

Orthodox Union



UNION OF ORTHODOX JEWISH CONGREGATIONS OF AMERICA ♦ איחוד קהילות האורתודוקסים באמריקה

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April 14, 2010

Lanny Breuer, Esq.
Assistant Attorney General
Criminal Division
Department of Justice
Robert F. Kennedy Building
950 Pennsylvania Avenue
Washington, DC 20530

בס"ד

Dear Mr. Breuer,

I am writing to you concerning the case of Mr. Sholom Rubashkin. I understand that the United States Attorney's office has filed a sentencing memorandum strongly advocating a life sentence for Mr. Rubashkin, and I wish to register my profound dismay that a life sentence is even being contemplated in this circumstance. I am the CEO of OU Kosher, a non-profit organization that issues kosher certifications to thousands of food processors in the United States, including Agriprocessors. I know Mr. Rubashkin personally as I worked with him for many years in ensuring that his processes met the standards of kosher certification.

Let me state at the outset that I appreciate the seriousness of offenses for which Mr. Rubashkin was convicted. After the federal raid, I insisted that for Agriprocessors to maintain the OU kosher certification, Mr. Rubashkin would have to step down and be replaced by independent management. Mr. Rubashkin deserves to be punished fairly for his offenses. I am increasingly concerned, however, that fairness will be obscured by inaccurate perceptions of Mr. Rubashkin. I know what kind of human being he is, and he is not the person portrayed in the media, nor the person that emerges from the mute record of the legal proceedings against him.

I visited the Agriprocessors plant and had discussions with the USDA inspectors. They confirmed to me that sensational stories of worker abuse and flagrant violation of laws that were initially touted in the press were simply not true. According to the USDA inspectors, Agriprocessors was essentially no different than the vast majority of other meat packing facilities inspected by the USDA.

Mr. Rubashkin is a charitable and giving individual, and his home was constantly open to the destitute in his community. He supported, in the form of anonymous contributions, many families in distressed circumstances. There are countless stories of his care and concern for others, all of which are consistent with my personal interaction with him.

Mr. Rubashkin has not gained personally from his crimes. After the raid, he leveraged all his existing assets in an attempt to save the business, all to no avail. He has lost everything. With the collapse of the business, a once wealthy and philanthropic family has been left penniless.

I can tell you that our community has the distinct impression that Mr. Rubashkin is being treated more harshly than other perpetrators of similar offenses. I find the possibility of a life sentence shocking. Does he deserve to be punished? Surely, but with a fair punishment. He is a businessman who broke the law and should be punished accordingly. But he is also a good man who has contributed to his community and the people around him. One thing I can say with certainty is that he is not a sociopath or moral nihilist who deserves to be locked up for the rest of his life as a danger to society.

I appeal to you to exercise fairness in seeking punishment for Mr. Rubashkin.

Very truly yours,



Rabbi Menachem Genack
Rabbinic Administrator/CEO