

Jesse Friedman asks appeals court to make DA hand over his case file

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Photo credit: Howard Schnapp | Jesse Friedman reacts after Judge F. Dana Winslow ordered Nassau County prosecutors, in Mineola, to turn over case files. The Great Neck

A former Great Neck man trying to clear his name after a 1988 guilty plea in a child molestation case asked an appeals court Monday to compel prosecutors to turn over his criminal case file.

Jesse Friedman, 44, pleaded guilty to sexually abusing more than a dozen boys who took computer classes in his family's home. Friedman spent 13 years in prison after pleading to numerous sex offenses and endangering the welfare of a minor before his release

on parole in 2001.

The Connecticut man has since claimed police manipulated children into making false abuse claims, and that he pleaded guilty because he feared spending the rest of his life in prison if convicted at trial. A State Supreme Court judge in Mineola ruled in August that the office of Nassau County District Attorney Kathleen Rice had to give Friedman his case file.

Justice F. Dana Winslow said Friedman could have "every piece of paper" in the records except for victims' names, saying he granted the Freedom of Information Law request partly because the public has to have confidence in how public officials do their jobs.

But in October, Rice's office appealed the ruling to the Appellate Division in Brooklyn, saying Winslow erred by treating a lawsuit as if it was a criminal case when ordering the records disclosure. The brief said the court "failed to appreciate the crucial difference" between a defendant facing trial and a citizen filing a public records request.

Monday's filing claims Rice's true goal in withholding records is not to protect witnesses -- whose identities Friedman knows -- but to "continue to avoid scrutiny of her office's and her predecessor's extraordinary misconduct."

His father, Arnold, pleaded guilty to dozens of sex-abuse counts before his 1995 suicide in prison.

A 2003 Academy Award-nominated documentary called "Capturing the Friedmans" boosted Friedman's long-running campaign to clear his name after raising questions about tactics investigators used to interview children and possible bias on the judge's part. In June, Rice's office issued a report finding Friedman's conviction was justified.

The review followed a Second U.S. Circuit Court of Appeals decision in 2010 that denied Friedman's bid to have his conviction overturned, but was critical of the handling of his case, saying evidence suggested a likelihood he was wrongfully convicted.

Rice spokesman Shams Tarek said yesterday that the question before the court was whether Friedman should have access to witness statements and grand jury records "generally deemed confidential" by law, which is meant to protect crime victims' privacy and "to keep them from being victimized again." Friedman's attorney, Ron Kuby of Manhattan, said in a prepared statement his client's case file must be opened.