

Capturing the Friedmans is a documentary about the impact on the Arnold Friedman family of allegations that father Arnold, a retired school teacher, and teenaged son Jesse, molested and sodomized male children in the mid-1980s in Great Neck, New York.

The documentary that was an Academy Award Nominee for the Best Documentary Feature in 2003, traces the Friedman family back to when Arnold and his wife were children. In so doing it peels off the mask of middle-class normalcy that concealed Arnold's disturbing past of being a molestation victim as a child, and that up to the time of his 1984 arrest he had a secret fetish for child pornography.

Satisfying his desire to see pictures of young boys was what led Arnold to purchase a kiddie porn magazine from the Netherlands that was inspected by U.S. Customs. During the subsequent search of the Friedman's home, Customs agents and police officers not only found many magazines that Arnold had kept hidden from his wife and three teenaged sons – but they also found records of computer classes that Arnold taught in his home with the sometimes help of his teenaged son Jesse.

Local police detectives tracked down children who took the computer classes, and after being severely browbeaten, and in some cases hypnotized, several of the boys agreed that Arnold and Jesse had sodomized them and engaged in bizarre sexual games with many boys at a time in the Friedman's home.

The documentary effectively portrays through news clips and interviews the hysteria that swept Great Neck in the wake of the arrest and charges against Arnold and Jesse.

Arnold and Jesse both adamantly professed their innocence. However, faced with the testimony of the children that the jurors would likely accept as believable because of his many kiddie porn magazines, Arnold pled guilty to try and prevent his son Jesse from

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used as a method to elicit false testimony from witnesses." He also emphasized that "Judge Seybert did not indicate that my appeal was without merit, groundless, unfounded, or factually unsupported. Her decisions focused strictly on a technical matter relating to the counting of days on a calendar."

Sources:

Jesse Friedman v. Joe Rehal, et al, 06-CV-3136(JS) (EDNY 1-4-2008), Memorandum and Order. Email received by *Justice:Denied* from Jesse Friedman, March 19, 2008.

Capturing the Friedmans

Documentary, Directed by Andrew Jardecki, 107 minutes, Released to theaters in 2003. Available on DVD.

Review by Hans Sherrer

being convicted by association with him in their scheduled joint trial. Arnold was sentenced in 1988 to 10 to 30 years in prison.

A few days before Jesse's trial, he faced the reality that the witch hunt atmosphere in Great Neck (and around the country at that time regarding child sex charges) would prevent him from receiving a fair trial, and the judge had already let it be known that if convicted he would be sentenced to three consecutive life sentences. That meant 19-year-old Jesse would never be paroled and die in prison. So even though Jesse claimed he had never done anything sexual to any of the students and he never saw his father inappropriately touch a student, and no student ever told their parents – prior to being interrogated by the police – that anything had been done to them by Arnold or Jesse, he caved in to the pressure and pled guilty. Jesse was sentenced in 1989 to 6 to 18 years in prison.

Since Arnold's wife divorced him after his imprisonment and remarried, Jesse was the beneficiary of Arnold's \$250,000 life insurance policy that didn't have a suicide exclusion. So when Arnold committed suicide in 1995 with an overdose of medicine, Jesse had the \$250,000 to build his life after his release from prison, which occurred in 2001 after almost 13 years of imprisonment.

Capturing the Friedmans doesn't soft pedal Arnold's pedophilia, but he denied ever harming any of his computer students. His claim has some credibility because of his candid admission to two incidents with young children in another city years before the Great Neck allegations. Also supporting his claim are the filmmaker's interviews with students who said they agreed with the police interrogator's suggestions to implicate the Friedman's only to stop the officer's badgering. Arnold and Jesse's denials and the student's statements that nothing happened are consistent with the fact that no physical or medical evidence supported the children's fantastic tales of unusual and repeated sex orgies at the Friedman home, and that no child mentioned anything to

their parents who observed nothing that gave them any inkling that any sexual abuse occurred at the Friedman's home.

Capturing the Friedmans once again proves that truth is stranger than fiction, as it lays bare the complex dynamics of the Friedman family and the response of each family member to the criminal charges. Although the filmmakers don't take a position on Arnold or Jesse's guilt or innocence, they definitely gives the viewer reasons to conclude that they were the innocent victims of unsavory police detectives and prosecutors hellbent on making a case against them, and the public's lynch mob fever fueled by the media's sensationalized reporting.

With its blend of archival film clips of news stories and courtroom proceedings, the Friedman's home movies made before and after Arnold and Jesse's arrest and imprisonment, and interviews with the Friedmans and students who were allegedly molested, watching *Capturing the Friedmans* is a mesmerizing and surprisingly gripping viewing experience. It can be purchased at video stores or from Internet sellers.

Postscript

A postscript to the documentary is that in 2004 Jesse Friedman filed a motion for a new trial in New York State court. The motion was based on exculpatory evidence concealed by the prosecution prior to Arnold and Jesse's guilty pleas. The concealment of the evidence was discovered by the filmmakers during their three-year investigation of the Friedman's case and interviews they conducted for *Capturing the Friedmans*.

After Jesse's motion was denied by the New York State courts, he filed a federal writ of habeas corpus. In July 2007 two of Jesse's three claims were dismissed as untimely under the one year statute of limitations imposed by the Anti-Terrorism and Death Penalty Act of 1996 (AEDPA). (See p. 16.) On January 4, 2008 Jesse's third claim — that the prosecution failed to disclose the use of hypnosis to enhance the memory of Friedman's accusers — was also dismissed on the basis of the judge's determination that Jesse's habeas petition was filed 18 days later than the one-year time limit imposed by the AEDPA. Jesse Friedman's website is at, <http://www.freejesse.net>

