

# Wealth, Sex Crimes, a Secret Plea Deal, and an Unlocked Jail Cell

by Roslyn Myers

*This fascinating rendition of the history of Jeffrey Epstein's sexual and financial predations is a fitting accompaniment to the previous article exploring the diagnostic categorization of pedophilia. Here, we learn that Mr. Epstein had an exceedingly long history of egregious offending, and yet he was given white-glove treatment by prosecutors and other authorities, allowing him to get away with his crimes over and over again. The author pulls together reports from a variety of online sources to provide an eye-opening investigation of the dismal realities of a criminal justice system that gives a wink-and-a-nod to criminals like Jeffrey Epstein, who happen to have a lot of money and powerful connections.*

The range of accusations, news reports, investigations, and near-miss prosecutions of Jeffrey Epstein during his lifetime were precisely as numerous as the diversions from legal accountability that the financier was able to choreograph—with the help of his lawyers and high-level friends.

Among these friends was Leslie H. Wexner, the founder and CEO of retail giant L Brands, who enlisted Epstein to manage increasingly greater portions of Wexner's business and personal investments over the 15-plus years of their close relationship. As noted below, not until Epstein was publicly accused of child molestation and other sex crimes did Wexner decide to end their association. With regard to others in Epstein's wealthy networks, it is not clear whether and to what extent he provided financial services to them. Given the tepid abilities Epstein seems to have applied in the business of private financial management, his reputation as an investment savant—as some claimed, including Wexner—seems as truthful as product puffery in advertising. Media reports about evidence found at Epstein's estates, although not clearly enumerated by law enforcement, suggest that he had other means by

---

**Roslyn Myers, J.D., Ph.D.**, lectures and writes in areas related to law and society, crime victimization, and restorative justice.

which to maintain his position within high-flying circles. Victim allegations that he pimped them out to friends makes it understandable that global sci- ons would keep Epstein close and well-protected from prosecution. Indeed, Epstein seems to embody the reason to “keep your friends close and your enemies closer.” Reports of hidden cameras in his various mansions suggest that many more scandals will be revealed as prosecutors trace the sources of his wealth.

So far, each case leads to another case brought by a different victim or for a slightly different charge, in a series of Russian nesting dolls seemingly without end. These cases and the reason they were heretofore suppressed has taken shape in new reports. So, how did this unraveling of the Epstein empire begin?

## EARLY REPORTS UNHEEDED

The documentation about Epstein’s history of sexual assault can be traced as far back as 1996, a decade before the Palm Beach, FL, charges were brought. (See Roslyn Myers, Ph.D., J.D., *Jeffrey Epstein’s Home-Grown Sex-Trafficking Enterprise*, 20(6) *SLR* 81 (Oct./Nov. 2019).) In Ohio, Maria Farmer reported that Epstein sexually assaulted her and kept her unlawfully imprisoned at a client’s estate in 1996, and in California, Alicia Arden, a 27-year-old model who has spoken on the record with new outlets, reported Epstein for sexual assault in May 1997. (Emily Steel, Steve Eder, Sapna Maheshwari and Matthew Goldstein, *How Jeffrey Epstein Used the Billionaire Behind Victoria’s Secret for Wealth and Women*, N.Y. Times Jul. 25, 2019, available at <https://www.NYTimes.com/2019/07/25/business/jeffrey-epstein-wexner-victorias-secret.html>.)

## Business Connection to Victoria’s Secret Used to Attract Potential Victims

Arden has described a meeting in Epstein’s hotel room to discuss an opportunity to model for Victoria’s Secret. Epstein claimed to be a recruiter for the brand, and his deep connection to Leslie Wexner would have made that assertion believable. According to the police report Arden made at the time, she was troubled by the arrangements of the meeting with Epstein, but understood the importance of this career-making modeling job. (A redacted copy of the police report can be found at <https://int.nyt.com/data/documenthelper/1500-alicia-arden-police-report/04e6cef6bfb8b25c8684/optimized/full.pdf#page=1>.)

In a move reminiscent of Harvey Weinstein’s casting couch, Epstein demanded that she undress and even assisted her in an attempt to “manhandle” her body, ostensibly to assess her potential to model in the Victoria’s Secret catalog. The meeting resulted in a sexual assault, which Arden reported to police the following day and formally submitted in a signed statement a week later. (Steel et al., *supra*.)

## Stolen Money, Not Sexual Conduct, Ends Contact With Epstein

After this report, Wexner and his business executives apparently disciplined Epstein for pretending to be a recruiter for Victoria's Secret models, in order to gain access to women who might be vulnerable to sexual coercion.

Another decade of sexual molestations and rapes of scores of young women continued until, in 2006, Epstein faced serious legal repercussions for his action. Another 18 months after these charges, Wexner publicly cut ties with Epstein. However, Wexner's action was based on his discovery, in 2007, that Epstein had misappropriated funds over a number of years, not on the discovery that Epstein had long been engaged in criminal sexual behavior. (Steve Eder and Emily Steel, *Leslie Wexner Accuses Jeffrey Epstein of Misappropriating 'Vast Sums of Money,'* N.Y. Times, Aug. 7, 2019, available at <https://www.NYTimes.com/2019/08/07/business/wexner-epstein.html>.)

As for Arden, who had been an adult at the time of the assault, she read the reports about Epstein with interest. Not until she read about Epstein's Florida guilty plea in 2008 and Wexner's split with the financial portfolio manager did Arden figure out that Epstein had never been a recruiter for Victoria's Secret or any other fashion company. (Steel et al., *supra*.)

From that point, the origins of Epstein's decade-long march to accountability—and apparent suicide—were launched in Palm Beach, FL, where one of the underaged girls who had been recruited to his mansion for sexual encounters reported Epstein's actions to her parents and police.

## FLORIDA INVESTIGATORS EXPECTED MORE CHARGES, HARSHER PUNISHMENT

In 2006, following a nearly two-year investigation by the Palm Beach Police Department (PBPD) in which at least 13 teens recited consistent separate accounts of how the financier used his wealth to exploit underage girls, Epstein was ready to finalize an agreement with prosecutors that would have required him to “plead guilty to an aggravated assault charge [for the 2004 to 2005 allegations], serve five years probation, undergo psychiatric/sexual evaluation, and have no unsupervised visits with minors.” (*Pervy Billionaire Agreed to Plea Deal: Police Report Says Epstein had Okayed Deal in Underage Sex Probe*, The Smoking Gun, Jul. 27, 2006, available at <http://TheSmokingGun.com/documents/crime/Pervy-Billionaire-Agreed-Plea-Deal>.) This was based on an extensive investigation by the PBPD, including a search of Epstein's Palm Beach mansion—where officers found an extensive collection of photos of females, some nude, many underage, and some whose images matched the girls already interviewed by police; evidence of hidden cameras throughout the property (presumably to blackmail powerful visitors who were recorded in compromising sexual situations); and various “sex aids”—which resulted in a probable cause affidavit stating that Epstein should be charged with four counts of unlawful sex with minors and one molestation count—charges

punishable by maximum 30- and 15-year sentences, respectively. (*Billionaire in Palm Beach Sex Scandal; Investigators: Moneyman Jeffrey Epstein Solicited Teen Masseuses*, The Smoking Gun, Jul. 26, 2006, available at <http://TheSmokingGun.com/Documents/Sex/Billionaire-Palm-Beach-Sex-Scandal>; Jessica Silver-Greenberg, Emily Steel, Jacob Bernstein and David Enrich, *Jeffrey Epstein, Blackmail and a Lucrative 'Hot List'*, The N.Y. Times, Nov. 30, 2019, available at [www.nytimes.com/2019/11/30/business/david-boies-pottinger-jeffrey-epstein-videos.html?searchResultPosition=6](http://www.nytimes.com/2019/11/30/business/david-boies-pottinger-jeffrey-epstein-videos.html?searchResultPosition=6); Martin Gould and Jose Lambiet, *Creepy Images and Video From Inside the Mansion of Pedophile Jeffrey Epstein*, DailyMail.com, available at <https://www.DailyMail.co.uk/news/article-3688656/A-fully-equipped-dentist-s-chair-close-photos-young-girls-backsides-erie-images-videotaped-walk-billionaire-pedophile-Jeffrey-Epstein-s-Florida-mansion.html>.) Given the extensive witness reports and documentary evidence proving Epstein's long-term pedophilic practices and aggressive tactics to pull new girls into the enterprise (and to keep exiting girls quiet), the Palm Beach Police were expecting far more punitive charges from the State Attorney's office.

It became clear to the PBPD that the case was not being pursued. In May 2006, PBPD Chief Reiter asked Krischer to step down from the case:

I must urge you to examine the unusual course that your office's handling of this matter has taken and consider if good and sufficient reason exists to require your disqualification. (Jane Musgrave et al., *To the First Prosecutors, Epstein's Victims Were Prostitutes*, Palm Beach Post, Nov. 17, 2019, available at <https://www.RegisterGuard.com/news/20191117/to-epsteins-first-prosecutors-victims-were-prostitutes>; see also [www.PalmBeachPost.com/Epstein-Case](http://www.PalmBeachPost.com/Epstein-Case).)

Krischer did not resign from the case.

### **Prosecutor's Tank Their Own Case**

Despite the extensive evidence, the office of then Florida State Attorney Barry Krischer, the lead prosecutor for the case, determined that there were no victims. Although prosecutors never interviewed the accusers or their parents, Krischer's own team characterized Epstein's young victims as "prostitutes who eagerly sold their bodies to buy clothes at the mall." (Musgrave et al., *supra*.) Krischer convened a grand jury—the first time a sex-crime had ever been submitted to a grand jury by his office—presented a tiny fraction of the evidence gathered by investigators and allowed only one victim to testify. Before the grand jury, prosecutor Lanna Belohlavek then proceeded to undermine the prosecution's own witness by haranguing her about about her social media pages (supplied to the prosecution by Epstein's defense team), on which she talked about sex with boys and drinking alcohol. (*Id.*)

Ultimately Krischer's office charged Epstein with the only count returned by the grand jury—felony solicitation of prostitution, which would not have

required jail time. Even with this reduced charge, Epstein was set to plead not guilty in August 2006. (See Miami Herald Series, *supra*.)

### **Cops and Prosecutors at Odds During Investigation**

Frustrated by the white glove treatment given to Epstein, the PBPD went to the FBI, which, in 2007, prepared a 53-page indictment against Epstein based on the facts and evidence gathered by the PBPD. Despite this evidence—or, as some have speculated, because of it—federal prosecutors did not pursue a case against Epstein. Indeed, after a new defense team was assembled for Epstein, the previous plea agreement was tossed out and new negotiations ensued. (Pilar Melendez, *Alexander Acosta, Trump’s Labor Secretary, Broke the Law in Jeffrey Epstein Case: Judge*, The Daily Beast, Feb. 21, 2019, available at [www.TheDailyBeast.com/Alexander-Acosta-Trumps-Labor-Secretary-Broke-the-Law-in-Jeffrey-Epstein-Case-Judge](http://www.TheDailyBeast.com/Alexander-Acosta-Trumps-Labor-Secretary-Broke-the-Law-in-Jeffrey-Epstein-Case-Judge).)

### **New Plea Deal Hinged on Immunity**

The terms of the new plea for Epstein were dependent upon the terms of a federal nonprosecution agreement (NPA), which “essentially shut down an ongoing FBI probe into whether there were more victims and other powerful people who took part in Epstein’s sex crimes.” (Miami Herald Series, *supra*.) Hundreds of messages circulating among prosecutors and defense attorneys reflect an attempt to diminish Epstein’s criminal liability and not pursue criminal penalties against him. Email exchanges between supposedly opposing legal teams showed that they were all seeking ways to minimize the charges and penalties against Epstein. Prosecutors scoured the U.S. Code for a non-sex-related crime that might be supported by the facts. (Miami Herald Series, <https://www.MiamiHerald.com/news/local/article214210674.html> (quoting emails from lead prosecutor, A. Marie Villafaña, to Epstein’s lawyers in September 2007, stating, “I’ve been spending some quality time with Title 18 [the federal criminal code] looking for misdemeanors” to save Epstein from more serious consequences).) The discussions reflected a concerted effort to keep Epstein out of prison as much as possible. During this time, Krischer played gopher between federal prosecutors and Epstein’s defense team. (Musgrave et al., *supra*.)

### **Whispers About CIA or Mossad**

Some reports suggest that Epstein provided information to federal investigators about another crime—possibly related to reports that two Bear Stearns executives committed corporate securities fraud during the 2008 financial crisis. (Pilar Melendez, *Jeffrey Epstein Apologizes in Settlement to Avoid Civil Trial and Testimony by Sex Accusers*, The Daily Beast, Dec. 4, updated Aug., 19, 2019, available at [www.TheDailyBeast.com/Jeffrey-Epstein-Settles-for-Malicious-Prosecution](http://www.TheDailyBeast.com/Jeffrey-Epstein-Settles-for-Malicious-Prosecution).) Acosta has intimated that Epstein was an agent of the U.S.—perhaps with the CIA, which would explain the numerous passports in false names that were found at Epstein’s residences, or with Israel’s

equivalent agency, Mossad, which might explain Epstein's foreign passports (*see, e.g.*, Tom Winter and Rich Schapiro, *Jeffrey Epstein's Lawyers: He Had a Doctored Passport to Ward Off Hijackers, Terrorists*, ABC News, Jul. 18, 2019, available at <https://www.NBCNews.com/politics/justice-department/jeffrey-epstein-s-lawyers-he-had-doctored-passport-ward-hijackers-n1030596>)—and was therefore unprosecutable. Other reports suggest that Epstein's lawyers were seeking to protect themselves or other clients who might have been implicated if the details of his case were exposed. (Josh Gerstein, *Mystery Parties Seek Secrecy in Jeffrey Epstein-Related Suit*, Politico, Mar. 20, 2019, available at [www.Politico.com/story/2019/03/20/jeffrey-epstein-related-lawsuit-1229908](http://www.Politico.com/story/2019/03/20/jeffrey-epstein-related-lawsuit-1229908).)

During these negotiations, victims and other witnesses were intimidated and threatened. They were told not to talk to police or cooperate in the investigation. The defense team's investigators (reportedly falsely posing as police officers on occasion) compiled dossiers on Epstein's accusers (relying heavily on MySpace pages), characterizing the women as troubled, with unflattering histories that would become the focus of the trial if a plea deal could not be arranged. (Musgrave et al., *supra*.)

### **Leaked Investigatory Information**

Predictably, Alan Dershowitz, Epstein's long-time friend and off-again-on-again attorney, has claimed that he was not aware of or involved in gathering compromising background information about the accusers or directing others to follow or attempt to intimidate witnesses or police. Nevertheless, Dershowitz argued that the victims would not be credible witnesses at trial, portraying them as sophisticated young women who signed up to do sexual favors in exchange for shopping money. He derided one as "an accomplished drama student" who, based on her social media postings, had "apparent fascination with marijuana." (Julie K. Brown, *Cops Worked to Put Serial Sex Abuser in Prison, Prosecutors Worked to Cut Him a Break*, The Miami Herald, Nov. 28, 2018, available at [www.MiamiHerald.com/news/local/article214210674.html](http://www.MiamiHerald.com/news/local/article214210674.html).)

The defense apparently benefitted from leaked investigatory information. For example, on the day that police in Palm Beach launched a search of Epstein's property, they arrived too late. Most of Epstein's computer hard drives, surveillance cameras, and videos had already been removed from the house; only loose, dangling wires were left behind. The only valuable information police were able to acquire on that occasion was to confirm the accuracy of the accusers' description of Epstein's home and the spaces they were abused in—including the sex toys in Epstein's bathroom.

### **Dream Team Immunized All "Potential Co-conspirators"**

Finally, in 2008, Epstein's legal team—Roy Black, Gerald Lefcourt, Harvard Law School professor Alan Dershowitz, and former U.S. Solicitor General Ken Starr—secured a federal NPA that allowed Epstein to avoid federal prison, and in exchange, Epstein would plead to two state criminal charges. (*See* Myers,

*supra.*) The plea deal sealed a 57-page summary of the probe into Epstein's alleged crimes and effectively silenced victims, who were never given an opportunity to appear in court to speak about the plea deal. Courtney Wild, a victim who had been recruited by Epstein when she attended Lake Worth Middle School, said of the secret plea deal, "My voice was muted by the same government that was supposed to protect me." (Musgrave et al., *supra.*)

Although Dershowitz has asserted that he was not the main driver during the negotiations, he admits to orchestrating the outlines of the NPA, which specifically avoided the most serious charges—and corresponding prison sentences—for moving victims across state lines and the related crimes.

More importantly, the federal NPA immunized all named and unnamed "potential co-conspirators" in Epstein's child trafficking network. Co-conspirators clearly encompassed the women Epstein relied upon to procure girls for him and any well-connected associates who participated in or benefitted from the scheme. Although Dershowitz is the only member of the Florida defense team who has been accused of having sex with victims, the wording of the agreement would offer a golden parachute in the Southern District of Florida for Epstein's lawyers. (Anna North, *Alan Dershowitz Helped Sex Offender Jeffrey Epstein Get a Plea Deal. Now He's Tweeting About Age of Consent Laws*, Vox, Jul. 31, 2019, available at [www.Vox.com/identities/2019/7/30/20746983/Alan-Dershowitz-Jeffrey-Epstein-Sarah-Ransome-Giuffre](http://www.Vox.com/identities/2019/7/30/20746983/Alan-Dershowitz-Jeffrey-Epstein-Sarah-Ransome-Giuffre); Kate Briquet, *Jeffrey Epstein, Alan Dershowitz, and Pals Accused of Sex-Trafficking Ring*, DailyBeast.com, Mar. 6, 2019, updated Jul. 8, 2019, available at [www.TheDailyBeast.com/Jeffrey-Epstein-Alan-Dershowitz-and-Pals-Accused-of-Sex-Trafficking-Ring](http://www.TheDailyBeast.com/Jeffrey-Epstein-Alan-Dershowitz-and-Pals-Accused-of-Sex-Trafficking-Ring).)

Dershowitz has scoffed at the idea that the NPA protects him from prosecution for any part he played in Epstein's sex trafficking scheme. But this is disingenuous; if brought to court to defend a charge of sex crimes, Dershowitz's counsel certainly would immediately assert the defense of immunity under the NPA. It appears that, under the clause's plain language, Dershowitz cannot reasonably be excluded from the class of people who are immune from prosecution for charges related to the Florida crimes.

## **Plea Deal Approval Leads to Cabinet Resignation Ten Years Later**

Despite extensive evidence of Epstein's crimes, the then U.S. District Attorney for the Southern District of Florida, Alexander Acosta, acquiescing to Epstein's dream team, reduced the criminal counts against him. (Olivia Sanchez, *Jeffrey Epstein's Cause of Death Is "Pending Further Information": What We Know About His Apparent Suicide*, AZCentral, Aug. 10, 2019, updated Aug. 12, 2019, available at [www.AZCentral.com/story/news/nation/2019/08/11/Jeffrey-Epstein-Suicide-Disgraced-Financier-Dies-Manhattan-Jail/1978065001](http://www.AZCentral.com/story/news/nation/2019/08/11/Jeffrey-Epstein-Suicide-Disgraced-Financier-Dies-Manhattan-Jail/1978065001).) The deal was not presented to victims first, because defense lawyers argued secrecy was necessary to prevent "[injury to] Mr. Epstein and...spurious civil litigation directed at him." (Pilar Melendez,

*Alexander Acosta, Trump's Labor Secretary, Broke the Law in Jeffrey Epstein Case: Judge*, The Daily Beast, Feb. 21, 2019, available at <https://www.thedailybeast.com/alexander-acosta-trumps-labor-secretary-broke-the-law-in-jeffrey-epstein-case-judge>.) The final deal was approved and submitted to the court by Acosta, who served in President Trump's Cabinet as Labor Secretary until an internal review of the plea agreement in Epstein's Florida case led to Acosta's resignation from the Trump Administration, effective July 19, 2019. (Peter Hasson, *Alex Acosta's Team "Bent Over Backwards" for Accused Child Sex Trafficker Jeffrey Epstein, 2007 Letter Said*, The Daily Caller, Jul. 10, 2019, available at <https://DailyCaller.com/2019/07/10/Alex-Acosta-Letter-Jeffrey-Epstein>. See also Julie K. Brown, *How a Future Trump Cabinet Member Gave a Serial Sex Abuser the Deal of a Lifetime*, Miami Herald, Nov. 28, 2018, available at [www.MiamiHerald.com/news/local/article220097825.html](http://www.MiamiHerald.com/news/local/article220097825.html).)

In 2019, Acosta and Krischer publicly sparred about their roles in the Epstein plea negotiations on national television, with Acosta criticizing Krischer as "soft" on the wealthy sex offender and Krischer lashing out at Acosta for attempting to "rewrite history." (Musgrave et al., *supra*.)

### **Part-Time Prison**

In 2008, instead of facing life in prison under the federal charges, Epstein pleaded guilty to two state prostitution charges, for which he was required to register as a sex offender (Level III), pay restitution to the 36 underage victims, and serve 18 months in county jail (in an unlocked cell in a private wing of the Palm Beach County Stockade).

Epstein was able to get secret "first-class" prison arrangements, which required him to return to the jail for only eight hours per day—just long enough to sleep off the annoyance of having to be there at all—before leaving the following day for another 16-hour reprieve from confinement. Epstein was transported by his own driver from jail to his office and other appointments. His office was monitored by "permit deputies" who were required to wear civilian suits and welcome guests, and whose overtime was paid by Epstein. The question of whether this arrangement violated other laws is still undetermined.

Ultimately, Epstein served only 13 months with probation, followed by a year of house arrest, during which time he was known to fly to New York City and the U.S. Virgin Islands.

### **Epstein Engaged in Sex With Minors During Incarceration**

Allegations indicate that the presence of deputies did not deter Epstein from engaging in sexual activity with underage victims during his term of "confinement." (Kara Scannell et al., CNN, *Attorney Claims Jeffrey Epstein Had Improper Sexual Contact With One Woman While He Was Serving Time*, KXLY, Jul. 16, 2019, available at [www.KXLY.com/news/national-news/](http://www.KXLY.com/news/national-news/)

Attorney-Epstein-Had-Improper-Sexual-Contact-With-Woman-While-in-Jail/1096171108.) Additionally, while on release time, Epstein coerced one of his victims (“Katlyn Doe” in court documents) into sending him sexually explicit photos of herself and her female relative. (John Cook et al., *Jeffrey Epstein Ordered Three Couples in His Entourage to get Married*, Business Insider, Aug. 21, 2019, available at [www.BusinessInsider.com/Jeffrey-Epstein-Entourage-Marriages-2019-8?r=US&IR=T](http://www.BusinessInsider.com/Jeffrey-Epstein-Entourage-Marriages-2019-8?r=US&IR=T).) Specifically, Epstein instructed her to take the photos with a camera she could obtain from an employee of HBRK, a company he established after his 2008 conviction for the purpose of recruiting women for sex trafficking. (**Editor’s Note:** Details regarding the businesses, such as HBRK, and associates who were part of Epstein’s long-term success—as both a self-proclaimed financier and as a sex offender—will be presented in a future issue of SLR. That Epstein micromanaged his businesses, including HBRK, his employees, and his victims was as important to the longevity of his criminal activity as were the techniques he used to maintain relationships with high-net-worth friends.)

This tidbit is only the tip of the iceberg of allegations that “Katlyn Doe” has submitted in her legal filings. The more significant question is how Epstein managed to coerce her, and the answer reveals another bizarre factoid in the Epstein saga: More than one victim has reported that Epstein forced women in his control not just to have sex with one another, but he also demanded a few of them to marry each other. Epstein bribed Katlyn Doe to legally marry and live with one of his female associates (“Associate 3” in court documents) who was not a US citizen. Epstein promised to pay Katlyn Doe \$20,000 to cover expenses related to a medically necessary surgery. (Cook, et al., *supra* (noting that Epstein paid only half and promised to pay the rest when the marriage ended, which occurred in 2017), available at <https://www.businessinsider.com/jeffrey-epstein-entourage-marriages-2019-8?r=US&IR=T>.)

### **R-Rated Release-Time**

That Epstein wielded enormous influence is largely attributable to his wealth and well-to-do circle of acquaintances—which are intertwined. But other facts, insignificant but bizarre, fill the bubble of perversion that Epstein was constructed around himself wherever he went. Many of these facts, whether R-rated or merely tawdry, are not widely reported. Perhaps because the basic outline of his pedophilic habits takes up so much ink, the peculiar items on the fringes seem unnecessary. For example, during his stay in the Palm Beach jail in 2005, Epstein made purchases from the facility’s store, including two pairs of women’s panties (size small). (Sarah Blaskey and Nicholas Nehamas, *Why Was Jeffrey Epstein Allowed to Purchase Small Women’s Panties From the Palm Beach Jail?*, Miami Herald, Aug. 17, 2019, available at [www.MiamiHerald.com/news/local/article234108307.html](http://www.MiamiHerald.com/news/local/article234108307.html).)

Also, articles tracing Epstein’s acquisition of wealth and properties show that charities controlled by Epstein contributed money to the PBPD.

## Absurdly Light Sentence Concealed From Victims

The terms of Epstein's plea agreement were deliberately hidden from his victims. (Kate Briquetelet, *Jeffrey Epstein, Alan Dershowitz, and Pals Accused of Sex-Trafficking Ring*, The Daily Beast, Mar. 6, 2019, updated Jul. 8, 2019, available at [www.TheDailyBeast.com/Jeffrey-Epstein-Alan-Dershowitz-and-Pals-Accused-of-Sex-Trafficking-Ring](http://www.TheDailyBeast.com/Jeffrey-Epstein-Alan-Dershowitz-and-Pals-Accused-of-Sex-Trafficking-Ring).) As more reports were publicized in the news, public outrage grew increasingly more insistent about this absurdly light sentence, compared to the severity of the charges. Finally, as the New York case took shape, a Florida judge found that federal prosecutors had violated the law when they signed the NPA and concealed it from victims. (See Miami Herald Series, *supra*.)

## USING CRIME VICTIMS RIGHTS ACT, SILENCED VICTIMS REGAIN THEIR VOICE IN LEGAL SYSTEM

In July 2008, just a month after Epstein's sentencing in the Florida case, victims Michelle Licata and Courtney Wild, who had cooperated with Palm Beach investigators, learned about the plea agreement and filed an emergency petition in the Southern District of Florida (SDF) to demand that federal prosecutors comply with the federal Crime Victims' Rights Act (CVRA), asserting that the plea agreement violated their right to be informed about plea agreements and to appear at sentencing.

In Fall 2009, when the NPA was made public, as many as 30 civil lawsuits by Epstein's victims, now adults, were brought and eventually settled out of court. (Nick Bryant, *Flight Logs Put Clinton, Dershowitz on Pedophile Billionaire's Sex Jet*, Gawker, Jan. 22, 2015, available at <https://Gawker.com/Flight-Logs-Put-Clinton-Dershowitz-on-Pedophile-Billio-1681039971> (reporting that the youngest victim was 12 at the time of her abuse).)

### Others Victims Joined CVRA Petition

In 2014, Virginia Roberts Giuffre and another victim petitioned to join the CVRA review. After years of motions, the SDF ruled in favor of the victims, but did not immediately state the appropriate remedy. (**Doe 1 v. United States**, 359 F. Supp. 3d 1201 (S.D. Fla. 2019).)

### Defamation by "Madam" Maxwell

During the pendency of the CVRA review, Giuffre and other victims supplemented their original complaints with additional allegations against previously unnamed prominent figures and world leaders. Giuffre alleged that she was forced to have sex with Epstein's lawyer, Alan Dershowitz, who denies her allegations and has written a book on the subject that attacks the "MeToo" movement. (**Doe 1 v. United States**, No. 08-CV-80736-KAM, 2015 WL 11254692 (S.D. Fla. Apr. 7, 2015). Dershowitz's book, titled *Guilt by Accusation: The Challenge of Proving Innocence in the Age of #MeToo*,

Skyhorse Publishing (2019).) Dershowitz and Maxwell accused Giuffre of lying; Giuffre brought suit against each of them for defamation; Giuffre eventually retracted her claims. (**Giuffre v. Maxwell**, 325 F. Supp. 3d 428, 434 (S.D.N.Y. 2018) (No. 15 Civ. 7433). Original documents can be found online at <https://Law.justia.com/cases/federal/district-courts/new-york/nysdce/1:2015cv07433/447706/872>.)

The S.D.N.Y. denied Maxwell's motion for summary judgment in a heavily redacted 76-page opinion, and the case was settled on the eve of trial in May 2017. (Kate Briquetelet, *Court Orders Release of Sealed Docs About Jeffrey Epstein's Alleged Sex Ring*, The Daily Beast, Jul. 3, 2019, updated Aug. 19, 2019, available at [www.TheDailyBeast.com/Jeffrey-Epstein-Court-Orders-Release-of-Sealed-Docs-About-Alleged-Sex-Ring](http://www.TheDailyBeast.com/Jeffrey-Epstein-Court-Orders-Release-of-Sealed-Docs-About-Alleged-Sex-Ring).)

Prior to settlement, Giuffre's case against Maxwell was vigorously litigated, with 880 docket entries. Requests to seal the documents accompanied virtually every legal filing. Although the number of such requests reached absurd levels, the premise on which the requests were made was not unusual and was even appropriate. In cases involving minor victims and sexual abuse, as well as detailed allegations against adults whose legal liability has not been determined, the court's cautionary buffer of privacy around the proceedings seemed a tacit recognition that "the consequences of even a seemingly minor error may be grave and are irrevocable." (**Giuffre v. Maxwell** Defamation, *supra*, at 26 (Pooler, J., dissent).)

### Control of Sealing Process Ceded to Parties

To end the onslaught of sealing requests, the S.D.N.Y. issued an order on August 9, 2016, that "prospectively granted all of the parties' future sealing requests" and "effectively ceded control of the sealing process to the parties themselves [by removing the requirement] that the parties file individual letter briefs to request sealing...In total, 167 documents—nearly one-fifth of the docket—were filed under seal," which to many seemed to weigh too heavily against the public's right to know about noteworthy events. (**Giuffre v. Maxwell** Defamation, *supra* at 7-8.) Over the course of the litigation, three outside parties attempted to unseal some or all of the sealed material, arguing that the district court had "failed to analyze the documents individually or properly apply the presumption of public access to court documents." (**Giuffre v. Maxwell** Defamation, *supra* at 9.)

In July 2019, the U.S. Court of Appeals for the Second Circuit agreed with this assessment. (**Giuffre v. Maxwell** Defamation, *supra* (reversing the district court sealing orders of November 2, 2016, May 3, 2017, and August 27, 2018, citing an abuse of discretion that stemmed from the lower court's failure to conduct an individualized review of the documents to be sealed).) While acknowledging that the "task of identifying and making specific redactions in such a substantial volume is perilous," the Second Circuit ruling ordered the unsealing of "nearly 2,000 pages of material." (**Giuffre v.**

**Maxwell** Defamation, *supra* at 26 (Pooler, J., dissent).) The importance of these documents is that they form the evidentiary foundation of the claims that Epstein not only had sex with minors, but trafficked underage girls to his famous friends.

### **International Travel With Young Females**

Epstein's personal estates were integral to the success of his enterprise and authorities were monitoring visits to his international properties long before Epstein's arrest on sex-trafficking charges in July 2019. Federal authorities had been following up on tips that Epstein had been seen exiting his private jet in the U.S. Virgin Islands with underage girls on the way to his private estate, locally known as "Orgy Island." Also, the U.S. Marshals Service was investigating Epstein for failing to report his international travel, as required of all registered sex offenders, to Austria and Monaco. Although Epstein had filed a travel notification with the sex-offender registry office in the U.S.V.I. in mid-March 2019 and another notification about subsequent travel to France, his notifications omitted the fact that young girls were part of his entourage—allegedly females who were younger than victims confirmed thus far who were aged 14 or older at the time of their victimization. (Benjamin Weiser, *Before Arrest, Jeffrey Epstein Was Seen With Girls Exiting His Jet*, NY Times, Sept. 16, 2019, available at [www.NYTimes.com/2019/09/16/nyregion/Jeffrey-Epstein-Investigation.html?nl=todaysheadlines&emc=edit\\_th\\_190916?campaign\\_id=2&instance\\_id=12318&segment\\_id=17053&user\\_id=ab1da9b1725b3971bba1e3a476bca7f6&regi\\_id=199075950916](http://www.NYTimes.com/2019/09/16/nyregion/Jeffrey-Epstein-Investigation.html?nl=todaysheadlines&emc=edit_th_190916?campaign_id=2&instance_id=12318&segment_id=17053&user_id=ab1da9b1725b3971bba1e3a476bca7f6&regi_id=199075950916) (relying on allegations obtained by the US Marshals Service, including estimates that the girls were approximately 11- or 12-years-old, after the source communicated with Miami Herald reporters).) There is also a related investigation in Paris, where accusers have demanded that police do more to track down potential witnesses against Epstein.

### **MORE PROSECUTIONS TO COME**

In 2009, Barry Krischer retired from a 16-year run as Florida State Attorney. Strangely, he was lauded as having been a staunch advocate for sexually abused children. Perhaps that acclaim was not undeserved, since Krischer was, according to a 2009 deposition by the then PBPD Chief, initially outraged by Epstein's behavior. It was not until Epstein's attorneys began discrediting victims that Krischer's team backed off the case. But, they had enough awareness at the time of their unethical and possibly illegal handling of the case to avoid writing anything down.

In April 2010, after Krischer retired, Epstein's then lawyer, Jeffrey "Jack" Goldberger, asked the State Attorney's office, led by Michael McAuliffe, to drop Epstein's probation and release him from house arrest. Internal messages among prosecutors said:

This dragon just keeps raising its ugly head!...I don't know how to convey to [Goldberger] anymore than I already have that his client is a registered sex offender that was fortunate to get the deal of the century. (Musgrave et al., *supra*.)

In August 2019, Florida Governor DeSantis ordered an investigation into how Palm Beach County authorities handled the Epstein case back in 2008, which means Krischer and his prosecuting attorneys could be required to explain to state officials why he declined to prosecute the man one attorney has dubbed “the most dangerous sexual predator the country has ever seen.” (Musgrave et al., *supra*.) The Washington Post has already sought access to transcripts of the secret proceedings to make them public.

Although the 2008 federal nonprosecution agreement in Florida immunized Epstein and his co-conspirators from the threat of federal prosecution for the crimes charged in the Florida case, it is worth noting that the agreement may not immunize all of Epstein's employees, nor does it bar prosecution of separate charges. The slew of civil lawsuits and criminal law violations that have been made public in recent months suggest that no one in Epstein's orbit should escape legal accountability.





## Authorized Electronic Copy

This electronic copy was prepared for and is authorized solely for the use of the purchaser/subscriber. This material may not be photocopied, e-mailed, or otherwise reproduced or distributed without permission, and any such reproduction or redistribution is a violation of copyright law.

For permissions, contact the [Copyright Clearance Center](http://www.copyright.com/) at <http://www.copyright.com/>

You may also fax your request to 1-978-646-8700 or contact CCC with your permission request via email at [info@copyright.com](mailto:info@copyright.com). If you have any questions or concerns about this process you can reach a customer relations representative at 1-978-646-2600 from the hours of 8:00 - 5:30 eastern time.