

Q&A from the Bais HaVaad Halacha Hotline

Seeing Eye

August 31, 2023

Q My neighbor's property was vandalized. My surveillance camera captured the scene, so he is asking me to turn over the footage to identify the culprit. Am I permitted to show him the video? Must I?



A The Chafetz Chaim (*Hil. lashon hara* 1:8) says that the *issur* of *lashon hara* is to defame via the spoken word or in writing; this includes any form of communication used to reveal another person's deficiency. Releasing a private video file that taints someone's reputation is therefore classified as *lashon hara*, even if the culprit is under *bar mitzvah* (see *ibid.* 8:3). But where a financial loss was sustained, and the perpetrator is of *bar mitzvah* age, you are obliged to share the footage to help the victim recoup his loss. The Chafetz Chaim says (*ibid.* 10:2) one may expose a wrongdoer to enable payment for damage if seven conditions are met: 1. The facts are clear and verified. 2. The perpetrator is halachically liable for his actions. 3. The perpetrator was approached, but he refused to comply of his own volition. 4. The facts are not exaggerated in the retelling. 5. The exposer's motive is exclusively that the victim be made whole. 6. There is no alternative way for the victim's losses to be recovered. 7. No harm will befall the perpetrator through the exposure beyond what the halacha requires.

Even in cases where the footage may be shown to the victim, the file should not be released, because this can cause undue harm to the culprit if the angry victim decides to publicize the video.

If the perpetrator is under *bar mitzvah* age, he isn't halachically liable, and releasing the footage won't help recover the losses. Although the parents or the child himself often pay for such damage, this is a voluntary gesture, and the hope that it will occur doesn't warrant exposing the wrongdoer.