

POWERS THAT BE DOOM THIS LITTLE GIRL



SHERRY THEN: Still vibrant as tragic saga began in 1966.

THE city of New York, its agencies and courts, have committed numerous acts of malfeasance over the years, but few in my experience rival that of Orbach. The city is literally presiding over her rapid slide to the brink, if not death.

For three years I've been writing about this little girl, now 12, charting her alarming physical and mental deterioration. Nothing happens. Prominent legal, medical and political authorities, after reviewing the case, have demanded an impartial investigation, only to have the door slammed in their faces. The city's Human Resources Administration, and its many allies in this tragedy, just shrug and go about their business, concealing their terrible deeds behind the cloak of "confidentiality."

Well, the hour of reckoning is drawing near for all of them. From this day forward they are on notice and will be held accountable, because Sherry Neustein-Orbach's



**RAY
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condition has taken a severe turn for the worse. Over the summer, she lost a further 11 pounds, reducing her to an emaciated 59 pounds. It has prompted a well-known pediatrician, Dr. Herbert Strauss, associate clinical professor of pediatrics at Albany Medical College, to say, "Sherry's state of health has deteriorated dangerously. She is in grave peril of losing her life. I doubt that she can recover unless she receives appropriate medical and psychiatric care."

Her mother, Dr. Amy Neustein, of Brooklyn, has been shouting this warning for more than three years, ever since the courts removed her daughter from her custody, placed her in foster homes, then transferred her to the care of Dr. Neustein's ex-husband and a life of tumultuous emotional distress.

Sherry, the evidence shows, was a normal, well-adjusted child in her early years. When her parents divorced, her mother was granted custody. The family harmony exploded when Sherry's maternal grandmother said she saw Sherry's father molesting her sexually. What followed defies comprehension. The molestation charge was never thoroughly investigated, a judge branded the mother "paranoid and delusional," Sherry was shunted into foster care and wound up in the custody of her father, the alleged abuser.

After four months in her father's care, Sherry's condition deteriorated so sharply that her mother rushed her to the hospital in defiance of a court order. Doctors likened her to a concentration-camp refugee. Dr. Jeffrey Birnbaum, one of seven physicians who examined Sherry, said, "She was by far the worst case I have ever seen of emaciation. I thought she would die of malnutrition."

Then came the ultimate insanity in this nightmare. Judge Leon Deutsch, at the urging of the Legal



AND NOW: Deathly ill at 12 as judges, other officials ignore her.

Aid Society, punished Dr. Neustein for taking her sick daughter to the hospital by stripping her of all visitation rights. Dr. Neustein has not seen Sherry for 3½ years. How do you even begin to measure the magnitude of this miscarriage of justice?

Andrew Stein, president of the City Council, called for an independent medical and psychological examination of Sherry. "This child's life depends on a prompt examination," Stein wrote Commissioner Robert Little of the Child Welfare Administration. His plea was ignored.

Former assemblyman, now congressman, Jerrold Nadler held public hearings on child sex abuse, highlighting the Sherry Neustein-Orbach tragedy. He was so stunned by the evidence that he wrote Joseph Esquirol, the chief administrative judge of Brooklyn Family Court, "I am completely convinced that the child has been on a grave emotional and physical decline ever since she has been in the custody of her father. This child is crying out for help. We need to intervene before it's too late." Nothing happened.

Jeremiah McKenna, former chief counsel for the state Senate Committee on Crime and Correction, concluded, "Dr. Amy Neustein is the victim of a criminal conspiracy."

Rep. Major Owens, the Brooklyn Democrat, has begun a preliminary investigation into the prospect of fiscal fraud in Sherry's case. State Sen. David Paterson, the Harlem Democrat, has held hearings on the case and Una Clarke, the Brooklyn Democrat on

the City Council, has asked Barbara Sabol, the HRA commissioner, for an immediate review of Sherry's condition.

Two weeks ago, Sherry's father submitted to the court a report on her condition. He disclosed that she had lost 11 pounds during summer camp, claiming she had since regained some of it. The child has a history of clinical depression and severe anorexia nervosa, which is sometimes linked to sexual abuse.

Dr. Strauss, the pediatrician, says, "Sherry's health has been chronically and seriously impaired. Further deterioration will increase the risk to her life."

Who should be held accountable for this travesty? At the top is Mayor David Dinkins. He knows about this case and it is his agencies which are derelict.

The following have their fingerprints all over this case: Barbara Sabol, Robert Little and his deputy Fred Rosenberg, Joseph Esquirol, Dr. Bill Newberger of the Fatality Review Panel, Judge Jeffrey Gaillet, Judge Deutsch, the Appellate Court and its presiding judge, William Thompson, the Ohel Children's Home and Family Services and its executive director, Lester Kaufman, the Brooklyn Society for the Prevention of Cruelty to Children and its attorney, Harvey Jacobs, the Legal Aid Society and its lawyer Todd Silverblatt, and Brooklyn District Attorney Joe Hynes.

If anything happens to little Sherry Neustein-Orbach, her fate will be on their hands. They have been served notice. The clock moves.