

Magen Ezra, a major charity supporting Special Ed programs in Jewish day schools, announced last week that its dinner honorees this year will be Rabbi Aharon Levi, executive director for the past five years who is credited with making Special Ed a live option for day schools, and Mr. Sandy Mokher, a major donor whom Rabbi Levi has cultivated. The Forward has assigned reporter Serach Asherson to write a background story about the dinner.

Asherson quickly discovers that there are highly persistent negative rumors about the charity and its honorees. While many people offer only effusive praise, several people she interviews mention that Rabbi Levi does an excellent job as executive “but of course we’d never let him near the kids”, and others go out of their way to tell her that she should ignore any lashon hara that jealous people might tell her about him. A few people mention that Mokher plead guilty ten years ago to backdating stock options at his company, although he was given a suspended sentence.

Asherson begins to work harder on the story. She gets several people to tell her off the record that Levi was asked to leave his previous job as principal of a Bais Yaakov in Cleveland because he was accused of improper advances toward students and secretaries, with some knowing winks about the number of attractive women currently employed at Magen Ezra, and numerous people tell her, again off the record, that “I wouldn’t trust the books of any organization that Mokher is involved with”. No one will speak for the record, however, and no one offers any corroborating documentary evidence, although she finds an old Daily News story mentioning Mokher’s conviction. But it seems clear to her that one man knows where “all the bodies are buried” – Mendel Greenberg, now the charity’s Vice President, who has worked there for over a decade.

Greenberg ignores Serach’s emails and phone calls requesting an interview, but she finally gets to speak to him by waiting outside the men’s bathroom in the Upper East Side synagogue that houses Magen Ezra’s offices. He initially says nothing at all, but when she loses her temper and yells at him that he’s participating in a cover-up that will cause a massive chillul Hashem, he says quietly to her that he is personally very makpid on never saying lashon hara.

Asherson is Orthodox, and she knows how to respond to that one. She challenges Greenberg to ask a sh’eilah as to whether he can and should tell her what he knows about Levi, Mokher, and Magen Ezra. Greenberg agrees on condition that she agree to ask the same posek for guidelines as to what she can write regarding the story in general. Asherson says that she needs to ask her editor, whom she has given a general but vague update on her work, for permission. The editor agrees to the deal, although he cautions Greenberg that he may well assign another reporter to the story if he feels that the psak makes it impossible for her to write it properly, and cautions Serach that, if she feels bound by the psak in principle as well as in the specific case, her career may be severely affected. He agrees that the new reporter would not be given access to Asherson’s notes etc.

You are the posek that Asherson and Greenberg come to. In a private meeting, Greenberg tells you that Levi regularly violates yichud with young female secretaries – he likes Mrs. Levi, however, and feels that publicizing Levi’s inappropriate behavior will do nothing but publicly shame her. He also says that he knows firsthand, from meetings he attended, that the charity is laundering money for Mokher, but has no corroborating evidence and does not believe that his testimony would be sufficient for effective legal action. He admits to having a letter from Levi’s previous employer documenting the accusations there. Greenberg tells you that he is concerned that Levi will fire him if Asherson lets it slip that he is her source, let alone if she identifies him by name. He says that he has tried to alert some board members to these issues, but they have been too dazzled by the charity’s rapid growth, and too committed to its goals, to be willing to risk losing an effective leader and alienating a major donor.

What do you tell Greenberg that he can, should, or must tell Asherson? What do you tell Asherson that she can, should, or must write and not write?