-2013                President Elect, New York State Association for the Treatment of Sexual Abusers
- 2013-2015                Elected by Board to position of President, New York State Association for the Treatment of Sexual Abusers
- 2013                      Guest Reviewer, *Journal of Psychiatric Research*

**Bibliography**

**PEER REVIEWED ARTICLES**

- 1984**
1. Krueger RB, Levy E, Fox B, Cathgart E, Black P: Lymphocyte subsets in patients with major depression Preliminary findings. *Advances*. 1984; 1:5-9
- 1985**
2. Levy E, Krueger RB: Depression and the immune system. *Directions in Psychiatry*. 1985; 5:1-8
- 1992**
3. Krueger RB, Sackeim HA, Gamzu ER: Pharmacological treatment of the cognitive side effects of ECT: A review. *Psychopharmacology Bulletin*. 1992; 28:409-424
- 1993**
4. Krueger RB, Fama JM, Devanand DP, Prudic JP, Sackeim HA: Does ECT permanently alter seizure threshold? *Biological Psychiatry*. 1993; 33:272-276
- 1994**
5. Malaspina D, Devanand DP, Krueger RB, Prudic J, Sackeim HA: The significance of clinical EEG abnormalities in depressed patients treated with ECT. *Convulsive Therapy*. 1994; 10:259-266

6. Prudic J, Sackelm HA, Devanand DP, Krueger RB, Settembrino JM: Acute cognitive effects of subconvulsive electrical stimulation. *Convulsive Therapy*. 1994; 10:4-24
7. Devanand DP, Krueger RB: Electroconvulsive therapy in the elderly. *Current Opinion in Psychiatry*. 1994; 7:359-364
- 1998**
8. Krueger RB, Glancy GD, Bradford JM: The Abel screen: A new instrument for assessing sexual interest. *J Am Acad Psychiatry Law*, Vol 26, No. 2, 1998; 277-280
- 2000**
9. Krueger RB, Kaplan MS: Disorders of Sexual Impulse Control in Neuropsychiatric Conditions. In T. W. McAllister, Guest Ed. *Seminars in Clinical Neuropsychiatry Pharmacological of Neuropsychiatric Syndromes*. Vol. 5, No. 4, 2000; pp. 266-274
- 2001**
10. Krueger RB, Kaplan MS: Depo-leuprolide acetate for the treatment of the paraphilias: A report of 12 cases. *Archives of Sexual Behavior*. 2001; 30:409-422
11. Krueger RB, Kaplan MS: The paraphilic and hypersexual disorders: An Overview. *Journal of Psychiatric Practice*. November 2001; 7:391-403
- 2002**
12. Krueger RB, Kaplan MS: Behavioral and psychopharmacological treatment of the paraphilic and hypersexual disorders. *Journal of Psychiatric Practice*. January 2002; 8:21-32
13. Krueger RB, Kaplan MS: Treatment resources for the paraphilic and hypersexual disorders. *Journal of Psychiatric Practice*. January 2002; 8:59-60
14. Krueger RB, Kaplan MS: A favorable view of the DSM-IV diagnosis of pedophilia and empathy for the pedophile. *Archives of Sexual Behavior*. December 2002; 31:486-488
- 2003**
15. Krueger RB: A Positive View of Spitzer's Research and an Argument for Further Research. *Archives of Sexual Behavior*. October 2003; 32:443-444
- 2006**
16. Shajnfeld A, Krueger RB: Integrating Law and Psychiatric Practice: Reforming Non-Punitive Responses to Sexual Offending. *Developments in Mental Health Law* July 2006; 25: 81-99.



**2009**

17. Krueger RB, Kaplan, M, First, M: Sexual and other axis I diagnoses of 60 males arrested for crimes against children involving the Internet, *CNS Spectrums*, Volume 14, No. 11, 2009; 623-631.

**2010**

18. Krueger RB: The DSM Diagnostic Criteria for Sexual Sadism: *Archives of Sexual Behavior*, Volume 39, No. 2, 2010, 325-345.
19. Krueger RB: The DSM Diagnostic Criteria for Sexual Masochism: *Archives of Sexual Behavior*, Volume 39, No. 2, 2010; 346-356.
20. Kaplan MS, Krueger RB: Diagnosis, Assessment, and Treatment of Hypersexuality: *Annual Review of Sex Research, Journal of Sex Research*, Vol 47, Issue 2-3; 2010; 181-198.
21. Krueger RB: DSM-V Options: Sexual Sadism, Sexual Masochism, and Paraphilic Coercive Disorder: *Forum for the Association for the Treatment of Sexual Abusers*, Vol XXII, Issue 1, 2010, 1-8.

**2011**

22. Krueger, RB, Kaplan, MS: Paraphilic Diagnoses in DSM-5: *The Israeli Journal of Psychiatry*; in press.
23. Kaplan, MS, Krueger, RB: Cognitive-Behavioral treatment of the Paraphilias: *The Israeli Journal of Psychiatry*; in press.
24. Krueger, RB: Critical Appraisals of the Proposed DSM-5 Paraphilia Diagnoses: *The Journal of the American Academy of Psychiatry and the Law*; Vol 39, 2011; 237.

**CASE REPORTS**

**2006**

1. Krueger RB, Hembree W, Hill M (2006). Prescription of Medroxyprogesterone Acetate to A Patient with Pedophilia, Resulting in Cushing's syndrome and Adrenal Insufficiency. *Sexual Abuse: A Journal of Research & Treatment*; 18:227-228.
2. Krueger RB, Kaplan MS (2006). "I Want to Try It. What Else Can I Do?" Chemical Castration as a Treatment for Pedophilia. R Spitzer, J. Williams, M. First (Eds). *DSM-IV-TR Casebook, Volume 2*. American Psychiatric Association Press. Washington DC. 309-334. (translated into Hungarian, APA Press, 2007.

**CHAPTERS AND BOOKS**

**1985**

1. Levy EM, Krueger RB. (1985) Depression and the immune system. In Flach, F. (Ed.) Directions in Psychiatry. Hatherleigh Company, Ltd., New York, pp. 1-8

**1988**

2. Levy EM, Krueger RB. (1988) Depression and the Immune System. In F. Flach (Ed.) Affective Disorders. Norton Publishers, New York, pp. 186-198

**1995**

3. Krueger RB, Sackeim HA. (1995) ECT and Schizophrenia. In S. Hirsch and D. Weinberger (Eds.). Schizophrenia. Blackwell Scientific Publications Ltd., Oxford, pp. 503-545

**1996**

4. Levy E, Chancellor-Freeland C, Krueger RB. (1996) Depression and the Immune System: The Hatherleigh Guide to Managing Depression. Hatherleigh Press, New York, pp. 15-32

**1997**

5. Krueger RB, Kaplan MS. (1997) Frotteurism Assessment and treatment. In D. R. Laws and W. O'Donohue (Eds.). Sexual Deviance: Theory, Assessment, and Treatment. Guilford Press, New York, pp. 131-151
6. Kaplan M, Krueger RB. (1997) Voyeurism: Psychopathology and Theory. In D. R. Laws and W. O'Donohue (Eds.). Sexual Deviance: Theory, Assessment, and Treatment. Guilford Press. New York, pp. 297-310

**2000**

7. Krueger RB, Kaplan MS. (2000) The non-violent serial offender: Exhibitionism, frotteurism, and telephone scatologia. In L.B. Schlesinger (Ed.) Serial Offenders Current Thought, Recent Findings, Unusual Syndromes. CRC Press, Boca Raton, Fl., pp. 103-118
8. Krueger RB, Kaplan MS. (2000) Evaluation and Treatment of Sexual Disorders: Frottage. In VandeCreek, L. (Ed.) Innovations in Clinical Practice: A Source Book. Vol. 18, Professional Resource Press. Sarasota, Fl. pp. 185-198

**2003**

9. Kaplan MS, Krueger RB. (2003) Adolescent Sex Offenders. In Rosner, R. (Ed.) Principles and Practice of Forensic Psychiatry. Second Edition. Chapter 45, Arnold, London. pp. 455-462

**2006**

10. Krueger RB. (2006) A Positive View of Spitzer's Research and an Argument for Further Research. In J. Drescher and K.J. Zucker (Eds.) Ex-Gay Research: Analyzing the Spitzer Study and Its Relation to Science, Religion, Politics, and Culture. Harrington Park Press. Binghamton, New York. pp. 151-152

**2008**

11. Krueger RB, Kaplan MS. (2008) Frotteurism: Assessment and treatment. In D. R. Laws and W. O'Donohue (Eds.). Sexual Deviance: Theory, Assessment, and Treatment. 2<sup>nd</sup> Edition. Guilford Press, New York. pp. 150-163.
12. Krueger RB. (2008) Legislation Must Be Based On Scientific Research. In Zott, LM (Ed.) Sex Offenders and Public Policy. Current Controversies. Greenhaven Press. Thomson Gale. New York. pp. 139-143.

**2009**

13. Krueger RB, Wexler R, Kaplan M, Saleh F. (2009) Orchiectomy. In Saleh, FM, Bradford, Grudzinskas, AJ, Bradford JM, Brodsky DJ. (Eds.). Sex Offenders. Oxford University Press, New York, New York. pp. 171-188.

**2011**

14. Krueger, RB, Kaplan MS. (2011) Non-Contact sexual offenses: Exhibitionism, voyeurism, possession of child pornography, and interacting with children over the internet. In Hoberman, H, Phoenix, A. (Eds.). Sex Offenders: Diagnosis, Risk Assessment, & Management. Springer, New York. In press.

**REVIEWS, EDITORIALS, AND LETTERS**

**1991**

1. Krueger RB, Silver JM. Reply to Safe Administration of ECT in a patient with a calcified frontal mass (letter). *Journal of Neuropsychiatry*, 1991; 3:354

**1992**

2. Sackeim HA, Prudic J, Devanand DP, Krueger RB. In reply: stimulus dosing strategies and the efficacy of unilateral ECT. (letter). *Convulsive Therapy*, 1992; 8:46-52

**1994**

3. Krueger RB, Devanand DP, Prudic J, Sackeim HA. Response to Tomasson, Winockur and Pfohl (letter) *Biological Psychiatry*, 1994; 35:427-429

**2005**

4. Krueger RB, Kaplan MS. A Review of "Clinical Management of Sex Addiction" edited by Patrick J. Carnes and Kenneth M. Adams. New York Brunner-Routledge, 2002. *Journal of Sex & Marital Therapy*. October-December 2005; 5:448-450

**2006**

5. Krueger RB. A Review of "Identifying and Treating Sex Offenders. Current Approaches, Research, and Techniques." A Co-Publication as a

Printed Volume of a Volume of the Journal of Child Sexual Abuse. Vol 12, No. 3/4 2003. Psychiatric Services. February 2006: 57: 282

6. Krueger RB. "New York Should Not Pass a Violent Predator Law Without Further Study." The Alliance. NYASAOSP/NYATSA. Winter 2005/2006. Volume 8, Issue 1: 4.
7. Krueger RB. "Dear NYATSA and Alliance Members." The Alliance. NYASASOP/NYATSA. Fall 2006. Volume 8, Issue 3: 1.
8. Krueger RB. Board of Directors, NYSATSA & NYASASOP. "NYS ATSA and Alliance Policy Statement Concerning Sexual Violent Predator Legislation." The Alliance. NYASASOP/NYATSA. Fall 2006. Volume 8, Issue 3: 2-3.
9. Krueger RB. Board of Directors, NYSATSA & NYASASOP. "NY State ATSA Letter to Members of the New York State Assembly, Senate, and Joint Conference Committee, and Others Regarding Proposed Sexually Violent Predator (SVP) Legislation." The Alliance. NYASASOP/NYATSA. Fall 2006. Volume 8, Issue 3: 4-5.
10. Krueger RB. Vice-President, NYSATSA. "Toward Treatment for Sexual Abusers." Letter to the Editor, The New York Times, December 31, 2006. Commentary on Editorial "Rush to Judgment on Sex Offenders" December 10, 2006, New York Times.

**2007**

11. Krueger RB. "The New American Witch Hunt." Invited op-ed. March 11, 2007, Los Angeles Times.
12. Krueger, RB. Vice-President NYSATSA. "Dear Colleague" Letter in The Alliance, Summer 2007, Volume 9, Issue 3, 5-6.
13. Krueger, RB. Lau, KL. for the Boards of the NYSATSA. "Position Paper Regarding the Sex Offender Management and Treatment Act of 2007." Filed and Bound to Article 10 of the Mental Hygiene Law (10.01-10.17), April 2007, and published in The Alliance, Summer 2007, pages 2-4.

**2011**

14. Kafka, M. P., & Krueger, R. K. (2011a). Response to Moser's critique of Hypersexual Disorder for DSM-5. *Archives of Sexual Behavior*, 40, 231-232.
15. Kafka, M. P., & Krueger, R. K. (2011b). Response to Halpern's critique of Hypersexual Disorder (in press). *Archives of Sexual Behavior*, 40, DOI: 10.1007/s10508-10011-19753-10501.

**PRESENTATIONS AT PROFESSIONAL MEETINGS (PARTIAL LIST)**

**1996**

1. Krueger RB. The Possible Role of Neuropsychological, Neurological and Neuropsychiatric Examination in the Criminal Process. The New York Head Injury Study Group, New York, New York, June 20, 1996.
2. Krueger RB, Kaplan M. The Assessment and Treatment of Sexual Offenders. Grand Rounds, Kirby Forensic Psychiatric Center, New York, New York, October 10, 1996.
3. Krueger RB, Kaplan M. The Professional Before the Review Board Evaluation, Treatment and Rehabilitation. 1996 Association for the Treatment of Sexual Abusers, Annual Convention, Chicago, Illinois, November 12, 1996.

**1997**

3. Krueger RB, Kaplan M. The Assessment and Treatment of the Adolescent Sexual Offender. Presentation For the Medical Staff of Western New York Children's Psychiatric Center, Buffalo, New York. October 3, 1997.

**1998**

4. Krueger RB. The Assessment and Treatment of Sexual Dysfunction. Presentation for the Medical Staff of the Family Medicine Program of St. Mary's Hospital, Hoboken, New Jersey, May 26, 1998.
5. Kelly JR, Glancy GD, Krueger RB, Wasyliew OE, Bradford JM. Forensic Evaluation of Paraphilic Stalkers. Presentation at the American Academy of Psychiatry and the Law's Annual Meeting, New Orleans, Louisiana. October 24, 1998.
6. Krueger RB. Management of Pedophilia. Presentation at Grand Rounds, St. Lawrence Psychiatric Center, Ogdensburg, New York, November 11, 1998.

**1999**

7. Abel G, Krueger RB. Physician Sexual Misconduct. Presentation before the Board of the Committee for Physician's Health, Lakeville, New York. May 7, 1999.
8. Krueger RB. Management of Pedophilia. Presentation before the staff of Buffalo Psychiatric Center, Buffalo, New York, July 15, 1999.
9. Krueger RB, Bradford JM, Glancy GD, Oldham JM, Tucker DE, Maskel L, Lacoursiere R, Ouligian J. The Impact of Sexual Predator Legislation of

Various States. Presentation at the American Academy of Psychiatry and the Law's Annual Meeting, Baltimore, Maryland, October 14, 1999.

10. Krueger RB, Abel G, Bradford J, Greenberg DM, Candilis PJ, Berlin FS. The Assessment and Treatment of Child Molesters. Presentation at the American Academy of Psychiatry and the Law's Annual Meeting, Baltimore Maryland, October 15, 1999.
  11. Krueger RB. Pharmacological Treatment of Male Sex Offenders. Presentation at the Psychopharmacology Training Program of the New York State Office of Mental Health, Albany, New York, November 9, 1999.
  12. Kaplan MS, Krueger RB. A New York State Historical Perspective. Presentation at the Sidney Albert Institute of Parsons Child and Family Center and the New York State Office of Mental Health Conference entitled An Unveiling of an Integrated Statewide System of Care for Child and Adolescent Sexual Abusers. Sagamore, New York, November 10, 1999.
  13. Krueger RB, Kaplan MS. Evaluating Sex Offenders. Workshop presentation at the Twelfth Annual NYS OMH Research Conference. Albany, New York, December 7, 1999.
- 2000**
14. Kaplan MS, Krueger RB. Adolescent Sex Offenders An Update. Grand rounds presentation at Rockland Children's Psychiatric Center, Rockland, New York, February 1, 2000.
  15. Krueger RB, Kaplan MS. Behavioral and Pharmacologic Treatment of Male Sex Offenders. Statewide live televised grand rounds, New York Office of Mental Health, Bureau of Psychiatric Services, Albany, New York, April 26, 2000.
  16. Krueger RB. Evaluation and Treatment of Sex Offenders. Grand rounds presentation at Pilgrim Psychiatric Center, West Brentwood, New York, May 19, 2000.
  17. Krueger RB, Kaplan MS. Paraphilias and Professional Sexual Misconduct Evaluation and Treatment. Presentation to the Committee for Physicians' Health of the New York Medical Society, Albany, New York. July 12, 2000.
  18. Krueger RB. The Psychopharmacological Treatment of The Paraphilias. Grand rounds presentation at Graystone Park Psychiatric Hospital, Morris Plains, NJ, August 17, 2000.

19. Krueger RB, Kaplan MS. Offender Dynamics. Presentation for Columbia University's Sexual misconduct Policy Hearing panelist Training, New York, NY, October 13, 2000.
  20. Krueger RB, Hanson KR, Greenberg D. Using research to Improved Risk Assessments for Sex Offenders-Presentation of the Sex Offenders and Psychopharmacology Committees (Advanced). Course at the October 2000 annual meeting of the American Academy of Psychiatry and the Law, Vancouver, British Columbia, Canada. October 20, 2000.
  21. Krueger RB, Gratzner T, Brown P, Candilis P, Bradford JM, Smith C. The Ethics of Treatment and Research Involving Antiandrogen Medications-Presentation of the Sex Offenders and Psychopharmacology Committees. Panel at the October 2000 annual meeting of the American Academy of Psychiatry and the Law, Vancouver, British Columbia, Canada, October 21, 2000.
  22. Krueger RB, Hanson KR, Glancy GD, Mossman D, Hart S. Risk Assessment of Sexual Offenders A Critical Assessment-Presentation of the Sex Offenders and Psychopharmacology Committees. Panel at the October 2000 annual meeting of the American Academy of Psychiatry and the Law, Vancouver, British Columbia, Canada, October 21, 2000.
  23. Abel GG, Osborn CA, Krueger RB. The Etiology, Evaluation and Treatment of Professionals Accused of Sexual Misconduct With Their Clients. Session at the November 2000 annual meeting of the Association for the Treatment of Sexual Abusers. San Diego, California, November 3, 2000.
  24. Krueger RB. The Pharmacological Treatment of the Paraphilias. Presentation at Teaching Conference at Bronx State Psychiatric Center, Bronx, NY, November 10, 2000.
  25. Krueger RB. The Pharmacological and Behavioral Treatment of the Paraphilias. Presentation at Grand Rounds, Hutchings Psychiatric Center, Syracuse, NY, November 15, 2000.
  26. Krueger RB. An Update on Current Evaluation and Treatment of the Paraphilias. Presentation at Grand Rounds, Queens Hospital Center, Department of Psychiatry, Jamaica, NY, December 15, 2000.
- 2001**
27. Krueger RB. Recent Developments in the Treatment of the Paraphilias and the Hypersexual Disorders. Presentation at Grand Rounds, New York Presbyterian Hospital, Cornell University, Payne Whitney Clinic, New York, NY, March 7, 2001.

28. Krueger RB. Recent Developments in the Treatment of the Paraphilias and the Hypersexual Disorders. Presentation at Grand Rounds, New York Presbyterian Hospital, Westchester Division, White Plains, NY, April 24, 2001.
29. Krueger RB, Kaplan, MS. Polygraphy and Sex Offenders. Presentation at the Tristate Meeting of the U.S. Department of Probation, Southern District, Manhattan, NY, May 11, 2001.
30. Krueger RB. Recent Developments in the Treatment of the Paraphilias and the Hypersexual Disorders. Presentation at Grand Rounds, Kingsborough Psychiatric Center, Brooklyn, NY, May 16, 2001.
31. Krueger RB. Recent Developments in the Treatment of the Paraphilias and the Hypersexual Disorders. Presentation at Grand Rounds, Coney Island Hospital, Brooklyn, NY, June 4, 2001.
32. Krueger RB. Recent Developments in the Treatment of the Paraphilias and the Hypersexual Disorders. Presentation at Grand Rounds, Rockland Psychiatric Center, Orangeburg, NY, October 4, 2001.
33. Krueger RB. Recent Developments in the Treatment of the Paraphilias and the Hypersexual Disorders. Presentation at Grand Rounds, Creedmore Psychiatric Center, Queens, NY, October 5, 2001.
34. Krueger RB, Abel G, Kuban M, Bradford J, Sosnowski D. Objective Methods for Assessing Sexual Interest A Critical Appraisal. Presentation at the Annual Meeting of the American Academy of Psychiatry and the Law, Boston, MA, October 27, 2001.
35. Krueger RB, Kafka M. Male Hypersexuality Disorders New Clinical Insights and Pharmacological Treatments. Presentation at the Annual Meeting of the American Academy of Psychiatry and the Law, Boston, MA, October 27, 2001.
36. Glancy G, Brown P, Krueger RB, Ouligian J, Candilis P. Psychopharmacology of Violence. Presentation at the Annual Meeting of the American Academy of Psychiatry and the Law, Boston, MA, October 28, 2001.

**2002**

37. Krueger RB. Recent Developments in the Treatment of the Paraphilias and the Hypersexual Disorders. Presentation at Grand Rounds, Mohawk Valley Psychiatric Center, Utica, New York, March 7, 2002.



38. Krueger RB. Risk Assessment and Treatment of a Patient with a History of Multiple Homicides. Presentation at Grand Rounds, St. Lawrence Psychiatric Center, Ogdensburg, New York, April 3, 2002.
39. Krueger RB. Recent Developments in the Treatment of the Paraphilias and the Hypersexual Disorders. Presentation at Grand Rounds, Harlem Hospital, Harlem, New York, April 17, 2002.
40. Krueger RB. The Use of Medication in the Treatment of Sex Offenders. Presentation at the Seventh Annual Training Conference on the Evaluation and Treatment of Sex Offenders Poughkeepsie, NY, April 30, 2002.
41. Krueger RB. The Use of Medication in the Treatment of Individuals with Paraphilias and Hypersexual Disorders An Update. Presentation at Grand Rounds, the Department of Psychiatry, Montefiore Medical Center and the Albert Einstein College of Medicine, Bronx, NY, October 17, 2002.
42. Krueger RB. Recent Developments in the Diagnosis and Pharmacological Treatment of Sex Offenders. Presentation at Grand Rounds, Kirby Forensic Psychiatric Center, Ward's Island, New York, NY, November 7, 2002.

**2003**

43. Krueger RB. Recent Developments in the Diagnosis and Pharmacological Treatment of Sex Offenders. Presentation at Grand Rounds, Middletown Psychiatry Center, Middletown, NY, February 5, 2003.
44. Kaplan MS, Krueger RB. Assessment of Youngsters with Histories of Inappropriate Sexual Behavior. Presentation at Grand Rounds, Rockland Children's Psychiatric Center, Orangeburg, NY, February 11, 2003.
45. Krueger RB. Recent Developments in the Diagnosis and Pharmacological Treatment of Sex Offenders. Presentation at Mount Sinai Hospital, New York, NY, March 11, 2003.
46. Krueger RB. Recent Developments in the Treatment of the Paraphilias and the Hypersexual Disorders in Adults and Adolescents. Presentation at Combined Social Work and Psychiatry Grand Rounds, Harlem Hospital, New York, NY, March 26, 2003.
47. Krueger RB. Recent Developments in the Diagnosis and Pharmacological Treatment of Sex Offenders. Presentation at Grand Rounds, Manhattan Psychiatric Center, Ward's Island, New York, NY. May 2, 2003.

48. Krueger RB. Recent Developments in the Diagnosis and Pharmacological Treatment of Sex Offenders. Presentation at Grand Rounds, Pilgrim Psychiatric Center, West Brentwood, NY. November 5, 2003.

**2004**

49. Krueger RB. Recent Developments in the Diagnosis and Pharmacological Treatment of Sex Offenders. Presentation at Grand Rounds, St. Luke's-Roosevelt Hospital Center, New York, NY, March 10, 2004.

**2005**

50. Kaplan MS, Krueger RB. Assessment and Treatment of Adolescent Sexual Offenders. Presentation at Grand Rounds, Rockland Children's Psychiatric Center, Orangeburg, NY, February 1, 2005.
51. Krueger RB, Kaplan MS. Assessment and Treatment of Individuals Arrested for Internet Crimes Against Children. Presentation at the Tenth Annual Conference of the New York State Alliance of Sex Offender Service Providers and the New York State Chapter of the Association for the Treatment of Sexual Abusers. White Plains, NY, May 6, 2005.
52. Rotter M, Reid N, Rivera J, McCullough M, Krueger R. Psychopharmacological Assessment and Treatment of Patients in the New York State OMH System. Part of an overall presentation The Mentally Ill Sexual Offender Special Considerations for a Special Population. Presentation at the Tenth Annual Conference of the New York State Alliance of Sex Offender Service Providers and the New York State Chapter of the Association for the Treatment of Sexual Abusers. White Plains, NY, May 6, 2005.
53. Freedman PM, Kaplan MS, Krueger RB, Simring SS. Sexual Deviation, Sexual Crimes, and Sexually Violent Predators. State of New Jersey, Judicial College, Administrative Office of the Courts and the Supreme Court Committee on Judicial Education. Teaneck, NJ. November 22, 2005.

**2006**

54. Krueger RB. Recent Developments in the Diagnosis and Pharmacological Treatment of Sex Offenders. Presentation at Grand Rounds, Creedmore Psychiatric Center, New York, NY, March 9, 2006.
55. Krueger RB. Recent Developments in the Diagnosis and Pharmacological Treatment of Sex Offenders. Presentation at Grand Rounds, Gouverneur Hospital, New York, New York, April 25, 2006.

56. Krueger, RB. Reports of Child Sexual Abuse Perpetrated by Females in a Sample of Male Sexual Offenders and Comments on SVP Legislation in New York State. Presentation at a conference "Meeting the Needs of All Victims of Criminal Behavior" given by New York AAPL, New York University, New York, New York, April 29, 2006.
57. Friedman, RA, Kaplan, MS, Weiss, SL, Greenberg, M. Risk Assessment and a Team Approach to Sexual Violence in the Family. Presentation at The Interdisciplinary Forum on Mental Health and Family Law in New York State. New York, New York, May 16, 2006.
58. Abel, GG, Marks, TI, Krueger, RB. The Evaluation and Treatment of Physicians Involved in Sexual Misconduct and Sexual Harrassment. Course 100. The American Psychiatric Associations 159<sup>th</sup> Annual Meeting. Toronto, Ontario, Canada, May 25, 2006.
59. Krueger, RB, Kaplan, MS. Biological Treatments for the Paraphilias and Compulsive Sexual Behavior. Presentation at Annual Meeting of the Association for the Treatment of Sexual Abusers. Chicago, Illinois, September 29, 2006.
60. Rotter, M, Krueger, R. The Mentally Ill Sexual Offender: Special Considerations for a Special Population. Presentation by Dr. Rotter before the American Psychiatric Association's Institute on Psychiatric Services Annual Meeting. New York, New York, October 6, 2006.
61. Seybert, J, Hurley, D, Whalen, M, Garoppolo, T, Bode, A, Krueger, R. Selected Issues Involving Child Pornography. Presentation at the Criminal Justice Act Panel Committee of the Eastern District of New York. Brooklyn, New York, October 24, 2006.
62. Corliss, RK, Cross, CD, Krueger, RB, Harkavy, S, O'Connor, A: Civil Commitment of Sexually Violent Predators: Where Are We Now and Where Do We Want to Go? NAMI-New York State 24<sup>th</sup> Annual Educational Conference. From Research to Recovery: Improving the Lives of New Yorkers with Mental Illness. White Plains, New York, November 3, 2006.
63. Kinscherff, R, Guidry, L, Berlin, F, Bengis, SM, Hart, SD, Latham, C, Prentky, R, Vincent, G, Dunseith, NW, Taylor, P, Krueger, RB, Saleh, FM, Ball, CJ. Conversations on Best Practice Applications for the Mentally Ill/ Problematic Sexual Behavior Population: Values and Implementation. Worcester, Massachusetts, November 17, 2006.
64. Krueger, RB. Influencing sex offender legislation: What role for Clinicians? Invited lecture for a symposium entitled: Society and sex offenders with D, Wylie, K, Morris, C, Green, P, Krueger, R, Bradford, J,

and Soothill, K. Organized by the Sexuality & Sexual Health Section of the Royal Society of Medicine, London, England, December 1, 2006.

65. Krueger, RB. Biological Treatments for the Paraphilias and Compulsive Sexual Behavior. Presentation at Grand Rounds. Central New York Psychiatric Center, Marcy, New York, December 20, 2006.
66. Krueger, RB. Biological Treatments for the Paraphilias and Compulsive Sexual Behavior. Presentation at Grand Rounds. Woodhull Medical & Mental Health Center, January 17, 2006.
67. Baillargeon, J. et al. Responses to Sex Crimes and People Convicted of Sex Crimes. Participant. Open Society Institute, New York, New York, January 25, 2006.

**2007**

68. Abel, GG, Marks, TI, Krueger RB. The Evaluation and Treatment of Physicians Involved in Sexual Misconduct and/or Sexual Harrassment. American Psychiatric Association 160<sup>th</sup> Annual Meeting, San Diego, California. May 21, 2007.
69. Lindenmeyer, JB, Langer, SJ, Krueger, RB, Barbaree, Barbaree, HE, Siegel, LA, Zonana, HV. Biological Treatments for the Sexually Violent Offender and Discussant in Symposium 70. The Sexually Violent Offender. American Psychiatric Association 160<sup>th</sup> Annual Meeting, San Diego, California. May 23, 2007.
70. Krueger, RB. Risk Assessment and Risk Management. Presentation at the Whiting Forensic Division of Connecticut Valley Hospital, Middletown, Connecticut. September 20<sup>th</sup>, 2007.
71. Krueger, RB. Paraphilias & Hypersexual Disorders: An Update. Presentation at Grand Rounds, Department of Psychiatry, Mount Sinai Hospital, New York, New York. September 25<sup>th</sup>, 2007.
72. Seybert, J, Krueger, R, Kelly, E., Goldberg, A, Whalen, M, Levitt, R. Psychiatric/Mental Health Involvement in Cases Involving Sexual Crimes. Part of a panel entitled "Rita, Rita, Guidelines Eater and SORNA, SMART, AWA, and SOMA by the Criminal Justice Act Panel Committee of the Eastern District of New York, Brooklyn, New York. November 7<sup>th</sup>, 2007.
74. Krueger, R, Bradford, J. Compulsive Sexual Behavior, Discussant. New York State Office of Mental Health, Bureau of Psychiatric Services and Research Institute Support, Psychopharmacology Training Program, Albany New York, November 29<sup>th</sup>, 2007.

**2008**

75. Miraglia, R, Krueger, R, Kaplan, M. The Treatment and Management of Persons Who Have Committed Sexual Offenses, Bureau of Psychiatric Services and Research Institute Support, Statewide Grand Rounds, Albany, New York, February 27<sup>th</sup>, 2008.
76. Krueger, R, Paraphilias & Hypersexual Disorders: An Update. Presentation at Grand Rounds, Mid-Hudson Forensic Psychiatric Center, New Hampton, New York. April 22<sup>nd</sup>, 2008.
77. Krueger, R, Kaplan, M. The Diagnosis and Treatment of Individuals Convicted of Internet Crimes Against Children. Workshop at Annual Conference of the New York State Association for the Treatment of Sexual Abusers, Saratoga Springs, New York. May 13<sup>th</sup>, 2008.
78. Krueger, R, Kaplan, M. Medication Treatment of Paraphilias and Compulsive Sexual Behavior. Workshop at Annual Conference of the New York State Association for the Treatment of Sexual Abusers, Saratoga Springs, New York. May 13<sup>th</sup>, 2008.
79. Miraglia, R, Culkun, J, Lee, G, Krueger, Richard. Current Trends in Management and Treatment of Sex Offenders: Psychopharmacological Approaches. Grand Rounds. Bronx State Psychiatric Center. Bronx, New York September 5<sup>th</sup>, 2008.
80. Nersessian, E, Levy, F, Davidson, A, Kernberg, O, Krueger, R, Williams, L, Winemaker. Paraphilias. A Roundtable Discussion. The Philoctetes Center for the Multidisciplinary Study of Imagination at the New York Psychoanalytic Institute, New York, New York. October 18<sup>th</sup>, 2008.
81. Weiss, S, Braunstein, L, Kaplan, M, Krueger, R. Internet pornography and child custody. Presentation at The Interdisciplinary Forum on Mental Health and the Law, New York, New York. December 18<sup>th</sup>, 2008.

**2009**

82. Zucker, K, Blanchard, R, Kafka, M, Krueger, R, Meyer-Bahlburg, H, Seagraves, R.T., Brotto, LA, Binik, I. Symposium: Provisional report by the DSM-V workgroup on sexual and gender identity disorders. Presentation at the 34<sup>th</sup> Annual Meeting of the Society for Sex Therapy and Research, Arlington, Virginia, April 3<sup>rd</sup>, 2009.
83. Krueger, R, Lee, L. Current Trends in Management and Treatment of Sex Offenders: Psychopharmacological Approaches. Central New York Psychiatric Center, Utica, New York, April 21<sup>st</sup>, 2009.

84. Lee, L.G., Krueger, R. Androgen Reduction Therapy in SOTP. Joint CNYPC/LSPC/Central Office Session, Utica, New York, April 21<sup>st</sup>, 2009.
85. Krueger, R, Kaplan, M. Diagnostic Issues in the Assessment and Treatment of Individuals Convicted of Sexual Offenses. Central New York Psychiatric Center, Utica, New York, April 21<sup>st</sup>, 2009.
86. Krueger, R., Lee, L.G. Psychopharmacological Treatment of Sexual Offenders. Presentation to Judges, MHLS attorneys, and the Attorney General's Office. Ceremonial Courtroom, Onondaga County Courthouse, Syracuse, New York, June 4<sup>th</sup>, 2009.
87. Kafka, M, Blanchard, R, Krueger, R, Langstrom, N, Paraphilic Disorders and DSM-V: Considerations for Revision of Diagnostic Criteria; Sexual Sadism Disorder, Sexual Masochism Disorder, and Paraphilic Coercive Disorder. Annual Meeting of the Association for the Treatment of Sexual Abusers, Dallas, Texas, October 1<sup>st</sup>, 2009.
88. Krueger, R, First, M, Fedoroff, P, Zonana, H, Berlin, F: A Critical Appraisal of Proposed DSM-V Paraphilic Diagnoses. Annual Meeting of the American Academy of Psychiatry and the Law, Baltimore, Maryland, October 29<sup>th</sup>, 2009.
89. Kaplan, M, Krueger, R: Proposed Paraphilic Diagnoses for DSM-V. Grand Rounds, Mid-Hudson Forensic Psychiatric Center, New Hampton, New York, December 1<sup>st</sup>, 2009.

## 2010

90. Krueger, R, Hall, D, Thomas, N, McPherson, J, Page, J, Carey, C. Testimony regarding proposed sex offender legislation and SORA actuarial assessment before the New York State Senate Committee on Crime, Crime Victims, and Corrections. Albany, New York, March 9<sup>th</sup>, 2010.
91. Krueger, R, Kaplan, M: Paraphilic diagnoses in DSM-V at a conference entitled "Contemporary Treatments of Paraphillias" at the Inbal Hotel in Jerusalem, Israel on June 17<sup>th</sup>, 2010.
92. Kaplan, M, Krueger, R: Cognitive-behavioral treatment of paraphillias and Hypersexual Disorders at a conference entitled "Contemporary Treatments of Paraphillias" at the Inbal Hotel in Jerusalem, Israel on June 17<sup>th</sup>, 2010.
93. Krueger, R: Medication treatment of the paraphillias and hypersexual disorders. Grand Rounds at the Ann Klein Forensic Center Special Treatment Unit, Rahway, New Jersey, July 14<sup>th</sup>, 2010.

94. Krueger, R: New developments in the diagnosis of sexual masochism and sexual sadism. Presentations at the 11<sup>th</sup> Conference of the International Association for the Treatment of Sexual Offenders (IATSO), Oslo, Norway, September 2<sup>nd</sup>, 2010.
95. Maskel, L, Bradford, J Tucker, D, Krueger, R, Thornton, D, Zander, T, Franklin, K: Stirring the DSM-5 Cauldron. Debate at the 41<sup>st</sup> Annual Meeting of the American Academy of Psychiatry and the Law, Tucson, Arizona, October 23<sup>rd</sup>, 2010.
96. Krueger, R: Medication Treatment of the Paraphilias and Hypersexual Disorders. Presentation at Kingsboro Psychiatric Center, Brooklyn, New York, October 28<sup>th</sup>, 2010.

## 2011

97. Krueger, R: Biological Treatment of Individuals with Paraphilias and/or Sexual Disorders. Invited lecture for the Faculty of Forensic Psychiatry, Royal College of Psychiatrists, Annual Meeting, Berlin, Germany, February 3<sup>rd</sup>, 2011.
98. Kaplan, M, Krueger, R: Sexual Acting Out in Adolescents: Normative vs. Pathological Behaviors and Their Management. Presentation at Grand Rounds at Queens Children's Psychiatric Center, Bellerose, New York, October 20<sup>th</sup>, 2011.
99. Sorrentino, Rene, Kafka, M, Krueger, R: The DSM-5 Sexual Disorders: Forensic Implications. Presentation at the Annual Meeting of the American Academy of Psychiatry and the Law, Boston, Massachusetts, October 24<sup>th</sup>, 2011.
100. Lee, Li-Wen, Miraglia, R, Krueger, R: New York State's SVP Law: Program Development and Implementation. Presentation at the Annual Meeting of the American Academy of Psychiatry and the Law, Boston, Massachusetts, October 26<sup>th</sup>, 2011.
101. Krueger, R, Kaplan, M: Treatment of Individuals with Paraphilias and/or Sexual Disorders. Presentation at Grand Rounds. Lincoln Hospital, Bronx, New York, December 20<sup>th</sup>, 2011.

## 2012

102. Krueger, R: Paraphilic Diagnoses in DSM-5 and Treatment Update on Paraphilic Disorders. Presentation at Grand Rounds. Department of Psychiatry. Nassau University Medical Center, East Meadow, New York, February 29<sup>th</sup>, 2012.

103. Krueger, R: Biological Treatment of Individuals with Paraphilias and/or Sexual Disorders. Keynote address to the 12<sup>th</sup> Annual Massachusetts Department of Mental Health Forensic Service Division's Mentally Ill/Problematic Sexual Behavior Program Training conference. University of Massachusetts Hoagland-Pincus Conference Center, Shrewsbury, Mass. May 17<sup>th</sup>, 2012.
104. Krueger, R, Lee, Grace: The Psychopharmacological Treatment of Individuals with Paraphilias and/or Sexual Disorders. Workshop given at the Annual Conference of the New York State Association for the Treatment of Sexual Abusers, Hunter, New York. May 22<sup>nd</sup>, 2012.
105. Krueger, R, First, M, Kaplan, M: Forensic Implications of DSM-5. Workshop given at the Annual Conference of the New York State Association for the Treatment of Sexual Abusers, Hunter, New York. May 22<sup>nd</sup>, 2012.
106. Krueger, R. Behavioral Addictions. Conference on the Essentials of Addiction given at the Association of the Bar, City of New York, New York, New York, June 4<sup>th</sup>, 2012
107. Mossberg, M., Ravitz, A, Tatarsky, A, Drager, JL, Bender, S, Alter, E. The Essentials of Addictions: A New Understanding for Family Law Practitioners, Forensic Experts and the Court. Conference at the Association of the Bar, City of New York, New York, New York, September 27<sup>th</sup>, 2012
108. Krueger, R: The Role of Psychiatric Diagnosis and Treatment in the Management of Individuals Who Have Committed Sexual Crimes. Invited Lecture for Course on Sex Offenders in the Criminal Justice System arranged by the Honorable Barnett Hoffman at John Jay College, New York, New York, October 16<sup>th</sup>, 2012
109. Krueger, R: Biological Treatment of Individuals with Paraphilias and/or Sexual Disorders. Invited Presentation at the Special Treatment Unit, Avenel, New Jersey, October 17<sup>th</sup>, 2012
110. Maskel, L, Forestell, M, Singer, M, LeBell, R, Corcoran, J, Krueger, R, Wollert, R, Bradford, J.: Hebephilia: Weed Diagnosis in the Botanical Garden of DSM-5? Mock Trial, 43<sup>rd</sup> Annual Meeting of the American Academy of Psychiatry and the Law, Montreal, Quebec, Canada, October 25<sup>th</sup>, 2012.

**2013**



111. Krueger, R, Kaplan, M: Diagnostic Issues in the Assessment and Treatment of Individuals Convicted of Sexual Offenses and an Update on DSM-5. Grand Rounds, Mid-Hudson Forensic Psychiatric Center, New Hampton, New York, February 5<sup>th</sup>, 2013

**EXHIBIT C**

**RICHARD B. KRUEGER, M.D.**

Diplomate in Psychiatry, American Board of Psychiatry & Neurology 210 EAST 68th STREET, #1-H  
Diplomate, American Board of Internal Medicine NEW YORK, NEW YORK 10065-6024  
Diplomate, ABP&N, Added Qualifications in Forensic Psychiatry TELEPHONE (212) 517-6624  
Diplomate, ABP&N, Added Qualifications in Addiction Psychiatry FAX (212) 517-4073  
CELL (917) 750-1596  
e-mail rbk1@columbia.edu

March 4<sup>th</sup>, 2013

Ronald Kuby, Esq.  
119 West 23<sup>rd</sup> Street, Suite 900  
New York, New York 10011

By FedEx; telephone is: 212-529-0223

Re: Evaluation of documents from David Pogge, Ph.D., developed in the course of an evaluation of Mr. Jesse Friedman in October of 1988

Dear Mr. Kuby:

I was asked to evaluate the above materials developed by Dr. Pogge and offer an opinion regarding the use of these materials by a panel convened to consider the case of Mr. Friedman.

I relied on the following as a basis for my opinion:

1. My knowledge as a psychiatrist trained in the use of psychological and risk assessment instruments in the evaluation of individuals accused of or convicted of sexual offenses
2. Copies of all documents provided by Dr. Pogge appended to a letter by him dated February 6<sup>th</sup>, 2013, to Jesse Friedman. This contains the following documents:
  - a. A letter dated February 6<sup>th</sup>, 2013
  - b. A Consent for Psychological Assessment
  - c. 3 pages of handwritten notes
  - d. 3 pages of diagrams reflecting neuropsychological testing
  - e. A WAIS-R Microcomputer-Assisted Interpretive Report
  - f. A WAIS-R Record Form
  - g. A Minnesota Multiphasic Personality Inventory-I
  - h. A Millon Clinical Multiaxial Inventory-II

- i. A Multiphasic Sex Inventory Research Edition, Form A, copyright 1984
  - j. An Incomplete Sentences Blank-College Form
  - k. A 16PF Test
  - l. A Rorschach Test
3. A White Paper of the National Center for Reason and Justice entitled "Destruction of Innocence" by Gavin de Becker and Emily Horowitz, Ph.D. date March 2013
  4. The Nichols and Molinder website, [www.nicholsandmolinder.com](http://www.nicholsandmolinder.com), with particular attention to the page marked FAQ, appended to this report
  5. Practice Standards and Guidelines for Members of the Association for the Treatment of Sexual Abusers, 2005 edition, published by the Association for the Treatment of Sexual Abusers, [www.atsa.com](http://www.atsa.com)

I understand that the panel convened in the above case has reviewed the psychological materials developed by Dr. Pogge. It is my opinion that:

1. The MultiPhasic Sex Inventory should not have been used to assess Mr. Friedman. The appended printout clearly states that it should not be used with clients who deny sexual assault or misconduct accusations. The test has not been normed or studied on such a sample.
2. Any or all of the above tests can never be used to determine guilt or innocence. The reasons for this are that such tests can only inform as to the existence of psychopathology or of risk and that this is an entirely different question from that of determining guilt or innocence, which requires a decision as to whether particular acts in violation of the law have occurred. The ATSA practice guidelines referenced above state clearly that:

"16.02 Members recognize, and when providing expert testimony, acknowledge, that there is no known psychological or physiological test, profile, evaluation procedure, or combination of such tools that prove or disprove whether an individual has committed a specific act." (p. 10)

"16/03 Members do not provide expert testimony during the guilt phase of a criminal trial from which a reasonable person would draw inferences about whether an individual did or did not commit a specific sexual act." (p. 10)

"Evaluators do not offer conclusions regarding whether an individual has or has not committed a specific act of sexual abuse." (p. 11)

It follows that none of the clinical information or the psychological test information should be used by others to determine or assess probable guilt or innocence. Even if Mr. Friedman were demonstrated by numerous psychological or psychophysiological tests to have strong pedophilic interests (which he does not have) the determination of his likely guilt or innocence is an entirely separate process.

3. The psychological testing contains many statements that are tendentious in nature convey a negative image of Mr. Friedman. For instance on page 3 of the MCMI-II, there is a paragraph that reads:

"This man is or has been deeply involved in the abuse of drugs; determining whether the agents abused are of the legal or street variety is difficult. Edgy, irritable and hostile, he may use drugs not only to aid him in unwinding his conflicts, in moderating his tensions, and in permitting him a measure of narcissistic indulgence but also to serve as a statement of resentful independence from the constraints of social convention and expectation."

This statement is a computer-derived statement based on his answers to the MCMI-II questions, and not based on any direct acquisition of such information. As such, it may be extremely flawed.

4. No contemporary risk assessment instruments were utilized in Dr. Pogge's evaluation and it does not readily inform as to Mr. Friedman's risk of another sexual crime.

Please do not hesitate to contact me if you have any further questions.

I have included my resume for your information.

Sincerely,



Richard B. Krueger, M.D.

**EXHIBIT D**

**Nichols & Molinder Assessments, Inc.**  
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<b>Additional Test Cost</b>	Interpretive Report \$38 for each test	Answer Sheet / Profile Form \$50 for 25 test administrations

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# EXHIBIT F

# Teenager's 1988 Sexual-Abuse Conviction Was Justified, Report Says

By PETER APPLEBOME  
Published: June 24, 2013 | 49 Comments

Jesse Friedman, the Great Neck, N.Y., teenager whose role in a sexual abuse case a quarter-century ago was portrayed in the Oscar-nominated documentary "Capturing the Friedmans" and came to symbolize an era of sensational, often-suspect accusations of child molesting, was properly convicted and should not have his status as a sexual predator overturned, according to a three-year review that was released on Monday.

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Todd Heister/The New York Times  
Jesse Friedman served 13 years in prison after he and his father, Arnold, were convicted of molesting children at their home in Great Neck, N.Y. His father committed suicide in prison.

In a 155-page report written with very little ambiguity, the Nassau County district attorney, Kathleen M. Rice, concluded that none of four issues raised in 2010 in a strongly worded ruling by the United States Court of Appeals for the Second Circuit were substantiated by the evidence.

CHWFFH PROTOR  
MICHAEL FASSBINDER  
MNDLH L UMBRAC II

Instead, it concluded, "By any impartial analysis, the reinvestigation process prompted by Jesse Friedman, his advocates and the Second Circuit, has only increased confidence in the integrity of Jesse Friedman's guilty plea and adjudication as a sex offender."

INTERACTIVE FEATURE: The Conviction Integrity Review of People vs. Jesse Friedman

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The review concludes another chapter in a case that came to national attention after the 2003 release of the film, which portrayed both the breakup of a deeply troubled family and what was characterized as a flawed, biased police investigation and judicial process. The case led to guilty pleas in 1988 by Jesse Friedman, then 18, and his father, Arnold Friedman, who ran a popular computer class at his house on Piccadilly Road in the affluent Long Island community of Great Neck.

The report's conclusion was not entirely unexpected, even by Mr. Friedman and his advocates, given the explosive nature of the charges, the impossibility of a definitive finding on many of the allegations more than 25 years in the

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Teddi Hekler/The New York Times  
Kathleen M. Rice, Nassau  
County district attorney.

past and the high bar for prosecutors to overturn convictions, especially those based on confessions.

Still, Mr. Friedman's lawyer, Ron Kuby, and the film's director, Andrew Jarecki, reacted with disappointment and anger, saying the report was a biased whitewash by the office that originally botched the case. Mr. Kuby promised to pursue appeals.

"D.A. Kathleen Rice has made a craven, but not surprising, political decision in failing to admit to the wrongdoing of the Nassau County D.A.'s office and former sex crimes chief Fran Galasso, in the face of overwhelming evidence of Jesse's

innocence," Mr. Jarecki said.

Mr. Kuby said that the district attorney's office had fought Mr. Friedman's efforts at every turn and that this was just more of the same.

"My immediate reaction is that we have spent three long years in a pointless waste of time waiting for D.A. Rice to issue this report," Mr. Kuby said.

"Fortunately, the conclusion of this bogus reinvestigation clears the way for the Friedman team to return to court based upon the new evidence we've collected as well as the increasing likelihood of obtaining the original case documents."

The review led both to evidence supporting the conviction and to evidence suggesting it should be overturned. Perhaps most powerful for the defense was a detailed and chilling statement that it obtained from Ross Goldstein, a high school friend of Jesse Friedman, who was the only person other than the Friedmans convicted in the case. Mr. Goldstein said his confession had been a lie coerced by intimidating police conduct and the threats of a draconian sentence.

In its 2010 decision, the Second Circuit reluctantly upheld the verdict on technical grounds but harshly criticized the trial judge, prosecutors and detectives in the case. The court said there was a "reasonable likelihood" that Jesse Friedman, who served 13 years in prison before being released in 2001, was wrongfully convicted and suggested that Ms. Rice reinvestigate the case. Arnold Friedman died, apparently a suicide, in prison in 1995.

Yet Ms. Rice's report, in all instances, found that the preponderance of evidence pointed toward upholding the conviction. And her report comes with a limited, but potentially powerful, seal of approval in a case that is also being played out in the court of public opinion.

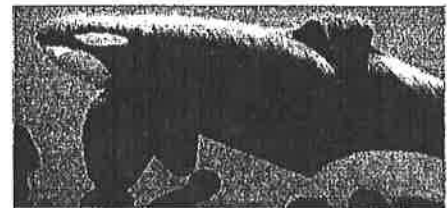
When she began her review, Ms. Rice, a Democrat first elected in 2005, appointed a four-member independent advisory panel to guide and oversee the work. It included Barry Scheck, a founder of the Innocence Project and one of the country's leading advocates for overturning wrongful convictions.

The report was prefaced by a four-page statement by the panel. It said its job was about process more than findings. It did not reinvestigate the case itself,

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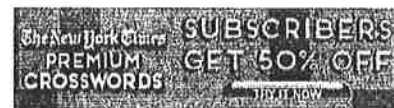


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and it was not given access to key documents like grand jury records and interview reports.

Still, it commended the investigation, and said that if the evidence had pointed toward exoneration, “we have no doubt the Review Team was prepared to recommend without reservation that Friedman’s conviction be overturned.”

The statement, signed by all four members, said it was not the role of the panel to make an ultimate judgment about Jesse Friedman’s guilt, but added: “We do have an obligation to express a view as to whether we believe the conclusions expressed in the Review Team’s report are reasonable and supported by the evidence it cites. We think they are.”

The report centered on four points raised in the film and by the appeals court: that the case may have been tainted by repeated police interviews that pushed children toward confessions; that children may have been hypnotized to recover memories not based on fact; that the case was distorted by a “moral panic” that created false accusations and a predisposition toward conviction; and that Jesse Friedman’s guilty plea may have been unlawfully coerced by the police, prosecutors and a hostile judge.

The review rejected them all. It said that though some interviews late in the case may have been flawed, the rapid pace and early flow of accusations from children in the classes indicated that the allegations arose from spontaneous accounts, not from investigators pushing children toward accusations. It said the first child interviewed reported improper behavior, 12 children leveled accusations of illegal sexual behavior at Arnold Friedman in the investigation’s first two weeks and, five weeks into the investigation, 13 boys described criminal behavior by Jesse Friedman.

It said, that despite one student’s account in “Capturing the Friedmans” of making allegations after being hypnotized, any use of group therapy or hypnosis came after all the indictments were filed. It disputed the one account of hypnosis in the film.

The review said the Friedman case was “in no way similar” to other notorious cases of its time, like the McMartin preschool case, which produced allegations of satanic ritual abuse of children but ended with no convictions. The review said that the children in this case were twice as old as in that one and that many victims complained of abuse early rather than through months of questioning.

And it said Jesse Friedman had competent legal representation, weighed his options intelligently and pleaded guilty after determining it was “the optimal strategy” in light of the available choices.

It cited other evidence damaging to Mr. Friedman’s case — students and parents who stuck by their accounts and added fuller details, a psychiatric evaluation conducted for his defense that labeled him “a psychopathic deviant” and a telephone interview with Arnold Friedman’s brother, Howard Friedman, in which, according to the report, he said: “Jesse is guilty and you’re going to ask me how I know. Because Arnold told me.” He said Arnold Friedman had confessed that both he and his son had “misbehaved” with

children in the class, but it is not clear from his statements what that misbehavior might have entailed.

Still, the panel and the review team cited the enormous difficulty in getting to the truth because of the passage of time, incomplete and shoddy record keeping and faded memories. Participation was entirely voluntary, so only some of those involved in the case took part in the investigation. Only three original accusers repeated their accounts to the review team. And many of the figures in the case gave different accounts at different times, making evaluation difficult, the investigators said.

Most glaring of the conflicting accounts was the one given by Mr. Goldstein, who said that "every single thing" in his grand jury testimony had been a lie and that he had been "coached, rehearsed and directed" by a prosecutor and a detective to tell the story they wanted, which was devastating for Jesse Friedman's defense. The review said his recantation was unreliable.

Ms. Rice said in a statement that "instances of wrongful conviction are real and exist in far greater numbers than any of us would like to admit." But she added: "The case against Jesse Friedman is not one of them."

A version of this article appears in print on June 25, 2013, on page A21 of the New York edition with the headline: Friedman's Sexual Abuse Conviction In 1988 Was Justified, a Report Says.

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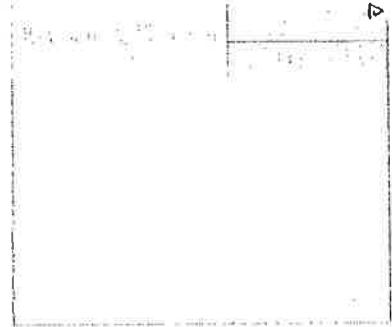
LOCAL

# Jesse Friedman is 100% guilty of sexually abusing children, reinvestigation by Nassau County district attorney concludes

The subject of the documentary 'Capturing the Friedmans' is in fact a 'psychopathic deviant' who molested 17 children in his parents' Long Island home, a 172-page report finds.

BY DAREH GREGORIAN / NEW YORK DAILY NEWS

PUBLISHED: MONDAY, JUNE 24, 2013, 11:23 AM  
UPDATED: TUESDAY, JUNE 25, 2013, 12:10 AM



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FRANK FRANKLIN WAP

In 2004, Jesse, a level three violent sex offender, started fighting in court to get his conviction vacated.

He's guilty as sin.

That's the conclusion reached by the Nassau County District Attorney's three-year reinvestigation into the case of Jesse Friedman, the subject of the documentary "Capturing the Friedmans."

Friedman, his supporters and the makers of the Academy Award-nominated documentary have long maintained he was railroaded into pleading guilty to charges he molested 13 kids in the late 1980s, and were expecting the report to exonerate him.

It did the opposite.

Friedman, they found, was labeled a "psychopathic deviant" by his own shrink, and had actually sexually abused a total of 17 children.

"The District Attorney concludes that Jesse Friedman was not wrongfully convicted," the blistering 172-page report says.

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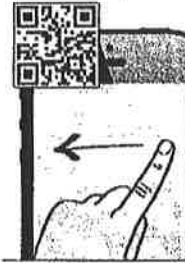
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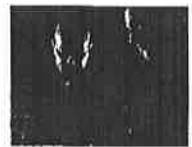
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"In fact, by any impartial analysis, the investigation process prompted by Jesse Friedman . . . has only increased confidence in the integrity of Jesse Friedman's guilty plea adjudication as a sex offender."

The panel said it interviewed three of Friedman's now-adult victims. "Each confirmed that he was sexually abused by Jesse Friedman. Each told their separate story, marked by pain and recovery," and "recounted years of shame and humiliation," the report said.

One of the victims said Friedman had threatened to "kill his dog" if he ever told anyone about the abuse.

his dog" if he ever told anyone about the abuse.

At a Monday afternoon press conference, Friedman said, "It's painful when people lie about you and it's really painful when the district attorney lies about you."

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**'Capturing the Friedmans': Arnold Friedman (father), Elaine Friedman (mother) and their three boys, Jesse (left), David (middle) and Seth (right) at David Friedman's bar mitzvah.**

"I believe that there were nothing but lies in the report that was released today," he said, his wife Elisabeth by his side.

"I'm standing strong and I have more fight in me than I've ever had before. So, game on."

The exhaustive report also took aim at the makers of "Capturing the Friedmans," director Andrew Jarecki and producer Marc Smerling. It accused them of using misleading, out-of-context snippets of interviews to further their campaign to exonerate Friedman, 44.

"Capturing the Friedmans' was a provocative and entertaining movie, but it was not an exhaustive account of the entire case against Jesse Friedman. The Review Team had to go behind the excerpts and sound bites that the producers used in the film and other 'reels' and exhibits the producers have produced over the course of this re-investigation," the report said.

They "were not forthcoming with evidence under their control. Though both told witnesses and the public that they possessed swaths of evidence capable of 'proving' Jesse Friedman's innocence, this material was not shared with the review team or the advisory panel until 2012.

"Even then, the information that they chose to share was partial" and unconvincing, as were the "recantations" of victims they'd offered up, the report said.

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One said he was "tricked" into the statement by Jarecki's "manipulative" questioning, the report said.

The director also suppressed a statement from Friedman's uncle - who'd said in the movie that he thought Jesse was innocent - that his nephew was indeed a molester and "cannot tell right from wrong," the report said.

"Instances of wrongful conviction are real and exist in far greater numbers than any of us would like to admit. Wrongful convictions undermine public safety, and they pose the greatest threat there is to the integrity required of our justice system. But the case against Jesse Friedman is not one of them," Nassau County DA Kathleen Rice said.

"I came to this case without an agenda or any personal stake in its outcome, and without any interest outside of searching for the truth. We were fully prepared to exonerate Mr. Friedman if that's where the facts led us. But the facts," Rice said, "led to a substantially different conclusion."

Lawyer Ron Kuby, who's represented Friedman pro bono for almost a decade, maintained the report ignored the facts.

**RELATED: 'CAPTURING THE FRIEDMANS' DIRECTOR SAYS RAPE CHARGES WERE 'ABSURD'**



Arnold and Jesse Friedman, seen in 1989, both pleaded guilty.

"DA Rice spent three years whitewashing the prosecutorial and police misconduct in this case," and her team's report "contains numerous outright falsehoods belied by the documentary evidence," he said.

Kuby said he plans to be in court Friday to get access to original police reports and information from the 25-year-old grand jury proceedings.

"We will continue the fight to exonerate Jesse," he said.

Jarecki, meanwhile, was unimpressed with the report's film criticism, and said he had reviewed the case far more thoroughly than the DA's office did during their three-year "superficial" "boondoggle."

"We knew it was unlikely this case would be reversed by the same prosecuting office famously made a mess of the investigation in the first place," he said.

Rice ordered the review in 2010, after a federal appeals panel said their review of the case showed there was a "reasonable likelihood" that Friedman had been wrongly convicted.

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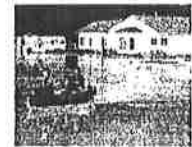
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He was busted back in 1987, after the feds discovered his father, Arnold Friedman, had a stash of kiddie porn in his Great Neck, L.I., home - and that the retired teacher taught computer classes to young kids there.

Police started questioning the students, and within weeks, both Arnold and Jesse, who'd helped his dad with the classes, were arrested on sexual abuse charges.

Arnold Friedman pleaded guilty four months later.

With the charges against him piling up - he was hit with over 100 counts of sodomy - Jesse, then 19, eventually copped a plea as well.

Arnold was sentenced to 10-30 years in prison, and died behind bars of a heart attack in 1995. Jesse was sentenced to 8-18 years behind bars, and was released after serving 13 years.

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Jesse Friedman — a level three sex offender — served 13 years in prison for his crimes.

The circumstances of his conviction were called into question by "Capturing the Friedmans" in 2003, and "Jesse Friedman came to see the film as a vehicle by which he could assert his innocence," the report said.

Within a year, Jesse, a level three violent sex offender, started fighting in court to get his conviction vacated.

He was helped by the moviemakers, who became convinced of his innocence.

The federal appeals court ruling adopted several of the film's arguments - that police asked the kids in his father's class leading questions, and were "aggressive" in their questioning, refusing "to accept denials of abuse."

None of the 8-10 year-olds in the class, it was contended, showed any signs of abuse before Arnold Friedman was arrested for the child porn.

In one instance, "detectives interviewed a child 15 times" before getting the boy to "admit" to the abuse.

Another child only "remembered" being abused after being hypnotized, the court said.

The hysteria was compounded by Arnold Friedman's admission as part of his plea deal that he'd molested all 81 kids who'd taken his class, while prosecutors didn't question "outlandish" tales of "sex games" in his classroom.

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Jesse, meanwhile, only pleaded guilty because he'd been forced to by the judge, who'd threatened to lock him up for life he didn't.

The review found none of that was true: police generally didn't ask leading questions, and there's no record of any child being visited 15 times. The victim who said he'd been hypnotized was unreliable and likely wasn't.

The children had shown signs of abuse, but they weren't immediately recognized as such, the report said. Some were scared of attending the class, one developed a stutter and another started losing his hair.

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From 1939 Times Square to the Towers in the 90's, the Daily News has the legendary photos of NYC.

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**A therapist called Jesse Friedman 'a psychopathic deviant' who was 'self-centered, manipulative, egocentric and capable of breaking the law.'**

Arnold Friedman admitted molesting "only" 41 children, and specifically denied molesting a dozen others. Three separate students gave similar accounts of sexualized versions of Leap Frog and Simon Says being played in class, the report said.

And the review found that the judge who presided over the case, Abbey Boklan, didn't threaten Jesse, she just properly warned him about of how much time he was facing.

He "pled guilty because his own calculations showed it to be the optimal strategy in light of the choices available to him, not because someone else forced him to do so," the report said.

The report also paints a highly disturbing picture of Friedman, who's now married and living in Bridgeport, CT.

A shrink who was hired by Jesse's lawyer to help with the original criminal case, Dr. David Pogge, found he was "a psychopathic deviant" who was "self-centered, manipulative, egocentric and capable of breaking the law."

"Jesse lies all the time and derives gratification from fooling others," the doctor was quoted as saying.

After his guilty plea, he wrote a letter to one of his two brothers calling the experience "exhilarating." "I want a big article tomorrow!" he wrote, adding that he dreamed of being a "star."

Friedman also went on Geraldo, against his lawyer's advice, and said then that he'd been sexually abused by his father, and forced "to pose in hundreds of photos for my father in all sorts of sexual positions (with) the kids."

He "reveled in public discussions of his guilt," the report says.

He's since denied he was ever abused by his father, or that his father abused any of his students, but the panel found those claims "not credible."

In prison, the report said, Friedman was disciplined twice - once for possessing a torn photograph of two prepubescent girls, one of whom was naked, that he'd ripped out of a magazine, and the second time for "writing and distributing 'fictional' stories that described violent and disturbing sexual acts, including incest, bestiality and child rape."

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ANDREW THEODORAKIS/NEW YORK DAILY NEWS

**Frances Galasso served as the lead investigator in the sex abuse case against Jesse Friedman.**

The panel said it interviewed Jesse's uncle, Howard Friedman, who told them, "Jesse is guilty, and you're going to ask me how I know. Because Arnold told me."

He said his brother had tearfully confessed to him after his arrest that he and Jesse had "misbehaved with children," but swore him to secrecy "until he was dead and Jesse was out of prison."

He told the panel he'd lied about Jesse's innocence when he was interviewed for "Friedmans," and said he felt like "a huge rock had been lifted from my chest" after he made the admission, the report said.

It also said he'd come clean before - he told Jarecki what his brother had told him a couple of years ago, but the director had never mentioned the startling admission to the review team.

The report acknowledges there were some problems with the initial investigation, and the re-investigation: The panel did not have access to the victims' grand jury statements, which Friedman's supporters say show the case was flimsy. Investigators were inconsistent with their note taking and keeping, making it hard to recreate the investigation.

The review panel didn't get to talk to several of the victims, including one who recanted to Jarecki, because they ignored requests to talk.

"In hindsight, the investigation was not ideal, but it was a product of its time," the report said. "Today an investigation against the Friedmans would start and proceed differently. But it has not been shown that the result of the investigation would be any different."

Friedman told the Daily News in an interview last week that he expected the report to clear him, and was hoping for an apology from the DA's office.

"I know if that hasn't happened, we haven't reached the end yet," he said.

\* \* \*

It was a documentary loaded with fiction.

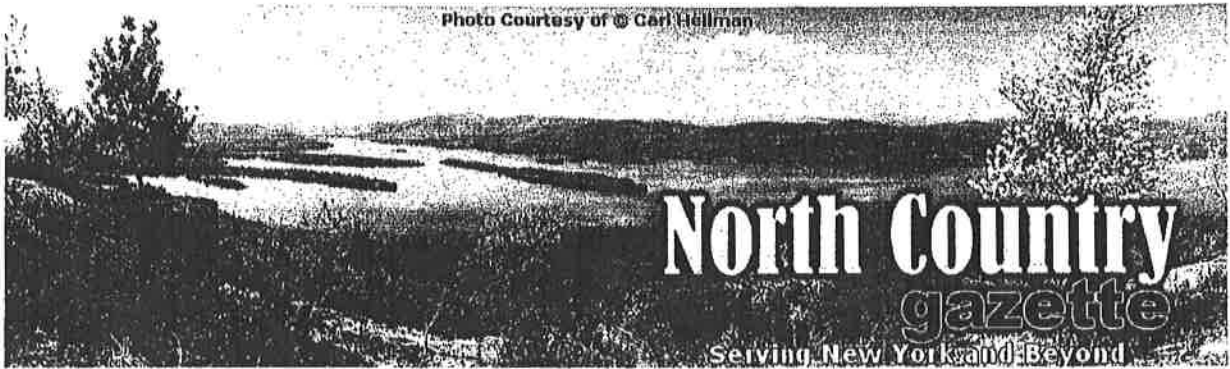
The Nassau County DA's office blasted the 2003 film "Capturing the Friedmans" as misleading, and accused the moviemakers of interfering with the probe they were responsible for reopening. The report said the filmmakers misrepresented comments from an investigator and the judge presiding over the case, and took at face value comments by one victim that he was "hypnotized," when there's no evidence of such.

The report also claimed filmmakers Andrew Jarecki and Marc Smerling would not hand over some of the evidence under their control, and refused to hand over the unedited versions of interviews with Jesse Friedman, his family members and another co-defendant in the case.

Jarecki told the Daily News his investigation was far more thorough than the DA's "superficial" probe. He said they provided investigators with more than 1,700 pages of exonerating evidence, and "they never even asked us a single question about it."

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Report Affirms 1988 Friedman Sexual Abuse Conviction

by NORTH COUNTRY GAZETTE on JUNE 24, 2013 · LEAVE A COMMENT

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NASSAU COUNTY—Not surprisingly, a 155-page report released Monday by Nassau County District Attorney Kathleen Rice, affirms the 1988 child sexual abuse conviction of Jesse Friedman.

The Review Team tasked with conducting the conviction integrity investigation wrote that "...by any impartial analysis, the re-investigation process...has only increased confidence in the integrity of Jesse Friedman's guilty plea and adjudication as a sex offender."

An independent advisory panel appointed to guide the process found the Review Team's conclusion to be "reasonable and supported by the evidence."

Friedman, now 46, was 18 years old when police and prosecutors charged him and his father with sexually abusing more than a dozen local children enrolled in a computer class taught at the Friedmans' Great Neck home. The pair pleaded guilty and each was sentenced to a lengthy prison term.

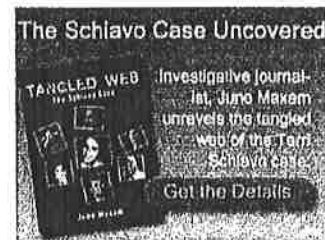
Jesse Friedman served 13 years in prison and was paroled in 2001 without ever appealing his conviction. Upon his release from prison, Friedman was adjudicated a Level Three sex offender, a status he maintains today.

In 2004, Jesse Friedman chose for the first time in the 16 years since he pleaded guilty to try and overturn his conviction. His claims were based exclusively on what he believed was "newly discovered evidence" depicted



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in the 2003 film *Capturing the Friedmans*. The film attempts to cast the Friedmans as possible victims of police misconduct, community hysteria, and judicial bias.

While Friedman's efforts were met by a string of legal defeats, included in the last of Friedman's denied federal court motions was a 2010 recommendation that the Nassau DA's Office re-examine the case. In August of that year, Rice announced that she would re-open the case and for the first time in state history select an independent panel of experts to guide a conviction integrity investigation.

### Key Findings

The nearly three-year investigation that analyzed existing information and unearthed significant new evidence affirmed the conviction of Jesse Friedman, according to Rice. The investigation also added critical context, and in some cases supplied refuting evidence, to the central theories advanced by Jesse Friedman and his advocates.

- Three victims affirmed their prior accounts to the Review Team, and at least three others maintained their accusations at various points within the last decade.
- None of the five individuals who Friedman advocates suggest "recanted" have, in fact, recanted to any degree of legal certainty. Three have not recanted at all. Reviews of transcripts concerning these individuals reveal that abuse occurred. Another who spoke to the Review Team stood by his account, in contrast to the statement he gave to filmmakers. The subject of the most recent purported recantation has refused to speak to the Review Team or even confirm he wrote the letter outlining the claim, which was provided to the Review Team by Jesse Friedman's lawyer.
- Thirteen children accused Jesse Friedman of criminal misconduct within the first five weeks of the investigation.

The investigation also revealed additional statements alleging abuse by Jesse Friedman, obtained during the original investigation from three children who did not testify against Jesse Friedman in any grand jury and were therefore not known to anyone outside law enforcement until this Review. One additional student originally disclosed abuse against Arnold Friedman only, but has since told the Review Team that he was also abused by Jesse Friedman.

Incomplete and insufficient police paperwork at times hampered the Review Team's ability to reconstruct portions of the police department investigation and decision-making process.

Friedman codefendant Ross Goldstein privately confessed to a childhood friend in 1989.

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- Unedited film transcripts of Judge Abbey Boklan and Detective Anthony Squeglia show that each was the subject of selectively edited and misleading film portrayals in *Capturing the Friedmans*.
- The “Meyers Tape” – one of only two pieces of direct evidence of heavy-handed police interviewing techniques cited by Friedman, his advocates and the Court – is, in fact, no tape at all. All that remains of a tape that hasn’t existed for more than two decades are notes taken during its screening by a Jesse Friedman attorney. Those notes, presumably limited to information the attorney found helpful to his client’s case, were then reduced and curated by filmmakers, and read dramatically by Friedman’s attorney in *Capturing the Friedmans*.
- A sworn affidavit from the therapist who treated former student “Computer Student One,” stated that she never performed hypnosis on the child. A portion of an unedited transcript of the film’s interview with “Computer Student One” contradicted his claim of pre-outcry hypnosis and had been edited out. “Computer Student One” claimed in a 2004 media report that *Capturing the Friedmans* “twisted” his account. The filmed allegations of “Computer Student One” remain the only direct evidence offered by Friedman or his advocates suggesting that hypnosis was used to induce victims to make accusations in this case.
- An analysis of unrelated wrongful child abuse accusations across the country during the time period in question identified several material distinctions with the Friedman case, including: the comparatively older ages of the complainants, the plausibility of the allegations, and the criminal backgrounds of those involved (namely, Arnold Friedman’s inarguable and admitted pedophilia).
- While maintaining his innocence prior to his eventual guilty plea, Friedman commissioned and failed at least two lie-detector tests.
- Notes from Friedman’s attorney reveal that a psychiatrist hired by Friedman prior to his guilty plea, found Friedman to be a “narcissist” and “psychopath” who was capable of committing the crimes with which he was charged. The notes also reveal the existence of a second Friedman-hired doctor. Friedman’s lawyer eventually instructed both doctors not to issue formal reports “due to the extreme negative result”.
- Prison disciplinary records show that Friedman was caught possessing a magazine photograph depicting two nude children, and was punished for writing allegedly fictional accounts of bestiality, incest and child rape.
- Howard Friedman, brother of Arnold and uncle of Jesse, admitted to the Review Team that Arnold had privately confessed to him shortly after his arrest, and that Arnold admitted to him that Jesse was also involved in the abuse that occurred in the Friedman house, and that Arnold admitted molesting Jesse.
- In a post-conviction interview by law-enforcement personnel, Arnold Friedman admitted to abusing 41 children and denied abusing 12 others.



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- Prior to his guilty plea, Friedman went to visit his father in an out-of-state prison in an effort to locate photographs of the abuse that Friedman once agreed may exist. Case files also reference a hidden closet near the computer room that was not searched by federal agents during the surprise search warrant and was later discovered empty during the execution of a state search warrant in the weeks following the Friedmans' arrests.
- Jesse Friedman's willingness to tell the truth has been inconsistent, especially as it pertained to his many descriptions of his father's guilt, his own possible victimhood, and his prior relationship with his former friend and codefendant, Ross Goldstein.



**Report Conclusions**

Of Friedman's conviction, the Review Team wrote,

"...The District Attorney concludes that Jesse Friedman was not wrongfully convicted. The four principal concerns raised by the Second Circuit are not substantiated by the evidence. Further arguments for exoneration offered by advocates for Jesse lack the merit or weight required to overturn this conviction. In fact, by any impartial analysis, the re-investigation process prompted by Jesse Friedman, his advocates, and the Second Circuit, has only increased confidence in the integrity of Jesse Friedman's guilty plea and adjudication as a sex offender." (p. ii)

In a separate letter written by the Advisory Panel following the conclusion of the investigation, the independent experts involved in the case wrote that the DA's Review Team

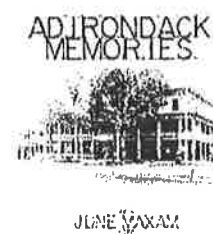
"...approached their work with no preconceived notions about Jesse Friedman's guilt, and no agenda to preserve his conviction...the Review Team was prepared to recommend without reservation that Friedman's conviction be overturned. But that was not how the facts played out..." (p. ii)

"While it was not the role of the Advisory Panel to make an ultimate judgment about Jesse Friedman's culpability or make factual findings, we do have an obligation to express a view as to whether we believe the conclusions expressed in the Review Team's Report are reasonable and supported by the evidence it cites. We think they are." (p. iii)

**Statement from District Attorney Kathleen Rice**

"Instances of wrongful conviction are real and exist in far greater numbers than any of us would like to admit. Wrongful convictions undermine public safety, and they pose the greatest threat there is to the integrity required of our justice system. But the case against Jesse Friedman is not one of them", Rice said.

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"I came to this case without an agenda or any personal stake in its outcome, and without any interest outside of searching for the truth. We were fully prepared to exonerate Mr. Friedman if that's where the facts led us. But the facts, under any objective analysis, led to a substantially different conclusion. This exhaustive and impartial process has only strengthened the justice system's confidence that Jesse Friedman was involved in the sexual abuse of children."

"While some memories have faded, many others remain strong. While some evidence has been rightly questioned, other pieces remain highly incriminating. I don't believe anyone outside of those involved in these crimes will ever know the absolute truth to every aspect and allegation of this case. What I do know is that this investigation has given our community a clearer and more comprehensive affirmation of Jesse Friedman's involvement in the sexual abuse of children than it has ever had before.

"It is my hope that this investigation will do two things: provide some certainty and comfort to the victims of this case, many of whom have faced a decade of relentless attacks on their credibility. And, at the same time, I hope that the historic and unprecedented nature of this process will encourage others to come forward and advocate for people who they believe have been wrongfully accused. Prosecutors must be as vigilant in preventing and investigating wrongful convictions as they are representing victims of crime. Our office's door will remain open and we will remain aggressive in seeking the truth both before and after convictions have taken place."

The report and a 917-page appendix are available for download.

- Conviction Integrity Review – People v Jesse Friedman**
- Friedman Advisory Panel Statement**
- Friedman Appendix – Part 1 of 4**
- Friedman Appendix – Part 2 of 4**
- Friedman Appendix – Part 3 of 4**
- Friedman Appendix – Part 4 of 4**

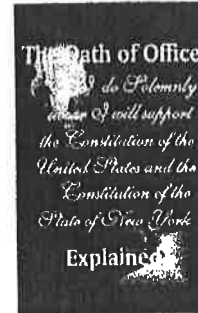
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