

Jesse Friedman Case
MICHAEL EPSTEIN

<p>Q: Today is August 1st, 2012. The time is now 10:10 am. Sitting alongside of Michael Epstein at 230 Ashland Place, in Brooklyn, New York. And Michael, for identification purposes, can you state your name and date of birth?</p> <p>A: Hi. Michael Epstein. 10/25/78.</p> <p>Q: Okay, Michael. You gave me permission to record this conversation?</p> <p>A: Yes.</p> <p>Q: And we spoke about two days ago over the phone. Is that correct?</p> <p>A: Yes.</p> <p>Q: Okay. Now I'm here regarding the investigation and the reinvestigation of the conviction of Jesse Friedman. And you're in..., you realize and you know who Jesse Friedman is.</p> <p>A: Yes, I do.</p> <p>Q: Could you give me a little background – how you know Jesse and his father?</p> <p>A: Sure. I grew up in Great Neck. And I took computer enrichment courses at their house. Which was also in Great Neck. I took a few sessions of, of those courses. I would say maybe three or four sessions. Each session wasI think they were once a week. And I was also, you know, I was a pretty bright computer kid at the time, and I'm currently employed in that field. I'm a programmer.</p> <p>And so I saw it as a chance to, you know, get access to, you know, more computer hardware and software, learn more about how to program. It was also sort of a fun after-school activity with, you know, some of my friends were in the classes, too. And you know there were always, I think in the classes there were always two or three kids I knew well, and a few that I didn't know as well.</p> <p>Q: Would you recall the names now of the people that you knew in that class?</p> <p>A: Sure. I mean there were a lot of them. There were Brian Cohen was a very close – I would say he's my best friend in elementary school.</p>	<p>0:35.00</p> <p>1:27.00</p>
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Benjamin Handler – Benjie. Allan Yaskowitz was in, was in one of the classes. You know there were others – I took several sessions, so I don't remember who was in which of the classes, and I think there were other friends I had who were in, in some of them.

You know, I could name some of my other friends, but I don't know if that....

Q: Okay, so basically, as we know, we know what happened to Jesse and his father. Correct?

A: Yeah.

Q: And there were allegations of sexual misconduct by the district attorney's office against Jesse and his father. Right? You were aware of that?

A: Yes, yes.

2:48.00

Q: Okay, now while you were in class, do you recall what year it was possibly?

A: I don't, I don't really. I was young. I would say it was probably I don't know. '88, '89, 1990. Something like that.

Q: Okay. Were you in high school at the time?

A: No, no. I was in elementary school.

Q: You were in elementary school.

A: I'd say probably 3rd, 4th, 5th Grade, something like that.

Q: Okay. How did you, while...

A: ...Could be 2nd.

Q: Okay. While being present at the house, at the Friedman house, during the classes, did you ever see any mis – you know misconduct by Jesse or his father?

A: No, I never did.

Q: You never did?

A: No. I remember Arnold – his father- as a very, you know he was an older man. He was very kind. He was, he had the sort of bearing of a teacher. He really enjoyed teaching kids. And he also had music

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<p>classes in addition to computer classes – or music tutoring or something.</p> <p>Jesse was sort of, he was a little bit of a rambunctious kid. He was helpful in the classes, but he was not I think as knowledgeable as his father in general.</p> <p>Q: Right.</p> <p>A: But he was, he was sort of in the classes as a helper. You know, he could help you with some things, but Arnold was more knowledgeable about the subject-matter.</p> <p>Q: Okay. Now when did you hear about the arrests?</p> <p>A: Well the police came to my house one day. In the evening. And I remember the doorbell ring and I remember seeing two cops outside.</p> <p>Q: Were they in uniform?</p> <p>A: In uniform, yeah.</p> <p>Q: Right.</p> <p>A: There may be others who were not in uniform, but I remember some uniforms. And my parents answered the door, and they, the police went to speak with my parents without me for a little while. And then they brought me in. And you know I think we spoke to them on at least two occasions, and I was, I don't remember specific details of what they asked or what they said, but it was very clear that they were bringing up the subject of, you know, inappropriate activities that they, you know, were sort of strongly hinting had been happening at the Friedman's house.</p>	<p>4:12.00</p>
<p>And of course after that it was all over the news.</p> <p>Q: So when they came to speak to you, the Friedmans had already been arrested, or....?</p> <p>A: I don't remember.</p> <p>Q: You don't remember. Okay, now when they spoke to you, do you recall what they were asking you?</p> <p>A: You know, I, I don't remember specific questions. But I remember the general tone was 'Other kids have been saying that things have happened. Do you remember anything? Can you tell us anything?' That, that's my memory of the tenor of the conversation.</p>	<p>5:17.00</p>

<p>Q: All right. And how did you answer them?</p> <p>A: I said 'No'. I said, 'I don't think anything happened.'</p> <p>Q: Okay. And then, so that was the last time you ever saw the police. Right? Maybe on one or two occasions?</p> <p>A: Yeah, I think so. I don't really remember.</p> <p>Q: Right. Okay. It's fine. It's been years ago. That's understandable.</p> <p>A: I must have been eight years old or so. Nine.</p> <p>Q: Do you recall if they ever tried to lead you, you know, with an answer?</p> <p>A: I don't remember.</p> <p>Q: Okay.</p> <p>A: I mean I think just the fact that they were bringing up these statements and saying that other kids had said that they were true had the effect of, you know, I think I'm a little bit stubborn in a lot of ways, and I think if I weren't quite so stubborn and, and confident that nothing had happened I could see acknowledging what they wanted me to say. But I just didn't think it was true.</p> <p>Q: Okay. Thank you. I'll tell you I would use the word 'you stuck by your convictions'.</p> <p>A: Yeah, that's a nicer way to say it.</p>	6:18.00
<p>Q: It's a nice way to say you're stubborn. You know? Okay, now. I'm going to sound like an attorney for a second. Did there come a time when you went for psychological treatment or to see, to see a doctor?</p> <p>A: Yeah, yeah, we've, my parents took me to see I think his name is Dr. Pelkavitz. I don't remember if he was the only one. And I may be getting the name wrong. There was a guy. He had ... there may have been two, actually. There was one with an office in Great Neck. At his house. And then there was one with an office at L&J Hospital. I don't remember for sure whether it was the same doctor.</p> <p>Q: But do you recall the name of Pelkavitz?</p> <p>A: Yes.</p> <p>Q: Okay. And how long...</p>	7:15.00

<p>A: He was the primary one.</p> <p>Q: He was the primary.</p> <p>A: Yeah.</p> <p>Q: How did your parents know to go to him?</p> <p>A: I, I got the impression that a lot of kids were going to him. I suspect that the police recommended him but, or referred him, but I don't know.</p> <p>Q: Right. And for how long did you see Dr. Pelkovitz?</p> <p>A: Years. Three, four years probably.</p> <p>Q: Three, four years.</p> <p>A: At least. Maybe, maybe five.</p> <p>Q: And during those three, four or five years, you know, whatever it is, basically could you get into what happened in those classes? Were you telling him the same thing that nothing happened, as you told the police?</p> <p>A: Yeah, for the first several years, I insisted that nothing happened. And I didn't think he believed me. And I think he looked at it more as trying to get me to remember. Because I think he was, I thought he was totally convinced, and trying to get me to remember and, or admit about these things that happened. And you know there was a lot of talk about specific activities that kids had said may have happened.</p> <p>I think there was also a lot of just sort of general psychological practice that was not related. You know, like, what was I doing? What did I think about? Who were my friends? What was my mood? You know, just normal stuff that you expect a psychologist to ask. But there was always the, it was always clear that the reason I was there was because of the allegations against the Friedmans, and because I had not said that anything happened.</p> <p>And I also had long conversations with my mom at home. Along similar lines, like talking about going, you know, rehashing the stuff. And I told her also that nothing had happened, that I never saw anything inappropriate. You know, they were computer classes.</p> <p>Q: What's your mother's name?</p> <p>A: Marlene.</p>	<p>8:00.00</p> <p>9:06.00</p>
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Q: Marlene. Now did, did it ever come up – because, like I said, we spoke a couple of days ago – did it ever come up about the leap frog incident? I mean...

A: I, I'd heard that, that term and some sort of sketchy description of – I mean I think it supposedly referred to some sort of game where a boy or an adult or both would like be naked and jump over the other one's back or something like that? And it always struck me as a little bit farfetched. Like it didn't seem like the sort of activity – and as I matured and became an adult, it never seemed like the sort of activity that an adult would find sexually fulfilling. It seemed like the sort of thing that a kid might have imagined. And I never saw anything of that sort.

10:22.00

Q: You never saw anything?

A: I never saw anyone take their clothes off. I never saw any – you know, there was a little bit of horseplay, just, but just kids being kids. I mean if you get ten kids in a room in a, in a basement, you're going to get a little bit of running around now and then. But there was nothing inappropriate about it.

Q: Was it Dr. Pelkovitz who brought up the leap frog? Or...that might have come from another source?

A: I think he did. I think it may have come from the police. It may have come from other kids talking about it. I don't remember.

Q: But it could have come from Pelkovitz or the police?

A: It could have been.

Q: Okay.

A: And I think there were other, you know, things that they talked about in that vein that I don't specifically remember.

Q: Do you recall if you were ever asked to be hypnotized?

A: He, he, Pelkovitz definitely talked about it, as something that he felt would be helpful. And I was skeptical. And I don't remember, I mean I've never believed that it probably even works in general. But I don't remember whether he actually tried or not.

11:29.00

Q: But would it be fair to say, and I guess this has just got to be a 'yes' or 'no' answer, would it be fair to say that he did ask you to take it and you declined? Or ...

A: Uh, yes. He certainly asked me to do it. I certainly resisted. I don't

remember whether I eventually agreed.

Q: Okay. Now, you also mentioned to me, and I'm only saying what you mentioned to me - I don't want to put words in your mouth - that eventually there came a time that, because of the constant sessions you had with him, and the impossible aggressiveness or the repetitiveness, you lied to him. Is that correct?

A: Yes. Yeah, that's true.

Q: Would you explain that to me?

A: Yeah. Not so much him. I mean not him at first. But ...

Q: Right.

A:after a few years of these sessions, it became clear to me that his goal - and I think also my parent's goal - was to get me to remember or get me to say that abuse had happened. And I just, I didn't want to keep rehashing this, these memories forever. You know? He didn't, the pleasant memories that I have of the class, you know, you hear all these things, and you start to think that, you know, 'Well maybe something did happen.' Or 'Maybe it happened to other kids and not to me.'

13:11.00

And just hearing that, you know, it made me a little bit...it made the memories into things that, by association with all this talking it over, talking it over, talking it over wearied us both. And I wanted to not spend so much time of my life discussing this. So eventually I decided - I think I first told my mother that I remembered it. I made up some stories, as little as I could get away with, about what the Friedmans had done. I think I mentioned the leap frog and maybe some other things.

Q: Do you recall the other things?

A: No, I mean I think just sexual contact of some sort. I don't remember.

Q: Right. So it's leap frog and sexual contact, which you first told your mother. Is that right?

A: Yeah, I think so. And then, and then told Dr. Pelkovitz.

Q: And when you told Dr. Peklovitz, what was his reaction? You know that, did he feel euphoria that he finally had you confess, or....?

A: I can't say what he felt. He may have, he may have felt that. He didn't, I mean he didn't, you know, ...

Q: Did they ask you to testify?

<p>A: He asked me if I would be willing to testify. But he didn't make it sound like it mattered that much. I think at that point there were already so many kids who were willing to testify – or maybe at that point they were already sentenced. I don't remember the timeline. But</p> <p>Q: Right.</p> <p>A: I mean I think there were, I think it, Arnold was sentenced pretty quickly, but then Jesse's case hung around for a year or two. So I don't remember which came first.</p> <p>Q: Right. Okay, now when I just got here, before we went on tape, you informed me that you received a letter from the DA's Office about a year ago, and then you called them. Could you talk about that?</p> <p>A: Yeah. It may have been less than a year. It may have been, you know, I'd say between six months and a year ago, I got a letter from the Nassau DA – maybe a year and a half, something like that – saying that they were re, re-investigating the case, and inviting me to call them if I wanted to talk about it.</p>	<p>14:23.00</p>
<p>And I did. I called the number. And I think we set up another time to talk, and then we talked for, you know, maybe, at least a half hour, maybe a little longer.</p> <p>Q: And do you recall what you told them?</p> <p>A: Yeah, I told them pretty much the same as what I'm telling you. I told them that I don't remember any inappropriate activity at the Freidman's house. I told them that I, you know, felt a little bit pressured by the police and, and Dr. Pelkovitz. And by my parents, frankly.</p> <p>Q: And did you eventually tell them that you lied just to get them off your back?</p> <p>A: Uh, I think so. I don't remember specifically.</p> <p>Q: Okay. I mean is there anything else that I had left out during our conversation that you might want to add?</p>	<p>15:34.00</p>
<p>A: Um, I think it's worth noting that I and several of my other friends continue, you know we would take a, a class, which would be, you know, a session of ten or twelve classes, and then we would re-enroll for another one.</p> <p>Q: Right.</p>	<p>16:32.00</p>

A: Or two or three. And I certainly did that. And I don't know if the kids who alleged abuse also did that. But if they did, it was, I mean I have trouble reconciling that,

Q: Right.

A: ...that fact unless they had....

Q: Did any child in the classes, any of your friends, ever mention anything happened to them?

A: Oh, well, afterwards, after the police came to see us all, I remember some of my friends, specifically Brian and Allen were, had definitely said that something happened, and I was confused by this, because I had been at the classes when they said there was, there were inappropriate activities.

Q: And did you, did you confront them with that?

17:57.00

A: I wouldn't say 'confront'. I would say, you know, we probably discussed it a little bit. But it was, it was not the sort of thing that, that people really talked about that much.

Q: Right.

A: There, I remember very clearly on the playground at my elementary school, Brian had, Brian Cohen, had a, like a little badge, like a fake police badge. Like Junior Police, or something like that, that the police had given him, or the DA or somebody. As a result of having testified.

Q: Right.

A: Or, you know, admitted or told the police.

Q: You also told your mother that you lied, correct?

A: I never told her that I lied.

18:39.00

Q: Oh, you never told her?

A: No.

Q: Do you have a relationship with your mother?

A: Yes. I just never, I thought about it a few times. I think about it now. And you know I'm sort of felt like letting sleeping dogs lie, but I feel like maybe this is the time. And you know she conceivably couldsay what she remembers, and she would probably remember more clearly the

<p>questioning, just because she was an adult at the time.</p> <p>Q: Would you mind if, you know, if you would ask her if I could speak to her? You know, if not, no problem. But if it were possible. Is she still in Great Neck?</p> <p>A: Not....(audio break) ...</p> <p>Q: Okay, we went off the air for a second. I hit the wrong button. We were asking your mother possibly, or if you can....if you can, call me. If not, I'm not going to bother your mother without your permission. You know, or if you want to discuss it with her. That's up to you. So you have my number. So, all right. I'm going to conclude the tape now. We've covered about everything, right?</p> <p>A: Yeah.</p>	<p>19:12.00</p>
<p>Q: So it's 10:30 am, and I want to thank you very much.</p> <p>END OF INTERVIEW</p>	<p>20:00.00</p>