

CONFESSIONS

## MURDER, OFF THE RECORD

In May, Nancy Phillips, a 36-year-old reporter at *The Philadelphia Inquirer*, broke the biggest story of her career—she elicited a murder confession from a hit man. But now she can't report on it. Some argue that she protected her source at the expense of moral concerns, while others say she sold him out. Phillips is being told by defense lawyers that she "crossed the line from reporter to witness," and even her own paper is conceding that her unusual role makes it impossible for her to remain on the story.

The case at the center of Phillips's predicament began on November 1, 1994, when Carol Neulander was found bludgeoned to death in her home in Cherry Hill, New Jersey. Police discovered that Neulander's husband, a rabbi at a local synagogue, had been having an affair, and he quickly became a suspect. In September 1998, Fred Neulander was charged with being an accomplice to murder and with conspiracy to commit murder.

Phillips says that in February 1995 she received a call from Leonard Jenoff. He told her that he was a private investigator working for Rabbi Neulander. Phillips says she was skeptical—Jenoff wasn't listed in the phone book and his "office" was in his bedroom—but figured he was a source worth cultivating. "I began to believe that he knew what happened on the autumn night when Carol Neulander was killed," Phillips wrote later in a first-person account in the *Inquirer*. "At the *Inquirer's* expense, we had meetings in diners and restaurants, where he would sit across from me and smoke cigarettes and explain what a powerful force the rabbi had been in his life." According to Phillips, Jenoff's "cryptic stories" were off the record.

Jenoff's desire to talk started to grow more urgent, Phillips wrote, and last December, he admitted that he had planned Carol Neulander's death at the rabbi's behest. "My next immediate thought was, *What was I going to do?*" Phillips tells *Brill's Content*. But she kept Jenoff's confidence. "This information was off the record," she

says. "I think we as journalists live and die by those rules." While Phillips and the paper sat on the story for five months, she continued to talk to Jenoff, trying to persuade him to go on the record, she says.

During that time, Jenoff spoke to her of his overwhelming guilt, Phillips says. On April 28, over lunch, he told her he had decided to come forward, but would "probably wait until after the weekend" to confess. Jenoff then asked her to take a drive, and in the car, she pressed him. "I asked whether he wouldn't rather go to the prosecutor's office right then," she wrote. Finally, Jenoff agreed, and Phillips says she called Lee Solomon, the Camden County prosecutor, on her cell phone. Thirty minutes later, she and Jenoff met Solomon and Martin Devlin, a homicide investigator, at a nearby diner. There, Phillips says, Jenoff admitted to planning the murder and explained how he enlisted a former roommate, Paul Michael Daniels, to help. Four days later, the *Inquirer* ran Phillips's account of the confession on its front page.

Prosecutor Solomon says Jenoff's admission helped him upgrade the charges against Neulander, who now stands accused of capital murder and faces the death penalty if convicted. (Jenoff and Daniels have pleaded guilty to murder and conspiracy to commit murder. Neulander maintains his innocence.) "These circumstances that were reported by Nancy—the meetings with Jenoff—were extraordinary," Solomon says.

But these "extraordinary circumstances" are causing others to protest. Neulander's attorneys contend that Phillips became an "agent provocateur" on behalf of the state, "delivering Jenoff on a silver platter." On May 3, they served her with a subpoena to turn over her notes. And

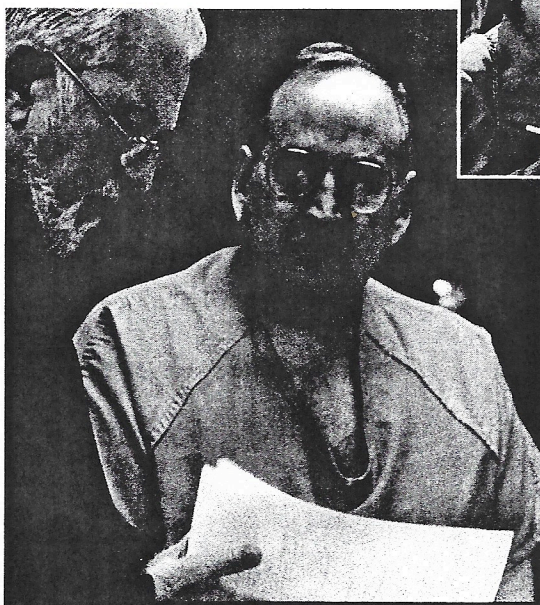
while some fault her for keeping Jenoff's secret for so long ("She had an affirmative duty to take it to a prosecutor," says Michael Smerconish, a lawyer and Philadelphia talk show host), Neulander's lawyers assert that Phillips wasn't so loyal to her source. In court documents, the defense attorneys cite a report by detective Devlin in which he states that Solomon told him on April 20—eight days prior to Jenoff's on-the-record confession—that Phillips "had information concerning the possible participation of Leonard Jenoff in the murder

of Carol Neulander." (Phillips would not comment. A hearing was scheduled for September 1.)

"The allegation that Nancy acted as an informant or agent for the prosecutor is unbelievable," *Inquirer* editor Robert Rosenthal said in a statement. The paper is fighting the subpoena under New Jersey's so-called shield law, which prevents journalists from being made to reveal their notes.

While the court decides the fate of Phillips's notes, she's off the story she worked to break. According to Rosenthal, her involvement in the case has placed her in an "awkward position"; while the subpoena is being fought, she is limited in what she can publicly say on the matter. "We think at this point it's better to have her off of the story because it's become a tug-of-war," he says.

ADAR NOVAK



Confessed killer Leonard Jenoff, reporter Nancy Phillips (inset)

