

United States Senate

WASHINGTON, DC 20510

February 21, 2020

The Honorable William P. Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

Dear General Barr,

I write to you today in regards to Jeffrey Epstein, the wealthy financier who ran an international child sex trafficking ring and was found dead by apparent suicide while in federal custody in August. As you and I have previously discussed, the Department owes the American people a full accounting of its handling of the Epstein matter, including the sweetheart deal he received from prosecutors that allowed him to evade meaningful consequences for his sickening behavior for more than a decade.

As you are aware, shortly after *The Miami Herald* published its investigation of this deal,¹ I wrote to the Department urging an investigation. Last February, Assistant Attorney General Stephen Boyd wrote to me to announce that the Department's Office of Professional Responsibility had "opened an investigation into allegations that Department attorneys may have committed professional misconduct in the manner in which the Epstein criminal matter was resolved."² I applaud the Department's commitment to get to the bottom of the issue and urge the expeditious completion of this investigation.

As the investigation has now continued for more than a year without the release of its findings, various media reports have continued to add to the disturbing picture painted by *The Miami Herald's* investigation. Yesterday, ABC News reported that "[a] woman whose allegations of childhood sex abuse in New York were central to last year's indictment of Jeffrey Epstein was questioned by the FBI and subpoenaed for testimony by federal prosecutors in Florida more than a decade ago in connection with the first federal investigation into Epstein's alleged child sex trafficking" but that her testimony before the grand jury had not yet been secured before prosecutors sealed the sweetheart deal with Epstein.³ In response a request for comment on this report, an attorney for Marie Villafaña, the former Assistant U.S. Attorney who led the Department's handling of the matter, commented: "Because the Department of Justice has declined to waive privilege over the Epstein matter, Ms. Villafaña is prohibited from

¹ Julie K. Brown, *How a future Trump Cabinet member gave a serial sex abuser the deal of a lifetime*, MIAMI HERALD, Nov. 28, 2018, <https://www.miamiherald.com/news/local/article220097825.html>.

² Letter from Stephen Boyd, Assistant Att'y Gen., U.S. Dep't of Justice, to Ben Sasse (Feb. 6, 2019), *available at* https://www.sasse.senate.gov/public/_cache/files/1e5e07ee-0138-4441-9e61-b6ec7037c4d5/-untitled-.pdf.

³ James Hill, *Exclusive: Florida feds knew of New York victim in Epstein indictment 11 years earlier*, ABC NEWS, Feb. 20, 2020, https://abcnews.go.com/US/exclusive-florida-feds-knew-york-victim-epstein-indictment/story?id=69088738&cid=social_twitter_abcn.

discussing this matter and her opinions on the outcome in greater detail. . . . If the Department were to waive that privilege, she believes it would provide a fuller and more accurate picture of how she handled this matter and how she advocated for victims at every turn.”⁴

Like so many others who want to see justice done, I urge the Office of Professional Responsibility to conclude its investigation as expeditiously as possible, but it should not hinder the ability of Congress and the American public to bring more information to light when possible. Given how central of a role Ms. Villafaña played in this matter, her claims must be aired. As such, will you release any claims of privilege and allow her disclose any and all relevant testimony to the Senate Judiciary Committee?

Thank you for your resolve to pursue justice in this matter.

Sincerely,



Ben Sasse
United States Senator

⁴ *Id.*

From: [REDACTED]
Sent: Friday, February 21, 2020 5:25:59 PM
To: DOJExecSec (JMD)
CC: [REDACTED]
Subject: FW: Letter from Sen. Sasse to AG Barr

Pls log & assign to OPR. Thanks.

From: [REDACTED]
Sent: Friday, February 21, 2020 4:58 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Fwd: Letter from Sen. Sasse to AG Barr

[REDACTED] - please log in.

[REDACTED] - can you provide assignment guidance and track?

Thanks!

Sent from my iPhone

Begin forwarded message:

From: "Payne, William (Sasse)" <william_payne@sasse.senate.gov>
Date: February 21, 2020 at 4:49:16 PM EST
To: [REDACTED]
Cc: "DOJ Correspondence (SMO)" [REDACTED]
Subject: Re: Letter from Sen. Sasse to AG Barr

Apologies—forgot attachment!

From: "Payne, William (Sasse)" <william_payne@sasse.senate.gov>
Date: Friday, February 21, 2020 at 4:46 PM
To: [REDACTED]
Cc: "DOJ Correspondence (SMO)" [REDACTED]
Subject: Letter from Sen. Sasse to AG Barr

Hello,

Attached is a letter from Sen. Sasse to AG Barr. Please acknowledge receipt.

Thanks,

Will

William R. Payne
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U.S. Senate Committee on the Judiciary
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(202) 224-4224

