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Israeli Court Bars Extradition Of U.S. Youth Charged With Murder; Law Reflects View That Jews Should Not Be Tried By Gentile Courts

The Israeli Supreme Court ruled in February that an American Jewish teenager who is charged with murder in Maryland should not be extradited because he is an Israeli citizen. The 5-2 decision meant that the 18-year-old, Samuel Sheinbein, a native born U.S. citizen, will be tried in an Israeli court despite pressure from the U.S. government and anger in Maryland.

Sheinbein fled to Israel in Sept. 1997, two days after the dismembered and burned body of an acquaintance, 19-year-old Alfredo Tello, Jr., was found in a garage in a Maryland suburb of Washington. Sheinbein was later indicted in the slaying. To avoid extradition, Sheinbein, who has never lived in Israel, claimed Israeli citizenship through his father, who emigrated to the U.S. in 1950. The Israeli court declared: "No further affinity with Israel is required for the appellant to be considered an Israeli citizen."

Reporting from Jerusalem, Joel Greenberg writes in *The New York Times* (Feb. 26, 1999): "Under the 1978 Israeli law, citizens of Israel cannot be extradited to stand trial abroad. The law reflected the view that Jews should not be handed over to gentile courts, where they might face an unfair trial."

Israel signed a treaty with the U.S. allowing extradition of citizens in 1963, but the justices found that the subsequent law barring extradition of citizens took precedence. Rep. Albert Wynn (D-MD), in whose district Tello's body was found, said he was "appalled" at the Israeli court's decision. He said: "The court undermines the spirit of cooperation embodied in the Israeli treaty with the U.S. If the situation were reversed, we would be expected to cooperate and we expect no less from our allies." Rep. Constance Morella (R-MD) called it "disappointing that a man who was a citizen of the U.S. who is accused of committing a crime in Maryland on American soil...should be tried in another country."

On March 21, an Israeli judge brought a last-gap attempt to extradite Sheinbein to the U.S. to an end. The decision by Judge Shlomo Levine, deputy president of Israel's Supreme Court, marked the finale, and the failure, of an 18-month effort to have Sheinbein returned to Maryland for trial.

Editorially, *The Washington Post* (Feb. 27,1999) stated: "The notion that anyone accused of killing, dismembering and burning another person could then be spirited away to a foreign country in which he has never lived, claim citizenship and thereby successfully avoid facing trial in the country that is both his home and site of his alleged crime is nothing short of mystifying...Until Israel's extradition law is changed, Americans will have a serious grievance against the Israeli legal system."

Even Sheinbein's Israeli attorney, David Libai, a former Justice Minister, agreed that the law needs to be changed: "We cannot allow a situation where there's such a blatant contradiction between a treaty with the U.S....and Israeli law."

In Israel, Aharon Barak, the chief justice of the Supreme Court, argued in favor of Sheinbein's extradition. He declared. "How can one imagine that a foreign citizen, whose affinity is with a foreign country, can argue before Israeli courts that he does not trust the laws of his country and its jurisprudence?"

Attorney General Janet Reno criticized the Israeli action but said that the U.S. Department of Justice would do everything it could to make sure justice is served in Israel: "If he has to be tried in another country, we want to make sure that the processes are in place that will permit to to happen so that we see justice done."

The Washington Post (Feb. 26, 1999) reports: "The maximum sentence for first-degree murder in Israel is life in prison. But such sentences are usually commuted by the president to a 25-year sentence...Because Sheinbein was a juvenile when he allegedly killed Tello, the maximum sentence would be 20 years. There is no minimum sentence. If Sheinbein were tried and convicted in Maryland he could have faced a maximum of life without parole. He could not receive a death sentence because he was 17 when Tello was killed." ●

Merger Of Jewish Fund-Raising Groups Indicates "A New Agenda In The Jewish World"

In March, North America's three most prominent Jewish fundraising and fund-distribution organizations decided to merge. The alliance of the United Jewish Appeal, the Council of Jewish Federations and the United Israel Appeal represents "a dramatic change in the Jewish American philanthropic landscape," declared *The Jerusalem Report* (April 12, 1999).

Jeffrey Solomon, president of the Andrea and Charles Bronfman Philanthropies, who has been acting as a consultant in facilitating the merger, states: "There's a recognition that there's an enormous change in American philanthropy. All the assumptions of the past are no longer valid. The openness of America and the success of Jewish life in America has given people who are Jewish and philanthropically active many more choices—some of them not Jewish choices."

The merger, *The Jerusalem Report* points out, "gives the local federations a much larger role in determining how the funds will be spent. Essentially, the merger takes the power to distribute funds worldwide from the national UJA...and gives it to the federations, which actually raise the funds and can be more responsive to their local constituencies."

Jonathan Sarna, a professor of American Jewish history at Brandeis University, sees the merger as moving away from giving to Israel and focusing on a domestic agenda, such as Jewish education. "I think there is a deeper understanding...that Israel doesn't need American philanthropic money like it did in the 1960s," he said. "I don't think the bulk of young Americans are motivated by the vision of a Jewish state the way they once were. And while that certainly doesn't mean that American Jews are going to stop worrying about Israel, it does suggest that the central campaign, the focus, where the majority of the money goes, will be different."

Opposition to the merger came from Zionist groups within the United Israel Appeal. J.J. Goldberg, writing in *The Washington Jewish Week* (March 25, 1999) reports: "What happened was not a pretty sight. One after another, the Zionists rose to criticize the merger negotiations; claim they'd been hoodwinked; defend their role as Israel's leading supporters; and demand seats on the new board....The response they got from federation representatives veered between sympathy and derision, once even descending into a shouting match. When the vote came, the Zionists lost badly. Not one federation leader crossed over to support the Zionists. Sadly, the Zionists had lost their fighting spirit. Years ago, they were the feistiest hellraisers in the Jewish world. But for generations, they've been just the opposite: loyal followers of Israeli *diktat*. Now, when they had to fight for their own survival, they couldn't remember how to put up a fight."

The latest developments, states *The Jerusalem Report*, shows that there is "a new agenda in the Jewish world." ●