

**New York Supreme Court**  
APPELLATE DIVISION—FIRST DEPARTMENT

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PEOPLE OF THE STATE OF NEW YORK,

*Respondent,*

—against—

JEFFREY E. EPSTEIN,

*Defendant-Appellant.*

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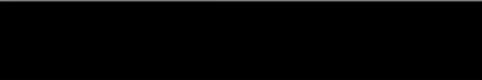
**APPENDIX**

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NEW YORK COUNTY DISTRICT  
ATTORNEY'S OFFICE  
One Hogan Place  
New York, New York 10013

  
  
*Attorneys for Respondent*

JAY P. LEFKOWITZ  
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SUPREME COURT FOR THE STATE OF NEW YORK  
COUNTY OF NEW YORK

PEOPLE OF THE STATE OF NEW YORK,  
  
Plaintiff-Respondent,  
  
- against -  
  
JEFFREY E. EPSTEIN,  
  
Defendant-Appellant.

Index No.: 30129-2010

**PRE-ARGUMENT STATEMENT**

1. TITLE OF ACTION: As set forth in caption.
2. FULL NAMES OF ORIGINAL PARTIES AND ANY CHANGE IN THE PARTIES:  
As set forth in caption. There has been no change in the parties.
3. NAME, ADDRESS, AND TELEPHONE NUMBER OF COUNSEL FOR APPELLANT OR PETITIONER:

Jay P. Lefkowitz, P.C.  
Sandra Lynn Musumeci  
KIRKLAND & ELLIS LLP  
601 Lexington Avenue  
New York, New York 10022-4611  
Telephone: [REDACTED]  
Facsimile: [REDACTED]

4. NAME, ADDRESS, AND TELEPHONE NUMBER OF COUNSEL FOR RESPONDENT:

Cyrus R. Vance, Jr.  
NEW YORK DISTRICT ATTORNEY'S OFFICE  
One Hogan Place  
New York, NY 10013  
Telephone: [REDACTED]

5. COURT AND COUNTY, OR ADMINISTRATIVE BODY, FROM WHICH APPEAL IS TAKEN: New York Supreme Court (Criminal Term), New York County.
6. THE NATURE AND OBJECT OF THE CAUSE OF ACTION OR SPECIAL PROCEEDING: Sex Offender Registration Act (SORA) hearing, pursuant to Article 6-C of the Correction Law.
7. RESULT REACHED IN THE COURT OF ADMINISTRATIVE BODY BELOW: Supreme Court, New York County, adjudged appellant Jeffrey E. Epstein to be a Level 3 sexual offender, without additional designation.

8. GROUNDS FOR SEEKING REVERSAL, ANNULMENT, OR MODIFICATION: The Court's designation of appellant Jeffrey E. Epstein as a Level 3 sexual offender was an abuse of

discretion and constituted reversible legal error based, in part, on the following: (1) the Court improperly relied on untrustworthy double and triple hearsay contained in the recommendation of the Board of Examiners of Sex Offenders, even though the District Attorney, as the party appearing on behalf of the State, rejected much of the Board's recommendation as not constituting clear and convincing evidence to support a Level 3 designation where such hearsay allegations were rejected as a basis for state prosecution; (2) the Court failed to provide the parties with an opportunity to present evidence on contested issues, as required by statute, and instead relied wholesale upon the recommendation of the Board, over the objection of the District Attorney, without any inquiry; (3) the Court did not apply the guidelines established by the Board, as required by statute; and (4) the Court failed to set forth the findings of fact and conclusions of law on which its determinations in support of a Level 3 designation were based, as required by statute.

9. THERE IS NO RELATED ACTION OR PROCEEDING NOW PENDING IN ANY COURT OF THIS OR ANY OTHER JURISDICTION.

10. THERE IS NO ADDITIONAL APPEAL PENDING IN THIS ACTION.

Dated: February 9, 2011



---

Jay P. Lefkowitz, P.C.  
Sandra Lynn Musumeci

KIRKLAND & ELLIS LLP  
601 Lexington Avenue  
New York, New York 10022-4611  
Telephone: [REDACTED]  
Facsimile: [REDACTED]

*Attorneys for Defendant-Appellant Jeffrey E. Esptein.*

Appellant's Notice of Appeal, dated February 9, 2011

SUPREME COURT FOR THE STATE OF NEW YORK  
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK,

Plaintiff,

- against -

JEFFREY E. EPSTEIN,

Defendant.

NOTICE OF APPEAL

Index No. 30129-2010

CRIMINAL TERM PART 66  
JUSTICE RUTH PICKHOLZ

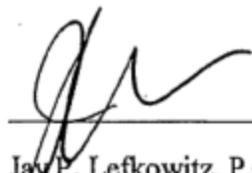
PLEASE TAKE NOTICE that the above named defendant, Jeffrey E. Epstein, hereby appeals to the Appellate Division of the New York Supreme Court in and for the First Department, from an order entered in the above entitled action in the office of the Clerk of New York County on the 18th day of January 2011, which order adjudged defendant Jeffrey E. Epstein to be a Level 3 sexual offender pursuant to Article 6-C of the Correction Law, and this appeal is taken from each and every part of that order as well as from the whole thereof.

Dated: February 9, 2011

To:

Clerk, New York County

Cyrus R. Vance, Jr.  
NEW YORK DISTRICT ATTORNEY'S  
OFFICE  
One Hogan Place  
New York, NY 10013  
Telephone: [REDACTED]



Jay P. Lefkowitz, P.C.  
Sandra Lynn Musumeci  
KIRKLAND & ELLIS LLP  
601 Lexington Avenue  
New York, New York 10022-4611  
Telephone: [REDACTED]  
Facsimile: [REDACTED]

*Attorneys for Defendant  
Jeffrey E. Epstein*

**FILED**

FEB 09 2011

**SUPREME COURT  
NEW YORK COUNTY  
APPELLATE BUREAU**

Order Appealed From, dated January 18, 2011 with Notice of Entry

[pp. A4-A5]



STATE OF NEW YORK  
BOARD OF EXAMINERS OF SEX OFFENDERS  
4 TOWER PLACE  
ALBANY, NEW YORK 12203-3764

TO: NEW YORK COUNTY SUPREME COURT

DATE: 8/19/2010

FROM: BOARD EXAMINER: STEPHEN D. WEBER SDW

RE: JEFFREY E EPSTEIN

NYSID# OR BOARD ID# OS1909

REPORTED ADDRESS: 9 EAST 71ST STREET  
NEW YORK, NY 10021

SUPERVISING OFFICER:  
SUPERVISING AGENCY: NONE, OFFENDER IS UNSUPERVISED

The above referenced individual has committed an offense in another jurisdiction and has established residence in New York State at the address indicated. It has been determined that the offender is required to register and be risk assessed as a sex offender in New York State.

The NYS Board of Examiners of Sex Offenders is recommending a risk level and designation for the offender, as indicated on the attached risk assessment instrument, case summary and designation form. Pursuant to Correction Law Section 168-k(2), the County or Supreme Court in the county of residence of the offender shall determine the offender's risk level and designation. The Court must determine whether the offender meets the definition of sexually violent offender, predicate sex offender, or sexual predator as set forth in Correction Law Section 168-a(7).

Please note, pursuant to Chapter 684 of the Laws of 2005, as of October 4, 2005, Correction Law Section 168-b, 168-k and 168-n have been amended to provide that the Court shall conduct the risk level and designation hearing. If the sex offender, having been given notice including the date, time, and place of the proceeding, fails to appear without sufficient excuse, please note that until the court determines the offender's risk level, no community notification can occur.

A copy of the order setting forth the risk level and designation determinations, and the findings and conclusions of law, on which such determinations are based, shall be submitted to the Division of Criminal Justice Services Sex Offender Registry Unit by the Court. In addition, please complete and attach this form indicating the offender's risk level and designation to the Court's order. Please distribute the remaining copies as indicated below.

Information below is to be completed by Sentencing Court

FINAL RISK LEVEL DETERMINATION (circle one) 1 2 3

DESIGNATION: Please check any that apply pursuant to Article 6-C of the NYS Correction Law:

Sexually Violent Offender  Sexual Predator  Predicate Sex Offender  No such designation

Judge's Name (please print): RUTH PICKHOLTZ

Judge's signature: *Ruth Pickholtz*

Date signed: 1/18/2011

WHITE COPY: Sex Offender Registry Unit DCJS, 4 Tower Pl., Albany, NY 12203  
YELLOW COPY: Court  
PINK COPY: Offender

SUPREME COURT FOR THE STATE OF NEW YORK  
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK,

Plaintiff,

- against -

JEFFREY E. EPSTEIN,

Defendant.

NOTICE OF ENTRY

Index No. 30129-2010

CRIMINAL TERM PART 66  
JUSTICE RUTH PICKHOLZ

PLEASE TAKE NOTICE that the within is a copy of an order entered in this action on the 18th day of January 2011, in the office of the Clerk of the County of New York.

Dated: February 9, 2011

To:

Clerk, New York County

Cyrus R. Vance, Jr.  
NEW YORK DISTRICT ATTORNEY'S  
OFFICE  
One Hogan Place  
New York, NY 10013  
Telephone: [REDACTED]



Jay P. Lefkowitz, P.C.  
Sandra Lynn Musumeci  
KIRKLAND & ELLIS LLP  
601 Lexington Avenue  
New York, New York 10022-4611  
Telephone: [REDACTED]  
Facsimile: [REDACTED]

*Attorneys for Defendant Jeffrey E. Epstein*

**FILED**

FEB 09 2011

**SUPREME COURT  
NEW YORK COUNTY  
APPEALS BUREAU**

dated May 1, 2006

[pp. A6-A27]

Probable Cause Affidavit

Palm Beach Police Department

Agency ORI# FLO 500600

Police Case#: 05-368 (2)

Defendant: [REDACTED]

Race/Sex: White Female

DOB: 05-25-1975

Charges: Principal in the 1<sup>st</sup> Unlawful Sexual Activity with a Minor (4) counts  
Principal in the 1<sup>st</sup> Lewd and Lascivious Molestation (1) count

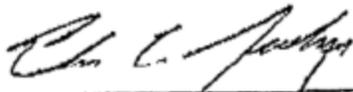
From March 15, 2005, through February 2006, the Palm Beach Police Department conducted a sexual battery investigation involving Jeffrey Epstein, [REDACTED] and [REDACTED]. Sworn taped statements were taken from five victims and seventeen witnesses concerning massages and unlawful sexual activity that took place at the residence of Jeffrey Epstein, 358 El Brillo Way, Palm Beach. Several of the victims were recruited by and brought to the residence by [REDACTED] to perform massages for Epstein, for which [REDACTED] received monetary compensation. During the visit they would be introduced to [REDACTED], Epstein's assistant, who in turn would record their telephone numbers and name. The victims would be brought to Epstein's bedroom to provide the massage. Epstein would enter the room and order the victims to remove their clothing to provide the massage. As the victims complied and provided the massages, Epstein would rub his fingers on their vaginas. On occasion, Epstein would introduce a massager/vibrator and rub the victims vaginas as they provided the massage. On three separate occasions, Epstein had intercourse and inserted his penis/fingers in the victims vaginas. At the conclusion of the massages the victims were paid sums of money ranging from \$200 - \$1,000. The facts, as reported, are as follows:

On 03/15/2005, A fourteen year old white female, hereinafter referred to as "SG," [REDACTED], and her family reported unlawful sexual activity which occurred at a residence within the Town of Palm Beach. SG reported that a subject known to her as "Jeff" had touched her vaginal area with a vibrator/massager while within his residence. "Jeff" was later identified as Jeffrey Epstein through a photo line up.

During a sworn taped interview, SG stated that [REDACTED], [REDACTED] a cousin of SG's boyfriend and classmate at Royal Palm Beach High School, worked for a wealthy man and did sexual favors for him. She also admitted that [REDACTED] had offered her an opportunity to make money. During the beginning of the month of February 2005, SG explained that she was first approached by [REDACTED] to go with her to Epstein's house. SG stated that [REDACTED] along with a Hispanic female, later identified at [REDACTED] pick her up at her father's house on a Sunday. SG was not sure of the exact dates but knew it was a Sunday. SG told her father that they were going shopping but in reality [REDACTED] drove them to Palm Beach. During the drive a

The foregoing instrument was sworn to or affirmed before me this 1<sup>st</sup> day of May, 2006 by Det Joe Recarey, who is personally known to me.

State of Florida  
County of Palm Beach



Signature of Police Officer (F.S.S. 117.10)

Signature/Arresting Officer

Date: 05/01/2006

*Probable Cause Affidavit*  
**Palm Beach Police Department**  
Agency ORI# FLO 500600

conversation occurred between [redacted] and SG whereas [redacted] reportedly told SG that if Jeff asked her age, she should say she was eighteen. It was later confirmed by the SG's father that [redacted] picked his daughter up on February 6, 2005. According to SG's father, [redacted] drove a pick up truck.

SG described Epstein's house as a two-story pink house with a Cadillac Escalade parked in the driveway. She recalled that Jeff's house was on a dead end street. Upon arriving at the house SG stated that they walked up a driveway, past what appeared to be a small guard/security room. A male approaching them asking what they wanted. [redacted] stated they were there to see Epstein. The male allowed them to continue walking up to the house. SG stated the man told them that Epstein was not there but was expected back. He allowed them to enter the house, via the kitchen. He offered them something to drink while they waited inside. Shortly thereafter, Epstein and his assistant, described as white female with blond hair and later identified as [redacted], entered the kitchen. Epstein introduced himself to SG. SG described Epstein as being approximately forty-five years old, having a long face and bushy eyebrows, with graying hair.

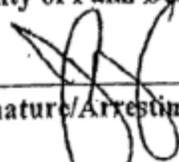
[redacted] and Epstein left the kitchen leaving SG alone in the kitchen. They returned a short time later. They all spoke briefly in the kitchen. SG was instructed to follow [redacted] upstairs. SG recalled walking up a flight of stairs, lined with photographs, to a room that had a massage table in it. Upon entering the room there was a large bathroom to the right and a hot pink and green sofa in the room. There was a door on each side of the sofa. SG recalled there being a mural of a naked woman in the room, as well as several photographs of naked women on a shelf. [redacted] told the victim that Epstein would be up in a second.

Epstein entered the room wearing only a towel and told SG to take off her clothes. SG stated Epstein was stern when he told her to take off her clothes. SG said she did not know what to do as she was the only one there in the room so she took off her shirt leaving her bra on. Epstein had removed his towel and told the SG to take off everything. SG stated Epstein was nude when he took his towel off, placing it on the floor as he laid down on the table. SG stated she then removed her pants leaving her thong panties on. Epstein then instructed her to give him a massage pointing to a specific lotion for her to use. As SG began to give Epstein the massage, he told her to get on his back. SG stated she straddled herself on Epstein's back whereby her exposed buttocks were touching Epstein's bare buttocks. SG said Epstein was specific in his instruction to her on how to massage him, telling her to go clockwise or counter clockwise. Epstein then turned over and instructed SG to massage his chest. SG was now standing on the ground and resumed massaging Epstein's chest area. SG stated Epstein held onto the small of her back as she massaged his chest and shoulder area. Epstein then turned to his side and started to rub his penis in an up and down motion. Epstein then pulled out a purple vibrator and began to

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Signature of Police Officer (F.S.S. 117.10)

State of Florida  
County of Palm Beach

  
Signature/Arresting Officer  
Date: 05/01/2006

**Probable Cause Affidavit**  
**Palm Beach Police Department**

Agency ORI# FLO 500600

massage SG's vaginal area. SG stated there was no penetration as the vibrator was on top of her underwear. SG recalled Epstein ejaculating because he had to use the towel to wipe himself as he got off the table. Epstein then left the room and SG got dressed. She went back downstairs where she met with [REDACTED]. SG said she was paid three hundred dollars in cash from Epstein. Before she left, Epstein asked SG to leave her phone number. As SG, [REDACTED] and Figueroa were leaving the house, [REDACTED] told SG she received two hundred dollars that day for bringing her.

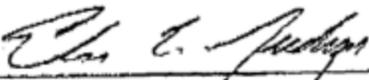
During the course of the investigation, parental consent was granted for SG to assist with the investigation. At our direction SG conducted controlled taped phone calls to [REDACTED] cellular telephone 561-308-0282. SG spoke with [REDACTED] in an attempt to arrange another meeting with Epstein. SG asked [REDACTED] what did she need to do to make more money. [REDACTED] stated, "the more you do, the more you get paid." [REDACTED] had subsequently called back SG and left a voice mail message for her indicating that she had set up an appointment for SG to go to Epstein's house at 11:00 am on April 5, 2005. This message was recorded from SG's voice mail.

Based on the above, trash pulls were established at Epstein's residence with Supervisor Tony Higgins of the Sanitation Bureau of the Town of Palm Beach. The trash pull from April 5, 2005 revealed a telephone message for Epstein which stated Halcy and SG's name at 11:00 am. This was the time frame [REDACTED] had informed SG to be ready to go work at Epstein's house.

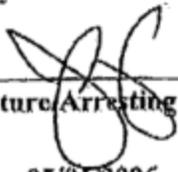
On October 3, 2005, Sgt Frick and I went to [REDACTED] residence and viewed her vehicle parked in the driveway, a red Dodge Neon. Sgt. Frick and I knocked on the door and met with [REDACTED]. [REDACTED] was told that we were investigating a claim involving Jeffrey Epstein of El Brillo Way, in Palm Beach. [REDACTED] was asked if she would accompany us back to the police station for further questioning. She was also told that at the conclusion of the interview she would be returned home. [REDACTED] voluntarily came with us back to the Palm Beach Police Department.

Upon our arrival at the police station, [REDACTED] was brought to the interview room in the Detective Bureau where I obtained a taped, sworn statement. I began the interview by asking [REDACTED] how she became acquainted with Epstein. [REDACTED] stated that approximately two years ago, just after she turned 17 years of age, she was approached by a friend named [REDACTED] at the Canopy Beach Resort in Rivera Beach. [REDACTED] was asked if she wanted to make money. She was told she would have to provide a massage and should make \$200.00. [REDACTED] thought about the offer and agreed to meet with Jeffrey.

The foregoing instrument was sworn to or affirmed before me this 1<sup>st</sup> day of May, 2006 by Det Joe Recarcy, who is personally known to me.

  
 Signature of Police Officer (F.S.S. 117.10)

State of Florida  
 County of Palm Beach

  
 Signature Arresting Officer

Date: 05/01/2006

*Probable Cause Affidavit*  
**Palm Beach Police Department**

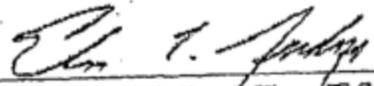
Agency ORI# FLO 500600

█████ (Unknown last name) and █████ (Unknown last name) picked █████ up and she was taken to Epstein's house. Upon her arrival to the house she was introduced to Epstein in the kitchen of the house. She was also introduced to a white female known to her as █████. She was led upstairs to the main bedroom known to her as Jeff Epstein's bedroom. █████ arranged the massage table and covered the table with a sheet. She brought out the massage oils and laid them next to the massage bed. █████, then left the room and informed █████ Jeff would be in, in a minute. Jeff entered the bedroom wearing only a towel. He removed the towel and laid nude on the massage table. He laid on the table onto his stomach and picked a massage oil for █████ to rub on him. During the massage, █████ stated "He tried to touch me and I stopped him." I asked how he tried to touch her. █████ stated that Epstein grabbed her buttocks and she felt uncomfortable. █████ told Epstein, I'll massage you but I don't want to be touched. █████ stated she performed the massage naked. At the conclusion of the massage, Epstein paid █████ \$200.

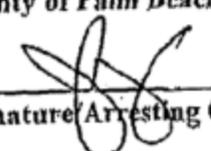
After the massage Epstein stated to █████ that he understood she was not comfortable, but he would pay her if she brought over some girls. He told her the younger the better. █████ stated she once tried to bring a 23 year old female and Epstein stated that the female was too old. █████ stated that in total she only remembers six girls that she brought to see Epstein, each time she was paid \$200. █████ stated she had brought the following girls: SG, █████, J.S. (a 16 year old female), YL (a 16 year old female) and █████. █████ said that at the time she brought these girls to Epstein's house they were all 14 through 16 years of age. I asked █████ which one was the youngest. █████ advised SG was the youngest as she was fourteen when the massage occurred. █████ stated every girl she brought knew what to expect when they arrived. They were told they would provide a massage, possibly naked, and allow some touching. I asked her if SG was aware. She stated every girl she brought knew what to expect. She explained she knew that SG wanted to make money. She approached SG and explained about going to work for Jeff, SG agreed and arrangements were made to bring her to Epstein's house on a weekend. █████ stated that she and █████ (Later identified as █████) picked up SG at her house. █████ stated that at that time she was driving a red pickup truck. They traveled to Epstein's house and entered through the kitchen door. They met with the house chef and Epstein's assistant █████. SG was introduced to Epstein while they were in the kitchen area. █████ led SG upstairs and Epstein went upstairs. When the massage was over SG returned to the kitchen area. █████ stated she was paid \$200.00 for bringing SG to Epstein's house. █████ stated SG told her she was paid \$300.00 for the massage.

█████ stated that SG was the last person she brought to Epstein's house. She had changed her cellular number to avoid being contacted by █████. She continued stating that she had no direct contact with Epstein

The foregoing instrument was sworn to or affirmed before me this 1<sup>st</sup> day of May, 2006 by Det Joe Recarey, who is personally known to me.

  
 Signature of Police Officer (F.S.S. 117.10)

State of Florida  
 County of Palm Beach

  
 Signature Arresting Officer

Date: 05/01/2006

*Probable Cause Affidavit*  
**Palm Beach Police Department**

Agency ORI# FLO 500600

when he was going to travel to Palm Beach. [redacted] said when Epstein announces to his assistant, [redacted] that he is traveling to Palm Beach, [redacted] would then contact [redacted] to arrange girls to "work" for Epstein. [redacted] stated that once her parents discovered that she was visiting Epstein, they disapproved of the encounters with him and she stopped. [redacted] further stated that [redacted] still tries to call [redacted]'s house and leaves messages.

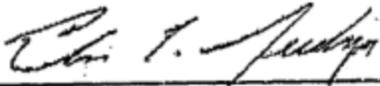
Sgt Frick entered the room and explained to [redacted] that based on her own statements, she had implicated herself by bringing underage girls to Epstein's house. [redacted] provided cellular telephone numbers for the girls she had mentioned previously. Additionally, she also provided possible addresses and areas in which they lived.

As [redacted] was being taken home in the vehicle, a tape recorder was placed within the vehicle to record any conversations within the vehicle. During the drive back to her home, [redacted] made the comment "I'm like a Heidi Fleiss." (Hollywood Madam who sent girls to clients for sexual favors in California). [redacted] was dropped off at her house without incident.

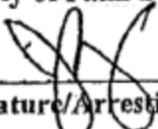
On October 3, 2005, Sgt Frick and I went to speak with JS, a sixteen year-old female who was brought to Epstein's residence by [redacted]. We met with JS's mother at their front door. We explained the ongoing investigation and asked to speak with JS as we had information that she had "worked" for Jeff. Mrs. S introduced us to her husband and allowed us entry into the home. We sat in the dining room and met with JS, [redacted]. As she was under the age of eighteen, Mrs S was advised we would be speaking with her. She expressed if her daughter had information, she wanted to assist. We interviewed JS, who denied having any inappropriate encounters with Jeff (Epstein). She stated she had gone to Jeff's house with [redacted] approximately eight months ago and sat in the kitchen with the house chef, but nothing happened. As the parents were present during the interview, we felt that JS was withholding information from us. She made several comments as to putting the entire incident behind her. I left my telephone number and advised should she wish to speak with me again to telephone me. Sgt Frick and I thanked Mrs. S for her time and left the area. She stated she would ask JS again after we left as to what happened at Epstein's house. I informed her that JS had my telephone number and hopefully she would call.

On October 4, 2005, Det Dawson and I drove to the [redacted] home and met with [redacted] and [redacted]. During a sworn taped statement, [redacted] stated approximately a year ago when she was seventeen years old, she was taken to a house by [redacted]. [redacted] stated she knows [redacted] because they both attend Royal Palm Beach High School. She was told she could make money working

The foregoing instrument was sworn to or affirmed before me this 1<sup>st</sup> day of May, 2006 by Det Joe Recarey, who is personally known to me.

  
Signature of Police Officer (F.S.S. 117.10)

State of Florida  
County of Palm Beach

  
Signature/Arresting Officer

Date: 05/01/2006

*Probable Cause Affidavit*  
**Palm Beach Police Department**

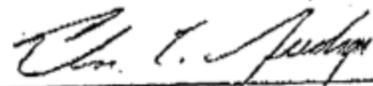
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for Jeff. She was told she would have to provide a massage to Jeff. [redacted] stated upon her arrival to the house she was brought to the kitchen area by [redacted]. They met with the house chef who was already in the kitchen area. [redacted] stated [redacted] would wait for her in the kitchen. [redacted] was introduced to [redacted], Jeff's assistant, who brought her upstairs to the master bedroom. [redacted] prepared the room and massage table for a massage. Epstein entered the room wearing only a towel and she provided a massage. [redacted] stated she kept her clothes on during the massage. She advised sometime during the massage, Epstein grabbed her buttocks and pulled her close to him. [redacted] said she was uncomfortable by the incident involving Jeff. At the conclusion of the massage, she was paid \$200.00 for the massage. I asked [redacted] if she has any formal training in massages to which she replied no. I asked her if [redacted] received any monies for taking her to perform the massage. [redacted] stated [redacted] had received money for taking her there but was unsure in the amount. [redacted] stated she returned to Epstein's house on another occasion with [redacted] and another girl. [redacted] stated she waited in the kitchen with [redacted], while [redacted] was taken upstairs by [redacted]. [redacted] stated she only did the massage once as she was uncomfortable with the whole experience.

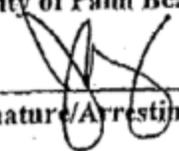
At the conclusion of the interview, the tape was stopped. I was informed that [redacted] had attempted to reach [redacted] via cell phone. A voice mail message on October 4, 2005 at 10:59 am, revealed a female voice who identified herself as [redacted] who requested [redacted] to call her back reference the police questioning. [redacted] provided the incoming telephone number as [redacted]. [redacted] stated she inadvertently told [redacted] about the police investigation because [redacted] had called her to tell her about how she just received a rental car from Jeff Epstein. [redacted] had called her to tell her that she was given a rental car, a 2005 Silver Nissan Sentra, to utilize to visit family and visit Epstein. [redacted] asked her what was going on at the house that the police would be asking questions. [redacted] stated [redacted] then called Jeff and [redacted] and asked what was going on reference the ongoing police investigation. According to [redacted], [redacted] has since then been trying to contact her to ask about the police questions. I instructed [redacted] not to contact [redacted] and do not provide any more information to [redacted] as she would notify Jeff Epstein and [redacted] what was transpiring.

On October 4, 2005, I made telephone contact with JS who had left several messages for me to contact her. During the message, she advised she was not completely truthful when we met in person but would like to speak with me to advise what had happened. She further advised she did not want to speak of this incident in front of her mother. At approximately 3:48 pm I made telephone contact with JS. During a taped recorded statement JS stated the following: approximately a year ago, when she was sixteen years of age, [redacted] took her to Epstein's house twice. She knows [redacted] because they both attend Royal Pal Beach High School. The first time she went, [redacted] drove to the house. They entered through the kitchen area where she was

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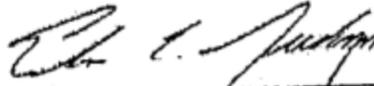
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Agency ORI# FLO 500600

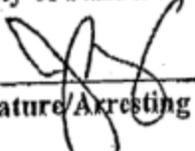
introduced to [redacted] and Epstein. She was taken upstairs to a bedroom by [redacted] who set the room up with a massage bed and brought out the oils to use. Epstein then entered the room wearing a towel. He laid on the table and picked out a lotion for JS to rub on him. At one point during the massage he tried to remove her shirt, at which point she became very upset and discontinued the massage. Both JS and Epstein had a verbal disagreement, at which time she left without being paid. She got with [redacted] who was sitting in the kitchen and told her "let's go." JS advised she received no money for that day. JS also said that [redacted] had told her if she was uncomfortable with what was going on, to let him know and he'll stop. She knew that the more you do the more you get paid. JS advised that several weeks later she agreed to be taken a second time by [redacted]. Once they arrived at the residence, [redacted] sat in the kitchen and [redacted] took her upstairs to the master bedroom again. [redacted] set the room up with a massage bed and brought out the oils to use. Epstein then entered the room wearing a towel. He laid on the table and picked out a lotion for JS to rub on him. At one point during the massage he tried to touch her buttocks. As JS was wearing tight jeans and had a tight belt on Epstein was unable to touch her buttocks. Epstein then rolled onto his back during the massage and then attempted to touch her breasts. JS then became upset again and told Epstein she didn't want to be touched. JS discontinued the massage and was paid \$200.00. JS then went downstairs where [redacted] was waiting for her. She told [redacted] she wanted to leave. JS said she never returned to the house. JS stated she is aware that her friend, [redacted] was also at the house and had a problem with Epstein.

I later researched [redacted], dob 02/08/1987, and met with her at her residence. During a sworn taped statement, [redacted] stated the following: on or about November 2004, she was approached at Royal Palm Beach High School by [redacted], a fellow student. [redacted] asked [redacted] if she wanted to make money. She agreed and was told she would provide a massage to wealthy man in Palm Beach. [redacted] picked her up and drove her to a house in Palm Beach. She was brought into the kitchen area of the house. She further stated that fellow Royal Palm Beach High School students YL and [redacted] came with them. They were brought into the kitchen where she was introduced to Epstein and other females. [redacted] stated she was introduced to a female helper of Epstein, the female was described as white female (unknown name), with blond hair. She stated that the assistant was familiar with [redacted]. The assistant brought her upstairs into a master bedroom area. The assistant set up the massage table and put out lotions to be used. She told Epstein would be available in a minute. Epstein entered the room wearing only a towel. Epstein removed his towel, and laid naked on the massage table and picked a lotion to rub on his thighs and back. [redacted] further stated during the massage, Epstein asked her to remove her clothes. She complied and removed her pants and blouse. [redacted] didn't remember if she had removed her bra but feels that she did. [redacted] was certain that she stayed in her thong underwear. [redacted] continued the massage and at one point she climbed onto the massage

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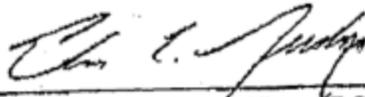
*Probable Cause Affidavit*  
**Palm Beach Police Department**  
Agency ORI# FLO 500600

table, straddling Epstein to massage his back. While doing this her buttocks were touching Epsteins. [redacted] was instructed to return to the ground at which time Epstein turned to have his chest rubbed. [redacted] advised she was sure he was masturbating based on his hand movements going up and down on his penis area. [redacted] did not want to look at his penis area because she was uncomfortable. Epstein removed a large white vibrator which was next to the massage table and turned it on. [redacted] stated Epstein began rubbing the vibrator over her thong underwear on her vaginal area. Shortly thereafter, Epstein ejaculated and removed himself from the table. He walked over to where the shower was and opened the glass door. She waited as he was taking a shower in her direct view. When I asked [redacted] how old she was when this occurred, she stated she had just turned seventeen. At the conclusion of the shower, [redacted] was paid either \$350.00 or \$400.00. She stated she wasn't sure, but knows it was close to \$400.00. [redacted] stated she never returned to provide a massage for Epstein.

At approximately 2:10 pm, Det Dawson and I met with YL, [redacted] at her residence. As YL was only seventeen years of age, I had notified her mother, that she would be interviewed reference an ongoing investigation in Palm Beach. I assured her that her daughter was not a suspect. I explained the possibility of her being either a witness or victim. Mrs L advised she wanted YL to cooperate and consented to the interview.

During a sworn taped statement, Y L stated the following: at the age of sixteen, during the month of September 2004, she was approached by [redacted] for a chance to make money. YL was friends with associates of [redacted] and knew the same people. YL had been previously told by her friends from Royal Palm Beach High School, what [redacted] did for Epstein. [redacted] called a person known to YL as [redacted] and scheduled the appointment. [redacted] picked YL up and drove her to Palm Beach to a street called "Brillo Way". They drove to the end of the street and entered a large driveway. They entered the kitchen area of the house and met with Epstein. YL was introduced to Jeff Epstein. [redacted] led YL upstairs to the main bedroom area and set up the room with a massage table and set out the oils. YL stated that while going up the stairs and into the bedroom she observed numerous photographs of naked young girls. [redacted] dimmed the lights and turned on soft music. [redacted] exited the room and Epstein entered the room wearing only a towel. Epstein picked oils and instructed her to rub his legs, under his buttocks, back and chest area. Epstein asked her to get comfortable. YL advised she did not remove her clothes. She was wearing tight jeans and a cropped tank top exposing her belly area. During the massage, Epstein removed his towel and laid on the massage table naked. As YL rubbed Epstein's chest area, he attempted to reach down her pants to touch her buttocks area however was unable to due so due to the tightness of the jeans and a tight belt. YL advised Epstein began to masturbate as she rubbed his chest. Epstein moaned as she rubbed his chest. She observed he was continuing to masturbate and

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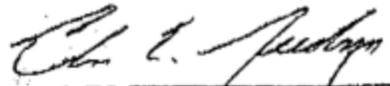
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Palm Beach Police Department  
Agency ORI# FLO 500600

attempted to reach up her tank top and touch her breasts. YL, pulled back and Epstein stopped, however he kept masturbating until he climaxed. He cleaned himself with the towel he was previously wearing. YL was paid \$200.00 for the massage and left the area. She met with [redacted] who was waiting in the kitchen area and left the house.

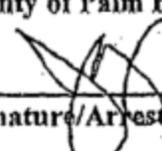
YL then explained she never provided another massage for Epstein. She did however, go to the house with [redacted] and [redacted] as they took another friend of [redacted]. YL advised she was present when [redacted] went to work for Epstein. She advised she rode over and sat in the kitchen area with [redacted] to wait for [redacted]. YL advised while they waited for [redacted] the house chef prepared lunch for them as it was almost lunchtime when they went. When [redacted] was finished with the massage they left the area. I asked YL if [redacted] ever told her what would be expected when she provided a massage. YL stated yes, [redacted] told her that a massage would be expected, possibly naked and possibly some touching involved. YL has no formal training in providing massages. YL spoke about a third and last time she went to Epstein's house. [redacted] drove another girl, ML, (sixteen years of age) who is YL's friend, to Epstein's house. YL stated ML knew that YL had made money massaging Epstein and wanted to make money herself. [redacted] took them in the kitchen area of the house and introduced ML to [redacted]. [redacted] and [redacted] took ML upstairs to the main bedroom. YL advised she doesn't know what happened as ML did not speak about what happened in the room. YL received \$100.00 from [redacted] for going with her to Epstein's house and recommending ML.

On October 6, 2005, at 11:45 am, I met with [redacted], dob [redacted], at Lynn University and explained to her why we there to interview her. She advised she was aware of the ongoing investigation. [redacted] stated she had previously spoken with [redacted] who told her she was interviewed by detectives. During a sworn taped statement, [redacted] stated she knew that [redacted] worked for Jeff Epstein in Palm Beach. [redacted] advised she originally had been taken to the Epstein house by [redacted], whom she met when they both attended Royal Palm Beach High School. She began going to the house when she was sixteen years of age and stated she had been there a lot of times to provide massages over the past two years. I asked her if she had formal training in providing massages, which [redacted] stated she had not. [redacted] advised she was told what was expected of her by providing massages and she would have to remove clothing but if she felt uncomfortable just to say so and Epstein would stop pushing the issue. [redacted] began providing massages and advised she kept her clothes on. She considered Epstein a pervert and he kept pushing to go further and further. [redacted] explained she would keep telling him she had a boyfriend and would not be right to her boyfriend. It wasn't until recently that [redacted] began removing her clothes and staying in her thong underwear to provide a massage. [redacted] explained

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County of Palm Beach

  
Signature/Arresting Officer

Date: 05/01/2006

*Probable Cause Affidavit*  
**Palm Beach Police Department**  
Agency ORI# FLO 500600

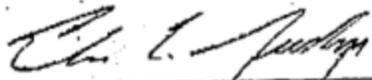
Epstein wanted to be rubbed on his back and recently he began turning over and have her rub his chest as he masturbated. He would try to touch her breasts as she rubbed his chest. [redacted] stated "Jeff would try to get away with more and more on each massage". [redacted] stated Epstein would try to touch her more and on one occasion he attempted to use a massager/vibrator on her. [redacted] drove [redacted] to the house for the original massage. [redacted] left [redacted] her cell phone number and every time Epstein would come into town, [redacted] would call her for an appointment to "work". Each time she went, [redacted] would meet her at the kitchen door area. She would bring her upstairs and prepare the massage table. [redacted] advised Epstein would ask her questions about herself. Epstein knew she was a soccer player and would be attending Lynn University. I asked [redacted] if Epstein knew her real age. [redacted] stated Epstein did and didn't care. The most recent massage she provided was on October 1, 2005. During the massage, she asked Epstein if she could borrow one of his vehicles to visit her family and boyfriend in Orlando, Florida. Epstein had told her she could borrow one of his vehicles but later stated he would rent her a car. She continued with the massage as Epstein grabbed her buttocks and caressed the buttocks cheeks. I asked [redacted] if she was wearing undergarments to which she replied her thong underwear. Once he tried to touch her breasts, she would pull away from him and he would stop. [redacted] was asked if he ever used a vibrator on her. [redacted] was aware of the vibrator but advised she never would allow him to use the vibrator on her. She described the vibrator as the large white vibrator with a huge head on the tip of the vibrator. She stated he kept the vibrator in a closet near the massage table.

[redacted] stated that on October 3, 2005, she was contacted by Epstein's assistant, [redacted], who informed her that Jeff Epstein had rented her a new Nissan Sentra and she should come by the house to pick it up. [redacted] informed [redacted] she would have the car for a month. [redacted] stated Epstein knew her car was not working properly and that she had missed appointments in the past because of her car being inoperable. [redacted] explained the car is currently parked next to the Lynn University Gym field. I asked her if she ever took any one to the house. [redacted] explained she took [redacted]; a friend of hers who attended Royal Palm Beach High School, who has relocated to Orlando to attend college. I asked if she ever allowed another female in the room. [redacted] advised no one was brought into the room with her.

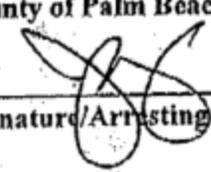
At the conclusion of the interview, Det Dawson and I went to the gym area of Lynn University and located the Silver Nissan Sentra bearing Florida tag [redacted]. The vehicle is registered to Dollar Rent a Car out of the Palm Beach International Airport. The vehicle was rented by Janusz Banasiack, later learned to be Epstein's houseman, and paid with Epstein's credit card.

On September 11, 2005, [redacted], was arrested by the Palm Beach Police Department

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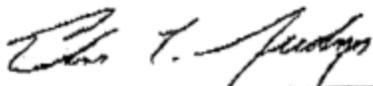
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for misdemeanor possession of marijuana. During the arrest AH told the arresting officer that she had information about sexual activity taking place at the residence of Jeffrey Epstein. Additionally, during the ongoing trash pulls from Epstein's residence, discarded papers were found which contained AH's name and cell phone number.

On October, 11, 2005, Det Dawson and I met with AH and obtained a sworn taped statement. AH explained she had been going to Epstein's house since 2002, when she was sixteen years of age. Since then she has gone to the house hundreds of times. AH stated she became his "number one girl." She explained that on her first visit she was brought to the house by fellow Royal Palm Beach High School classmate, AH said she was brought through the kitchen area where she met [REDACTED] for the first time. AH was led to the master bedroom, Epstein's room. AH explained that as she was walking up the stairs she observed several photographs of naked women along the walls and tables of the house. AH further explained that she was brought into the bedroom, where [REDACTED] prepared the room by setting up the massage table and provided the oils for her to rub on Epstein. AH explained she remembered the steam room area, which contained two large showers. Epstein entered the room from the steam room area and introduced himself. Epstein lay on the table and told her to get comfortable. AH removed her skirt and kept her shirt on. Epstein then instructed her to remove her shirt. AH removed her shirt and remembered she was not wearing a bra. AH stated she provided the massage wearing only her panties. She continued rubbing his legs, thighs and feet. AH advised he turned over onto his back. Epstein touched her breasts and began to masturbate. Epstein ejaculated which meant the massage was over. At the conclusion of the massage, AH was paid \$200.00. They walked together downstairs where [REDACTED] and [REDACTED] were waiting. AH stated [REDACTED] received an unknown amount of money for taking her to Epstein. Epstein instructed to leave her cellular telephone number so that he could contact her when he is in town.

AH stated that during her many visits a routine was established between her and Epstein. She would enter the house and get naked in the bedroom. She would then start with a back massage. Epstein would roll on to his back and allow her to massage his chest area. AH stated Epstein would then began to masturbate himself and at the same time would insert his fingers in her vagina and masturbate her with his fingers. AH explained Epstein would continue this process until he ejaculated. He would then utilize a vibrator/massager on her vagina until AH climaxed. AH advised that during her frequent visits, Epstein asked for her real age, AH stated she was sixteen. Epstein advised her not to tell anyone her real age. AH advised that things escalated within the home as Epstein would instruct and pay AH to have intercourse with his female friend, [REDACTED]. AH explained the intercourse included using strap on dildos, large rubber penis' and other devices that Epstein had at his disposal. Epstein would watch them have intercourse and masturbate himself. Occasionally, Epstein would then join in

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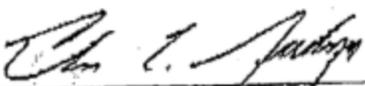
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during the female on female intercourse and provide oral sex to both AH and [REDACTED]. This occurred during the time AH was sixteen years of age.

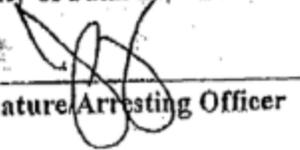
AH advised this continued to escalate during two years. The routine became familiar to AH. Epstein's assistant [REDACTED] would telephone her every time Epstein was in the Town of Palm Beach and would place appointments for her to visit and work for Epstein. Each time something new was introduced, additional monies were produced and offered for AH to allow the acts to happen. AH consented to perform all these acts but was adamant that there was an understanding with Epstein that no vaginal penetration would occur with his penis. AH explained that Epstein's penis was deformed. AH explained that his penis was oval shaped. AH claimed when Epstein's penis was erect, it was thick toward the bottom but was thin and small toward the head portion. AH called Epstein's penis "egg-shaped." AH stated Epstein would photograph [REDACTED] and her naked and having sex and proudly display the photographs within the home. AH stated during one visit to Epstein's house in which she provided a massage to Epstein, his female friend, [REDACTED], was also present. AH provided the massage in which Marcinkova and her would fondle each others breasts and kiss for Epstein to enjoy. Towards the end of this massage, Epstein grabbed AH and turned her over onto her stomach on the massage table and forcibly inserted his penis into her vagina. AH stated Epstein began to pump his penis in her vagina. AH became upset over this. She said her head was being held against the table forcibly, as he continued to pump inside her. She screamed "No!" and Epstein stopped. She told him that she did not want to have his penis inside of her. Epstein did not ejaculate inside of her and apologized for his actions and subsequently paid her a thousand dollars for that visit. AH stated she knows he still displays her photographs through out the house.

On October 12, 2005, Det Dawson and I met with [REDACTED] who stated during a sworn taped statement, that nothing happened between her and Epstein. [REDACTED] appeared nervous during the interview. I assured her that I have spoken with other people who advised differently. [REDACTED] stated on several occasions she provided a massage to Epstein. She stated she was brought to the Epstein house in March of 2005. [REDACTED], a classmate at Royal Palm Beach High School, approached her and asked her if she wanted to "work". [REDACTED] made the arrangements with [REDACTED], Epstein's assistant. [REDACTED], who has no formal training in providing massages, stated she provided a massage, fully clothed for \$200.00. As I sensed hesitancy in her answers, I asked [REDACTED] if she had been contacted by anyone from Epstein's organizations or his house. [REDACTED] stated she was interviewed already by a private investigator for Epstein. He identified himself as "Paul" and inquired about the police investigation, and left his telephone number [REDACTED] for additional contact. [REDACTED] provided no additional information, as it appeared her responses were almost scripted.

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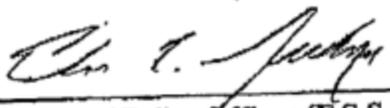
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 Agency ORI# FLO 500600

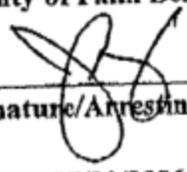
On November 6, 2005, at approximately 3:30 pm, I met with [REDACTED] at the Palm Beach Police Department. [REDACTED] was identified as a potential witness/victim through information obtained during the trash pulls. During the sworn taped statement, [REDACTED] advised she was at Jeffrey Epstein's house one time, approximately two months ago. She was approached by a girl, [REDACTED], who was dating [REDACTED] roommate, for an opportunity to make some quick money. [REDACTED] advised she needed to make some quick cash to make the rent that month. She agreed to go to the house. She had been told by [REDACTED] that the massage would have to be done in her underwear. She advised [REDACTED] drove with her and brought her into the house. They walked into the kitchen area, and took the stairs upstairs. [REDACTED] further stated she was brought into a master bedroom area. She advised she recalled seeing portraits of naked women throughout the room. A massage table was already out near the sauna/shower area in the master bedroom. Epstein entered the room wearing only a towel and introduced himself as "Jeff." At Epstein's direction, [REDACTED] and [REDACTED] removed their clothing down to their panties, Epstein laid on his stomach area and they provided a massage on his legs and feet area. I asked [REDACTED] if she had any formal massage training and she replied "no." [REDACTED] advised she was topless and the panties she wore were the boy shorts lace panties. She and [REDACTED] continued the massage until the last ten minutes of the massage, Epstein, told [REDACTED] to leave the room so that [REDACTED] could finish the massage. [REDACTED] got dressed, and left the room as Epstein turned over onto his back. Epstein then removed the towel and laid naked. Epstein requested that [REDACTED] rub his chest area. [REDACTED] stated as she did this, Epstein, began masturbating. [REDACTED] stated Epstein pulled down her boy short panties, and he produced a large white vibrator with a large head. She stated it was within his reach in a drawer in his master bathroom. He rubbed the vibrator on her vaginal area. [REDACTED] advised he never penetrated her vagina with the vibrator. He continued to rub her vagina with the vibrator as he continued to masturbate. [REDACTED] stated she was very uncomfortable during the incident but knew it was almost over. Epstein climaxed and started to remove himself from the table. He wiped himself with the towel he had on previously and went into the shower area. [REDACTED] got dressed and met with [REDACTED] in the kitchen area. Epstein came into the kitchen and provided [REDACTED] \$200.00 for bringing [REDACTED] and paid \$200.00 to [REDACTED] for providing the massage. [REDACTED] was told to leave her telephone number with [REDACTED] for future contact. [REDACTED] provided her cellular telephone number. [REDACTED] was asked if she was recently contacted about this investigation by anyone from the Epstein organization. She replied she was called but it was for work. She stated she was called by [REDACTED] for her to return to "work" for Epstein. [REDACTED] stated "work" is the term used by [REDACTED] to provide the massages and other things. [REDACTED] advised she declined as she was not comfortable in providing that type of "work."

On November 7, 2005, Det Sandman and I met with [REDACTED] During a sworn taped statement, [REDACTED] stated she met Jeffrey Epstein through [REDACTED] when they were still

The foregoing instrument was sworn to or affirmed before me this 1<sup>st</sup> day of May, 2006 by Det Joe Recarey, who is personally known to me.

  
 Signature of Police Officer (F.S.S. 117.10)

State of Florida  
 County of Palm Beach

  
 Signature/Arresting Officer

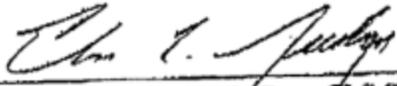
Date: 05/01/2006

**Probable Cause Affidavit**  
**Palm Beach Police Department**  
 Agency ORI# FLO 500600

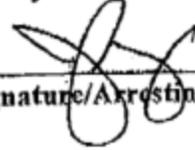
attending Royal Palm Beach High School. [REDACTED] would approach females who wished to work for Epstein. [REDACTED] stated she was offered to work for Epstein but declined. [REDACTED] explained that "work" means give massages. She was asked about any formal training in providing massages which she said "no." [REDACTED] said she accompanied [REDACTED] and other females who were taken to Epstein's house to provide massages. [REDACTED] further stated she had been to the house approximately 4 or 5 times in the past year. She accompanied [REDACTED] with [REDACTED], SG, and [REDACTED]. Each time the girls were taken over, they were previously told they would have to provide a massage, possibly naked. They were also told that should Epstein require them to do anything extra, and they were not comfortable just to tell him and he would stop. [REDACTED] stated [REDACTED] received \$200.00 for each girl she brought over to massage Jeffrey Epstein. When I asked which girl appeared to be the youngest, she replied, SG, who was really young, fifteen years old at the most. [REDACTED] further stated each time she went to the house, she sat in the kitchen and waited with [REDACTED] until the massago was over. She further stated that the cook would make lunch or a snack for them as they waited. I asked her if there was anything that caught her attention within the home. [REDACTED] stated there were a lot of naked girls in photographs throughout the house.

On November 8, 2005, at approximately 2:00pm, I met with [REDACTED] at the Palm Beach Police Department. During a sworn taped statement, [REDACTED] stated she had met Epstein approximately two years ago when she was first approached by [REDACTED], a classmate at Royal Palm Beach High School. [REDACTED] approached her about working for Epstein and providing a massage to him for \$200.00. [REDACTED] had made the arrangements however was unable to take her the day the arrangements were made. [REDACTED] had [REDACTED] take [REDACTED] also attended Royal Palm Beach High School and was familiar with Epstein. [REDACTED] recalled she was brought there and entered through the back kitchen door. She had met with an assistant [REDACTED] and another assistant Adrianna. [REDACTED] brought her upstairs as she observed several photographs of naked females throughout the house. [REDACTED] stated Epstein came in the room, wearing only a towel, and laid on the table. [REDACTED] stated he picked out the oils he wanted her to use and requested she remove her clothing to provide the massage. [REDACTED] stated that on the first massage she provided she did not remove her clothing. [REDACTED] stated she had returned several times after that. Each time she returned it was more than a massage. Epstein would walk into the master bedroom/bathroom area wearing only a towel. He would masturbate as she provided a massage. [REDACTED] stated she was unsure if he climaxed as he masturbated under the towel. Additionally, she never looked below his waist. She claimed that Epstein would convince her to remove her clothes. She eventually removed her clothes and stayed in her thong panties. On occasion, Epstein would use a massager/vibrator, which she described as white in color and a large head. Epstein would rub the vibrator/massager on her vaginal area as he would masturbate. [REDACTED] stated she had been to the house

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 Signature of Police Officer (F.S.S. 117.10)

State of Florida  
 County of Palm Beach

  
 Signature/Arresting Officer

Date: 05/01/2006

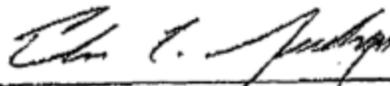
**Probable Cause Affidavit**  
**Palm Beach Police Department**  
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numerous times. added she has no formal training in providing a massage. stated she brought two females during her visits to provide massages. stated she brought a girl named " " and from Royal Palm Beach High School. stated she received \$200.00 for each girl she brought.

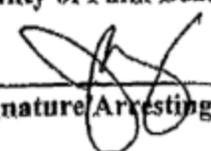
On November 8, 2005, I met with [REDACTED], at the Palm Beach Police Department. During a sworn taped statement, [REDACTED] stated she had met Jeffrey Epstein approximately one year ago. She was approached by a subject known to her as AH. AH had asked her if she wanted to make money providing massages to Epstein. [REDACTED] had heard that several girls from Royal Palm Beach High School were doing this and making money. She agreed and was taken to the house by AH. AH had introduced her to [REDACTED] and Epstein and brought her upstairs to a master bedroom where a massage table was prepared and the proper oils were selected. AH left the room and waited downstairs for her. [REDACTED] stated Epstein entered the room wearing a towel and laid on his stomach. She provided a massage wearing only her thong panties. [REDACTED] advised Epstein had masturbated every time she provided a massage. She stated Epstein continued to masturbate until he climaxed. Once that occurred the massage was over. She felt the whole situation was weird but she advised she was paid \$200.00 for providing the massage. She also stated AH was paid \$200.00 by Epstein for bringing [REDACTED] stated she had gone a total of 15 times to Epstein's residence to provide a massage and things had escalated from just providing a massage. Epstein began touching her on her buttocks and grabbed her closer to him as he masturbated. Epstein also grabbed her breasts and fondled her breasts with his hands as she provided the massage. [REDACTED] stated on one occasion, while she was only seventeen years of age, he offered extra monies to have vaginal intercourse. She stated this all occurred on the massage table. [REDACTED] stated Epstein penetrated her vagina with his penis and began having intercourse with her until he reached the point of climax. Epstein removed his penis from her vagina and climaxed onto the massage table. [REDACTED] received \$350.00 for her massage. I asked her if she had any formal training in providing massages, [REDACTED] stated she did not. [REDACTED] continued to state on one other occasion, Epstein introduced his girlfriend, Nadia, into the massage. Nadia was brought into room with [REDACTED] to provide a massage. Epstein had them kiss and fondle each other around the breasts and buttocks as they provided a massage to Epstein. Epstein, watched and masturbated as this occurred. On other occasions, Epstein, introduced the large white vibrator/massager in the massage. Epstein stroked the vibrator/massager on [REDACTED] vagina as she provided the massage.

On November 14, 2005, Det Sandman and I met with [REDACTED]. During a sworn taped statement she advised she started going to the house approximately one year ago and has been there approximately five or six times. [REDACTED] also stated she was sixteen years old when she first went to Epstein's house. On her first visit she was brought by a fellow student from Royal Palm Beach High School known to her

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 Signature of Police Officer (F.S.S. 117.10)

State of Florida  
 County of Palm Beach

  
 Signature Arresting Officer

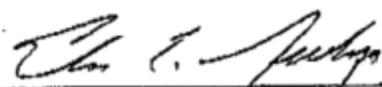
Date: 05/01/2006

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**Palm Beach Police Department**  
 Agency ORI# FLO 500600

as stated brought her into the house and she was introduced to [REDACTED]. [REDACTED] then brought her upstairs into a master bathroom, located within the bedroom. [REDACTED] stated she met Epstein in the bathroom. He laid on the table and picked the massage oils. She provided the massage as he laid naked on the massage bed. She stated she rubbed his calves and back area. Upon the end of the massage, Epstein removed himself from the massage table and paid her \$300.00 for the massage. [REDACTED] said each subsequent time she went to the house, she was notified by [REDACTED] that Epstein was in town and would like her to "work". [REDACTED] stated she returned to the house and was again led upstairs by [REDACTED]. She provided the massage, clothed. [REDACTED] was asked if she ever removed her clothing to provide a massage. [REDACTED] stated it was not until the third time that she went that she removed her clothing. [REDACTED] stated she was notified by [REDACTED] that Epstein wanted her to come to work. She arrived at the house and was led upstairs by [REDACTED]. She started providing the massage when Epstein asked her to remove her clothing. [REDACTED] removed her pants, shirt and bra. She stayed in her thong panties and continued rubbing Epstein. Epstein turned over onto his back and she rubbed his chest area. [REDACTED] stated she knew he was masturbating himself as she providing the massage. [REDACTED] stated she believed he climaxed based on his breathing. She did not want to view either the climax or the fact that he was masturbating. [REDACTED] stated once the breathing relaxed he got up and told her to get dressed. She was paid \$300.00 for her services. [REDACTED] stated on the last time she went to provide a massage, she was notified by [REDACTED] to come to the house and "work". [REDACTED] stated she was now dating her current boyfriend and did not feel comfortable going. She recalled it was approximately January 2005. She said she went, already thinking that this would be the last time. She went upstairs and went into the master bathroom. She met with Epstein, who was wearing only a towel, and laid onto the table. [REDACTED] stated Epstein caught her looking at the clock on several occasions. Epstein asked her if she was in a hurry. [REDACTED] stated her boyfriend was in the car waiting for her. [REDACTED] further stated that Epstein got upset as he wasn't enjoying the massage. She told him that she didn't want to continue and she would not be back. Epstein told her to leave as she was ruining his massage. [REDACTED] advised she had no formal training in providing any massages. [REDACTED] stated although she had a falling out with Epstein, she still received a Christmas bonus from Epstein. [REDACTED] stated she was wired money from Western Union for her Christmas bonus. Subpoena results from Western Union revealed money was sent from Jeffrey Epstein on December 23, 2004. [REDACTED] received \$200.00 from Epstein for her Christmas bonus.

On November 15, 2005, Det. Sandman and I met with MD, [REDACTED]. During a sworn taped statement, MD stated she met Jeffrey Epstein over a year ago. She was sixteen years of age and was approached by [REDACTED], [REDACTED], a fellow Royal Palm Beach High School student, who informed her that she could make \$200.00 providing a massage to Epstein. [REDACTED] had informed her that she would have to provide this

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 Signature of Police Officer (F.S.S. 117.10)

State of Florida  
 County of Palm Beach

  
 Signature/Arresting Officer

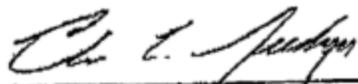
Date: 05/01/2006

**Probable Cause Affidavit**  
**Palm Beach Police Department**

Agency ORI# FLO 500600

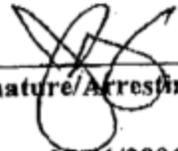
massage topless. [redacted] made the arrangements with Epstein and his assistants and took MD to the house. MD stated [redacted] and she entered through a glass door that led into a kitchen. She was taken upstairs by [redacted], to a master bedroom. She recalled the master bathroom had a large pink couch, sauna and matching shower. Epstein entered into the room wearing only a towel. MD and [redacted] removed their clothing remaining only in thong underwear. She further stated that Epstein laid on his chest on the table. The oils were selected on which ones to use. Both [redacted] and MD provided the massage on his legs, back and feet. Forty minutes into the massage, Epstein turned over onto his back and requested [redacted], wait downstairs in the kitchen area for MD. Epstein instructed MD to finish the massage. As [redacted] got dressed, MD starting rubbing Epstein's chest. [redacted] left the room, and Epstein began masturbating as MD rubbed Epstein's chest. MD stated Epstein continued masturbating until he climaxed on the towel he was wearing. When asked if he had removed the towel she stated he turned the towel around so that the opening would allow him to expose himself. After he cleaned himself off with the towel he instructed MD the massage was done and to get dressed and meet with him downstairs. MD got dressed and met with Epstein in the kitchen area. She was paid \$200.00 dollars for providing the massage. MD stated she was aware that [redacted] also received monies for the same thing. The second time she went to the house she was again approached by [redacted] advised if she wanted to return to the house to provide another massage. MD agreed and the arrangements were made by [redacted] for her to return to the house. MD stated [redacted] drove her to the house and knocked on the same glass door which leads to the kitchen area. They were allowed entry into the house by one of the staff members. [redacted] led her upstairs to the master bedroom and master bathroom area. [redacted] left MD this time to do the massage alone. Epstein entered the room again wearing only a towel. MD began removing her clothing as she did the last time she was at the house. Epstein instructed her to get naked. He laid on the table onto his stomach as MD began massaging his legs and back. As MD finished with Epstein's back and legs, Epstein then turned over onto his back. MD started to rub his chest and he began masturbating. As MD rubbed his chest, Epstein leaned over and produced a massager/vibrator. He turned it on and began rubbing MD's vagina and masturbating himself at the same time. MD stated she continued to rub his chest as this was occurring. She described the vibrator/massager as large grey with a large head. Epstein rubbed her vagina for approximately two to three minutes with the massager/vibrator. He then removed the vibrator from her vaginal area and concentrated on masturbating himself. MD stated Epstein climaxed onto the towel again and informed her that the massage was done. MD got dressed and met with [redacted] who was waiting in the kitchen area. She received \$200.00 for the massage. MD said she never returned to the house and had no desire to return to the house. MD was asked if she received any formal massage training. She advised she had no formal training. MD was asked if Epstein knew her real age. MD stated he knew, as he asked her questions about herself and high school. He was aware she attended, and is still attending Royal Palm Beach High School.

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 Det Joe Recarey, who is personally known to me.



Signature of Police Officer (F.S.S. 117.10)

State of Florida  
 County of Palm Beach

  
 Signature/Arresting Officer

Date: 05/01/2006

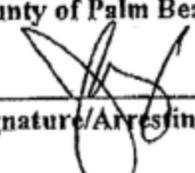
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During the course of the investigation a search warrant was executed at Jeffrey Epstein's home located at 358 El Brillo-Way in Palm Beach. While in the home I observed the pink and green couch within the master bedroom area just as the girls previously mentioned. The stairway, which is located from the kitchen area to the master bedroom area, is lined with photos of naked young girls. Additionally, numerous photographs of naked young females, some of which appeared to be the girls I previously interviewed, were on display throughout the house. Also located in the house were various phone message books. The telephone message books have a duplicate copy (Carbon Copy) which, once a phone message is written into the book, the top copy is then torn on the perforated edge and the carbon copy is left in the book. First names of girls, dates and telephone numbers were on the copy of the messages. I recognized various numbers and names of girls that had already been interviewed. The body of the messages were time of the day that they called for confirmation of "work." Other names and telephone numbers were located in which the body of the messages were, "I have girls for him" or "I have 2 girls for him." These messages were taken by [REDACTED], who signed the bottom of the messages. During the execution of the warrant, I located a Royal Palm Beach High School transcript for AH in Epstein's bedroom desk. This desk had stationary marked Jeffrey E Epstein. I located a wood colored armoire beside Epstein's bed that contained a bottle of "Joy Jelly," which is used to provide a warm massage. Several massage tables were located throughout the second floor of the residence, including a massage table found in Epstein's bedroom. On the first floor of the residence I found two covert cameras hidden within clocks. One was located in the garage and the other located in the library area on a shelf behind Epstein's desk. A computer was located which was believed to contain the images from the covert cameras. The computer's hard drive was reviewed which showed several images of [REDACTED] and other witnesses that have been interviewed. All of these images appeared to come from the camera positioned behind Epstein's desk.

On December 13, 2005, Det. Dawson and I met with ML, [REDACTED]. During a sworn taped statement, ML stated that when she was sixteen years old she was taken to Epstein's house to provide a massage for money. ML stated it was before Christmas last year (2004) when an associate, YL, approached her and asked if she needed to make money for Christmas. YL made arrangements to take ML to the house and drove ML to the house to "work." They were encountered by a white female with long blond hair. ML was unable to remember the name of the white female with blond hair but knew she was Epstein's assistant. She was led upstairs by the white female who explained that there would be lotions out already and Epstein would choose the lotion he wanted her to use. She was led through a spiral staircase which led to a master bedroom and bathroom. The massage table was already set up in the bathroom. ML described the bathroom as a large spacious bathroom with a steam room and shower beside it. ML was introduced to Epstein who was on the phone when she entered the room. Epstein was wearing a white towel and laid on his stomach so that ML may

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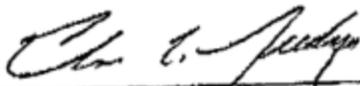
**Probable Cause Affidavit**  
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massage his feet and calves. ML started the massage with the oils Epstein chose and rubbed his feet and calves. Epstein got off the phone and requested she massage his back as well. ML began rubbing his back and got to the small of his back. During the rubbing of his back, Epstein asked her to get comfortable. He requested she remove her pants and shirt. ML removed her shirt and pulled her pants off. ML stayed in her bra and thong panties. As she finished massaging the small of Epstein's back, he then turned onto his back. Epstein instructed ML to rub his chest and pinch his nipples. As she began to rub his chest, Epstein asked her questions about herself. ML remembered telling him she attended Royal Palm Beach High School. Epstein asked her if she was sexually active. Before ML could answer, he also asked what sexual position does she enjoy. ML stated she was shy and didn't like talking about those things. She continued rubbing his chest. Epstein reached up and unsnapped her bra from the front. ML explained the bra she used had a front snapping device. Epstein rubbed her breasts and asked her if she like having her breasts rubbed. ML said "no, I don't like that." Epstein then removed his towel and laid on the bed naked exposing his penis to ML. He began touching his penis and masturbated as he touched her breasts. ML explained Epstein then touched her vaginal area by rubbing her vagina with his fingers on the outside of her thong panties. ML tensed up and stated Epstein was aware that she was uncomfortable. ML stated that Epstein said to her, "Relax, I'm not going inside." She further explained Epstein commented to her how beautiful and sexy she was. Epstein then moved her thong panties to one side and began stroking her clitoris. ML said, "He commented how hard my clit was." He then inserted two fingers in her vagina and was stroking her within her vagina. She tried pulling back to pull out his fingers from within her vagina. Epstein removed his fingers from within her vagina and apologized for putting his fingers inside her. During this time, he kept his hand on her vaginal area and continued to rub her vagina. ML stated he rubbed her really hard as he was masturbating. ML said he climaxed onto the towel he had been previously wearing and got up from the table. Epstein told her there was \$200.00 dollars for her on the dresser within the master bathroom. Epstein also told her that there was an additional \$100.00 that was to be given to YL for bringing her there to massage him. Epstein told her to leave her telephone number with his assistant as he wanted to see her again. Epstein stated his assistant would contact her to work again soon. I asked her if she ever received any formal massage training to which ML stated she did not. ML stated it was the only time she ever went to work for Jeff and knew what happened to her was wrong. She further stated that she had never been contacted for any additional work.

On January 9, 2006, I located and interviewed another victim, CL, [REDACTED] CL was identified as a potential victim/witness from information obtained during trash pulls from Epstein's residence. CL stated she met Epstein when she was fifteen years of age. She was approached by a friend from Royal Palm Beach High School, [REDACTED], to be taken to Jeffrey Epstein's house to work. She was originally told she would be able

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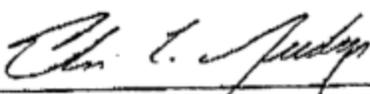
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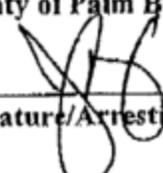
to model lingerie for a wealthy Palm Beacher. CL was taken to Epstein's house located on El Brillo Way. Miller introduced CL to Jeffrey Epstein. Epstein had his personal chef prepare dinner for CL and Miller. At the conclusion of dinner, Miller and Epstein brought CL upstairs into a master bedroom area. CL observed a large massage table with a sheet on it. Epstein entered through a door and exited wearing only a towel. Miller informed CL that they were going to provide a massage on Epstein. CL asked why were they doing this instead of modeling lingerie. Miller explained to CL that this was his routine and to rub his calves and feet. Epstein had told CL to get comfortable. CL removed her pants and blouse. CL stated she stayed only in panties as she did not wear a bra that evening. CL stated while rubbing his calves and feet, Epstein turned over onto his back. Epstein told CL to rub his chest and rub his nipples. CL stated that as she started rubbing his chest, Epstein began masturbating himself. Epstein touched her breasts and stroked her vagina with his fingers. Epstein continued to masturbate himself as he stroked her vagina. Epstein ejaculated on his towel and paid CL \$200.00 for the massage. Epstein told CL that if she told anyone what happened at his house that bad things could happen. CL and Miller were brought home by Epstein's houseman and CL was afraid that Epstein knew where she lived. CL stated that several days later she received a telephonic call from [REDACTED] who coordinated for CL to return to "work." CL returned to the house and was brought to Epstein's bedroom area by [REDACTED] who prepared the room for the massage. Epstein entered the room wearing only a towel. Epstein had CL remove her clothing and provide the massage naked. CL began rubbing his feet and calves and Epstein turned over onto his back. Epstein rubbed her vagina with his fingers. Epstein began to masturbate himself with an upwards and downward motion on his penis. Epstein continued to touch her vagina with one hand and masturbate with the other hand. Once Epstein ejaculated onto the towel he was wearing, the massage was over. CL was paid \$200.00 for the massage. Epstein again told CL not to speak of what happened at his house or bad things would happen. CL wanted to notify authorities however she was afraid of what would happen to either her or her family.

During the course of the investigation, several subjects were identified as a potential witness/victim through information obtained during the trash pulls, physical surveillance and telephone message books retrieved from the search warrant. While conducting research on the subjects, I discovered that the females were age eighteen or older. Interviews were conducted on the consenting adults whose statements provided the same massage routine when they went to "work" for Epstein. The females would be notified by [REDACTED], and made appointments for the females to "work" for Epstein. The females would come to Epstein's house and were led upstairs, through a stairwell from the kitchen area, by [REDACTED] to Epstein's bedroom. Epstein would then enter the room wearing only a towel, and ask them to get comfortable. The females would then provide the massage naked as Epstein would either touch their vaginas with his fingers and/or utilize the massager/vibrator on

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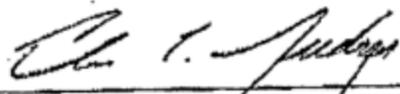
their vaginal area. He would masturbate during the massage and upon his climaxing, the massage would end. The girls were then paid two or three hundred dollars for the massage.

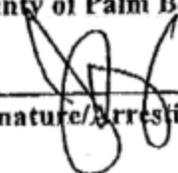
On November 21, 2005 I interviewed Jose Alessi, a former houseman for Jeffrey Epstein. Alessi stated he was employed for eleven years with Mr. Epstein, from approximately 1993 through 2004. Alessi stated he was the house manager, driver and house maintenance person. It was his responsibility to prepare the house for Epstein's arrival. When asked about cooks or assistants, Alessi stated they traveled with Epstein on his private plane. I asked Mr. Alessi about the massages that have occurred at Epstein's home. Alessi stated Epstein receives three massages a day. Each masseuse that visited the house was different. Alessi stated that towards the end of his employment, the masseuses were younger and younger. When asked how young, Mr. Alessi stated they appeared to be sixteen or seventeen years of age at the most. The massages would occur in Epstein's bedroom or bathroom. He knew this because he often set up the massage tables. I asked if there were things going on other than a massage. Alessi stated that there were times towards the end of his employment that he would have to wash off a massager/vibrator and a long rubber penis, which were in the sink after the massage. Additionally, he stated the bed would almost always have to be made after the massage.

On January 4, 2006 I interviewed another former houseman, Mr Alfredo Rodriguez. During a sworn taped statement, Mr. Rodriguez stated he was employed by Jeffrey Epstein for approximately six months, from November 2004 through May of 2005. His responsibilities as house manager included being the butler, chauffeur, chef, houseman, run errands for Epstein and provide for Epstein's guests. I asked Rodriguez about masseuses coming to the house. Rodriguez stated Epstein would have two massages a day. Epstein would have one massage in the morning and one massage in the afternoon everyday he was in residence. Rodriguez stated he would be informed to expect someone and make them comfortable until either [redacted] or Epstein would meet with them. Rodriguez stated once the masseuses would arrive, he would allow them entry into the kitchen area and offer them something to drink or eat. They would then be encountered by either [redacted] or Epstein. They would be taken upstairs to provide the massage. I asked Rodriguez if any of the masseuses appeared young in age. Rodriguez stated the girls that would come appeared to be too young to be masseuses. He stated one time under Epstein's direction, he delivered a dozen roses to Royal Palm Beach High School for one of the girls that came to provide a massage. He knew the girls were still in high school and were of high school age. I asked Rodriguez about the massages. He felt there was a lot more going on than just massages. He would often clean Mr. Epstein's bedroom after the alleged massages and would discover massagers/vibrators and sex toys scattered on the floor. He also said he would wipe down the vibrators and sex toys and put them away in an armoire. He described the armoire as a small wood armoire which was on the wall close to Epstein's

The foregoing instrument was sworn to or affirmed before me this 1<sup>st</sup> day of May, 2006 by Det Joe Recarey, who is personally known to me.

State of Florida  
County of Palm Beach

  
Signature of Police Officer (F.S.S. 117.10)

  
Signature/Arresting Officer  
Date: 05/01/2006

Probable Cause Affidavit
Palm Beach Police Department
Agency ORI# FLO 500600

bed. On one occasion Epstein ordered Rodriguez to go to the Dollar rent a car and rent a car for the same girl he brought the roses to, so that she could drive her self to Epstein's house without incident. Rodriguez said the girl always needed rides to and from the house. Rodriguez produced a green folder which contained documents, and a note with Mr. Epstein's stationary with direction to deliver a bucket of roses to Royal Palm Beach High School after AH high school drama performance. Also in that same note was direction to rent a car for AH and direction to extend the rental contract.

During the course of the investigation, subpoenas were obtained for cell phone and home phone records from several victims and witnesses along with the cell phone records of [redacted]. An analysis of these records was conducted which found numerous telephone calls were made between [redacted] and the victims. These records indicate the dates the calls were made are consistent with the dates and times they victims/witnesses stated they were contacted. Specifically, The phone records showed [redacted] called [redacted] during the exact times and dates when victim SG advised the incident occurred. [redacted] also coordinated the encounters with AH, AD, [redacted] and [redacted] during the time frame the girls stated they occurred.

Pursuant to a lawful subpoena I obtained Epstein's private plane records for 2005 from Jet Aviation. The plane records show arrival and departure of Epstein's plane at Palm Beach International airport. These records were compared to the cell phone records of [redacted]. This comparison found that all the phone calls [redacted] made to [redacted] and the victims were made in the days just prior to their arrival or during the time Epstein was in Palm Beach. CL-15 ML-16 MD-16 EG-15 AH-16

Jeffrey Epstein, who at the time of these incidents was fifty one years of age, did have vaginal intercourse either with his penis or digitally with AH, ML, CL and [redacted], who were minors at the time this occurred, and who at the time of the incident was fifty two years of age, did use a vibrator on the external vaginal area of SG, a fourteen year old minor. Therefore, as [redacted] coordinated and aided in the recruitment of minors to frequent Epstein's house so that sexual services were provided to Epstein, scheduled the said minors to return to the work for Epstein, secured their appointments for the purpose of sexual activity and lewd and lascivious acts and arranged the bedroom for said minors, there is sufficient probable cause to charge [redacted] with four counts of Principal in the 1st degree Unlawful Sexual Activity with a Minor, in violation of Florida State Statute 794.05(1), a second degree felony and there is sufficient probable cause to charge her with Lewd and Lascivious Molestation, in violation of Florida State Statute 800.04 (5), a second degree felony.

The foregoing instrument was sworn to or affirmed before me this 1st day of May, 2006 by Det Joe Recarey, who is personally known to me.

[Signature]
Signature of Police Officer (F.S.S. 117.10)

State of Florida
County of Palm Beach

[Signature]
Signature/Arresting Officer

Date: 05/01/2006

A28

Palm Beach Sheriffs Office Booking Card for Jeffrey Epstein, dated July 23, 2006

EPSTEIN, JEFFREY

JACKET #: 0338617

BOOK #: 2006036744

ALIAS NAMES:

OVER 8 NAMES:

NONE

Sunday, July 23, 2006  
2:02:44 AM

PALM BEACH SHERIFFS OFFICE  
BOOKING CARD



INCARCERATION DATE/TIME 07/23/2006 1:56

BKG.LOC: MDC INTAKE

PRISONER TYPE LOCAL CHARGES

BKG.ID #: 6199

DOB: [REDACTED]

R/S: W/M

HAIR COLOR: GRY

AGE: 53

HEIGHT: 6 R 0 in

EYE COLOR BLU

SSN:

WEIGHT: 180

ADDRESS: 358 EL BRILLO WY

CITY: PALM BEACH

STATE: FL

ZIP: 33480

ID #: 20060723017

POUCH: 1291

NCIC:

SID #:

AFIS:

DOC #:

ALIEN #:

U.S. MARSHAL #:

INCIDENT #:

FBI #:

OBTS #:

ARREST ADDRESS: 3228 GUN CLUB ROAD

CITY: WPB

STATE: FL

ZIP: 33406

ARREST DATE: 07/23/2006

ARREST TIME: 1:30

BKG. DATE: 07/23/2006

BKG. TIME: 1:56

CURRENT BOND: \$3,000.00

WARRANT/CASE#: 06009454CFA99 W

COURT DIVISION: T - MARX, KRISTA

ARREST OFFICER: CASTILLO

ARREST AGENCY: 01 - PBSO

TRANS. OFFICER: SELF SURRENDER

TRANS. AGENCY:

CASE TYPE: FELONY

NOTE:

STATUTE:	COUNT:	DESCRIPTION:	CASE FLAG:
796.07 2E (FT)	1	PROSTITUTION-OFFER COMMIT ENGAGE 3RD SUBSQ OFF	
( )	0	CT1) FELONY SOLICITATION OF PROSTITUTION (3F)	
( )	0	**SEALED INDICTMENT** NO INFORMATION GIVEN ** SEALED INDICTMENT JUDGE KROLL	

HOLDS:

HOLD DATE/TIME:	HOLD BY:	HOLD DEPT.:	HOLD REM.DATE/TIME:	HOLD REM. BY:	HOLD REM. DEPT.:

ALERT DESCRIPTION:	ALERT NARRATIVE:

VER 3 ALERTS:

KEEP SEPARATE FROM:

NONE

VER 6 NAMES:

ASSIGNED HOUSING: \_\_\_\_\_ NTA DATE/TIME: \_\_\_\_\_ NTA LOC: \_\_\_\_\_

CIC INTAKE: \_\_\_\_\_ NCIC RELEASE: \_\_\_\_\_ F.P. ENTERED: \_\_\_\_\_ F.P. CLEAR: \_\_\_\_\_

ALMS REL: \_\_\_\_\_ PHOTO ID: \_\_\_\_\_ CLASSIFICATION: \_\_\_\_\_ MED. CLEAR IN: \_\_\_\_\_

ED. CLEAR REL: \_\_\_\_\_ RELEASE MOVE: \_\_\_\_\_

RELEASE DATE/TIME: \_\_\_\_\_ RELEASE INFORMATION: \_\_\_\_\_

COURT DATE/TIME: \_\_\_\_\_ COURT LOCATION: \_\_\_\_\_

CLERK  WARRANTS  STATE ATTY  CENTRAL RCDS  CLASS

2006 Grand Jury Indictment of Felony Solicitation of Prostitution - Jeffrey E. Epstein  
[pp. A29-A30]

04/07/2010 14:51

0013997099

FELONY

FIVE 02700

A TRUE BILL

IN THE NAME OF AND BY THE AUTHORITY OF THE STATE OF FLORIDA

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL  
CIRCUIT OF THE STATE OF FLORIDA

For Palm Beach County, at the Spring Term thereof, in the year of our Lord Two  
Thousand and Six, to-wit: The Grand Jurors of the State of Florida, inquiring in and for  
the body of said County of Palm Beach, upon their oaths do present that JEFFREY E.  
EPSTEIN in the County of Palm Beach aforesaid, in the Circuit and State aforesaid,

COUNT ONE  
FELONY SOLICITATION OF PROSTITUTION

on or about or between the 1st day of August in the year of our Lord Two Thousand and  
Four and October 31, 2005, did solicit, induce, entice, or procure another to commit  
prostitution lewdness, or assignation, contrary to Florida Statute 796.07(1) on three or  
more occasions between August 01, 2004 and October 31, 2005, contrary to Florida  
Statute 796.07(2)(f) and (4)(c). (3 DEG FEL)(LEVEL 1)

against the form of the statute, to the evil example of all others, and against the peace  
and dignity of the State of Florida.

I hereby certify that I have advised the Grand Jury returning this indictment as  
authorized and required by law.

Post-It® Fax Note	7871	Date	4/7/10	# of pages	36
To	Mr. FONDA	From	Latasha Lorde		
Co./Dept.		Co.	SAG		
Phone #	518-457-4160	Phone #	561-355-7262		
Fax #	518-457-4162	Fax #	561-355-7055		

Assistant State Attorney of the  
Fifteenth Judicial Circuit of the

of Florida, prosecuting for the said  
State

\_\_\_\_\_  
GRAND JURY FOREPERSON

\_\_\_\_\_  
DATE

Jeffrey E. Epstein, Race: White, Sex: Male, DOB: [REDACTED]  
Issue Warrant

Information for Procuring Person under 18 for Prostitution - Jeffrey E. Epstein,  
dated June 26, 2008

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, STATE OF FLORIDA  
CRIMINAL DIVISION "W" (LB)

08CF9381

STATE OF FLORIDA

ARISES FROM BOOKING NO.:  
2006036744

vs.

JEFFREY E EPSTEIN, W/M, 01/20/1953, 090-44-3348

SHAROL R. BOCK, CLERK  
PALM BEACH COUNTY, FLORIDA  
CIRCUIT CLERK

08 JUN 26 PM 3:30

FILED

INFORMATION FOR:

1) PROCURING PERSON UNDER 18 FOR PROSTITUTION

In the Name and by Authority of the State of Florida:

BARRY E. KRISCHER, State Attorney for the Fifteenth Judicial Circuit, Palm Beach County, Florida, by and through his undersigned Assistant State Attorney, charges that JEFFREY E EPSTEIN, on or about or between the 1<sup>st</sup> day of August in the year of our Lord Two Thousand and Four and October 9, 2005, did knowingly and unlawfully procure for prostitution, or caused to be prostituted, [redacted] a person under the age of 18 years, contrary to Florida Statute 796.03. (2 DEG FEL) A.D.

*[Signature]*  
LANNA BELOHLAVEK  
FL. BAR NO. 0776726  
Assistant State Attorney

STATE OF FLORIDA  
COUNTY OF PALM BEACH

Appeared before me, LANNA BELOHLAVEK Assistant State Attorney for Palm Beach County, Florida, personally known to me, who, being first duly sworn, says that the allegations as set forth in the foregoing information are based upon facts that have been sworn to as true, and which, if true, would constitute the offense therein charged, that this prosecution is instituted in good faith, and certifies that testimony under oath has been received from the material witness or witnesses for the offense.

*[Signature]*  
Assistant State Attorney

Sworn to and subscribed to before me this 26<sup>th</sup> day of June, 2008.

*[Signature]*  
NOTARY PUBLIC, State of Florida

LB/dp  
  
Domark Pina  
MY COMMISSION # 00580798 EXPIRES  
August 2, 2010  
BONDED THRU TROY FARM INSURANCE, INC.

FCIC REFERENCE NUMBERS:

1) FELONY SOLICITATION OF PROSTITUTION 3699

CAA JUN 26 2008

Guilty Plea for Felony Solicitation of Prostitution and Procuring Person under 18 for Prostitution - Jeffrey E. Epstein, dated June 30, 2008

PLEA IN THE CIRCUIT COURT  
THE FOLLOWING IS TO REFLECT ALL TERMS OF THE NEGOTIATED SETTLEMENT

Name: Jeffrey E. Epstein

Plea: Guilty X

Case No.	Charge	Count	Lesser	Degree
08CF009454AMB	Felony Solicitation of Prostitution	1	No	3 FEL
08CF009381AMB	Procuring Person Under 18 for Prostitution	1	No	2 FEL

PSI: Waived/Not Required X Required/Requested \_\_\_\_\_

ADJUDICATION: Adjudicate [x ]

SENTENCE:

On 08CF009454AMB, the Defendant is sentenced to 12 months in the Palm Beach County Detention Facility, with credit for 1 (one) day time served.

On 08CF009381AMB, the Defendant is sentenced to 6 months in the Palm Beach County Detention Facility, with credit for 1 (one) day time served. This 6 month sentence is to be served consecutive to the 12 month sentence in 08CF009454AMB. Following this 6 month sentence, the Defendant will be placed on 12 months Community Control 1 (one). The conditions of community control are attached hereto and incorporated herein.

OTHER COMMENTS OR CONDITIONS:

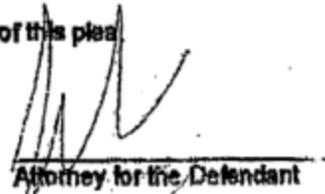
As a special condition of his community control, the Defendant is to have no unsupervised contact with minors, and the supervising adult must be approved by the Department of Corrections.

The Defendant is designated as a Sexual Offender pursuant to Florida Statute 943.0435 and must abide by all the corresponding requirements of the statute, a copy of which is attached hereto and incorporated herein.

The Defendant must provide a DNA sample in court at the time of this plea

  
Assistant State Attorney

6/30/08  
Date of Plea

  
Attorney for the Defendant

  
Defendant

Judgment for Procuring Person under 18 for Prostitution, dated June 30, 2008

04/26/2010 14:51 3553626

CIRCUIT CRIMINAL

PAGE 06/20

95 4050

IN THE CRIMINAL DIVISION OF THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT OF FLORIDA, IN AND FOR PALM BEACH COUNTY



CASE NO. ~~08 CF 9381-AMB~~ DIV. W  
OBTS NUMBER 2008CF9381/XXY

CFN 20080267252  
OR BK 22760 PG 0565  
RECORDED 07/17/2008 08:06:42  
Palm Beach County, Florida  
Sharon R. Bock, CLERK & COMPTROLLER  
Pg 0565; (1pg)

STATE OF FLORIDA  COMMUNITY CONTROL VIOLATOR  
 PROBATION VIOLATOR

Jeffrey E. Epstein  
DEFENDANT

DATE OF BIRTH [REDACTED] RACE W GENDER M SOCIAL SECURITY NUMBER [REDACTED]

**JUDGMENT**

The above Defendant, being personally before this Court represented by J. Goldberger (attorney)

Having been tried and found guilty of the following crime(s):  
 Having entered a plea of guilty to the following crime(s):  
 Having entered a plea of nolo contendere to the following crime(s):

COUNT	CRIME	OFFENSE STATUTE NUMBER(S)	DEGREE
<u>1</u>	<u>Procuring Person Under 18 for Prostitution</u>	<u>796.03</u>	<u>2<sup>nd</sup> F</u>

and no cause having been shown why the Defendant should not be adjudicated guilty, IT IS ORDERED THAT the Defendant is hereby ADJUDICATED GUILTY of the above crime(s).

and having been convicted or found guilty of, or having entered a plea of nolo contendere or guilty, regardless of adjudication, to attempts or offenses relating to sexual battery (ch. 794), lewd and lascivious conduct (ch. 800), or murder (s. 782.04), aggravated battery (s. 784.045), burglary (s. 810.02), carjacking (s. 812.133), or home invasion robbery (s. 612.135), or any other offense specified in section 943.325, the defendant shall be required to submit blood specimens.

and good cause being shown: IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD JUN 30 2008

SENTENCE STAYED  The Court hereby stays and withholds imposition of sentence as to count(s) and places the Defendant on  Probation and/or  Community Control under the supervision of the Dept. of Corrections (conditions of probation set forth in separate order).

SENTENCE DEFERRED  The Court hereby defers imposition of sentence until \_\_\_\_\_

The Defendant in Open Court was advised of his right to appeal from the Judgment by filing notice of appeal with the Clerk of Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The defendant was also advised of his right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

DONE AND ORDERED in Open Court at Palm Beach County, Florida, this 30 day of June, 2008

Debra D. Allred  
CIRCUIT COURT JUDGE

JUL 07 2008 2-A

Sentence for Procuring Person under 18 for Prostitution - Jeffrey E. Epstein,  
dated June 30, 2008

04/26/2010 14:51 3553626

CIRCUIT CRIMINAL

PAGE 07/20

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,  
IN AND FOR PALM BEACH COUNTY, FLORIDA

SENTENCE

(As to Count(s) 1)

Defendant Jeffrey Epstein

Case Number 2008CF 9381AXX

OBTS Number \_\_\_\_\_

The Defendant, being personally before this Court, accompanied by the defendant's attorney of record,  
J. Goldberger, and having been adjudicated guilty herein, and the Court having given  
the Defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why  
defendant should not be sentenced as provided by law, and no cause being shown,

IT IS THE SENTENCE OF THE COURT that:

The Defendant pay a fine of \$ \_\_\_\_\_ pursuant to § \_\_\_\_\_, Florida Statutes, plus all costs and additional  
charges as outlined in the Order assessing additional charges, costs and fines as set forth in a separate order entered  
herein

The Defendant is hereby committed to the custody of the:

- Department of Corrections
- Sheriff of Palm Beach County, Florida
- Department of Corrections as a youthful offender

for a term of 60 days. It is further ordered that the Defendant shall be allowed a  
total of 1 days as credit for time incarcerated prior to imposition of this sentence. It is further ordered that  
the composite term of all sentences imposed for the counts specified in the order shall run

- consecutive to  concurrent with (check one) the following:
- Any active sentence being served.
- Specific sentences: 2006CF 9454AXX

JUN 30 2008

In the event the above sentence is to the Department of Corrections, the Sheriff of Palm Beach County, Florida is  
hereby ordered and directed to deliver the Defendant to the Department of Corrections together with a copy of the  
Judgment and Sentence, and any other documents specified by Florida Statute. Additionally, pursuant to §947.16(4),  
Florida Statutes, the Court retains jurisdiction over the Defendant.

- Pursuant to §§322.055, 322.056, 322.26, 322.274, Fla. Stat., the Department of Highway Safety and Motor  
Vehicles is directed to revoke the Defendant's privilege to drive. The Clerk of the Court is Ordered to report  
the conviction and revocation to the Department of Highway Safety and Motor Vehicles.

The defendant in Open Court was advised of the right to appeal from this Sentence by filing notice of appeal within  
thirty days from this date with the Clerk of the Court. The Defendant was also advised of the right to the assistance of  
counsel in taking said appeal at the expense of the State upon showing of indigency.

DONE AND ORDERED in Open Court at West Palm Beach, Palm Beach County, Florida this 30 day of  
JUNE, 2008.

Debra D. [Signature]  
CIRCUIT COURT JUDGE

04/26/2010 14:51 3553626

FURTHER ORDERED THAT YOU SHALL COMPLY WITH THE FOLLOWING CONDITIONS OF SUPERVISION:

I. COMMUNITY CONTROL STANDARD CONDITIONS:

- (a) You will remain confined to your residence except one half hour before and after your approved employment, community service work, or any other activities approved by your probation officer.
- (b) You will maintain an hourly accounting of all your activities on a daily log which you will submit to your supervising officer upon request.
- (c) The Department of Corrections, may at its discretion, place you on Electronic Monitoring during the term of your Community Control. If placed on Electronic Monitoring, you will wear a monitor at all times. You will maintain a private phone line, be financially responsible for any lost or damaged equipment and follow all rules and regulations as instructed. The telephone will be available within five working days of being placed on Electronic Monitoring Program. While on electronic monitoring you will remain confined to your residence and are prohibited from being outside the residential walls.
- (d) If while being monitored and the monitor is found to have been tampered with you shall be taken into custody immediately, if the officer determines that you were not at your scheduled place of work or school while allowed to be outside the residence then in that event you shall be taken into custody immediately. If taken into custody, you shall be held without bond and shall, on the next working day, brought before a Judge presiding over his or her case for further disposition at the discretion of the presiding Judge.
- (e) If placed on Electronic Monitoring you will pay to the State of Florida, for the cost of Electronic Monitoring \$1.00 per day, per P.S. 948.09.

(f) Defendant will be residing at 358 El Brillio Way, Palm Beach, Florida, 33480

II. DRUG OFFENDER PROBATION STANDARD CONDITIONS

- (a) You will submit to and, unless otherwise waived, be financially responsible for drug testing, urinalysis at least on a monthly basis, and counseling if deemed appropriate by your supervising officer.
- (b) You will enter and successfully complete a non-secure or inpatient drug treatment program if deemed appropriate by your officer.
- (c) You will comply with any curfew restrictions, confinement approved residence or travel restrictions as instructed by your officer and approved by the Officer's Supervisor.

III. SEX OFFENDER STANDARD CONDITIONS:

- (a) you shall submit to a mandatory curfew from 10:00 PM to 6:00 AM
- (b) (if the victim was under the age of 18 years) you shall not live within 1000 feet of a school, day care center, park, playground, or other place where children regularly congregate.
- (c) you shall enter, actively participate in, and successfully complete a sex offender treatment program with a therapist particularly trained to treat sex offender, at probationer's or community control's expense.
- (d) you shall not have any contact with the victim, directly or indirectly, including through a third person, unless approved by the victim, the therapist and sentencing court.  
(if the victim was under the age of 18 years) you shall not, until you successfully attend and complete the sex offender program, have any unsupervised contact with a child under the age of 18 years, unless authorized by the sentencing court, without an adult present who is responsible for the child's welfare and which adult has been advised of the crime and is approved by the sentencing court.
- (e) (if the victim was under the age of 18 years) you shall not work for pay or as a volunteer in any school, day care center, park, playground, or other place where children regularly congregate.
- (f) ~~Unless otherwise indicated in the treatment plan provided by the sexual offender treatment program,~~ you shall not view, own, or possess any obscene, pornographic or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs or computer services that are relevant to your deviant behavior pattern.
- (g) You shall submit two specimens of blood to the Florida Department of Law Enforcement to be registered with the DNA Data Bank.
  - (i) You shall make restitution to the victim as ordered by this court pursuant to P.S. 775.089 for all necessary medical and related professional services relating to the physical, psychiatric and psychological care of the victim.
- (h) You shall submit to a warrantless search by your probation officer or community control officer of your person, residence, or vehicle.

(g) Defendant to have contact with his <sup>community control</sup> probation officer at a minimum one time a week.

(h) Defendant to work @ Florida Science Foundation, 150 Australian Ave. NIDA FL.

~~SEX OFFENDER PROBATION COMMUNITY CONTROL STANDARD CONDITIONS:~~

- (a) you shall submit to a mandatory curfew from 10:00 PM to 6:00 AM  
(if the victim was under the age of 18 years) you shall not live within 1000 feet of a school, day care center, park, playground, or other place where children regularly congregate.
- (c) you shall enter, actively participate in, and successfully complete a sex offender treatment program with a therapist particularly trained to treat sex offender, at probationer's or community controllee's expense.
- (d) you shall not have any contact with the victim, directly or indirectly, including through a third person, unless approved by the victim, the therapist and sentencing court.
- (e) (if the victim was under the age of 18 years) you shall not, until you successfully attend and complete the sex offender program, have any unsupervised contact with a child under the age of 18 years, unless authorized by the sentencing court, without an adult present who is responsible for the child's welfare and which adult has been advised of the crime and is approved by the sentencing court.
- (f) (if the victim was under the age of 18 years) you shall not work for pay or as a volunteer in any school, day care center, park, playground, or other place where children regularly congregate.
- (g) Unless otherwise indicated in the treatment plan provided by the sexual offender treatment program, you shall not view, own, or possess any obscene, pornographic or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs or computer services that are relevant to your deviant behavior pattern.
- (h) You shall submit two specimens of blood to the Florida Department of Law Enforcement to be registered with the DNA Data Bank.
- (i) You shall make restitution to the victim as ordered by this court pursuant to F.S. 775.089 for all necessary medical and related professional services relating to the physical, psychiatric and psychological care of the victim.
- (j) You shall submit to a warrantless search by your probation officer or community control officer of your person, residence, or vehicle.
- (k) you shall, as part of a treatment program, participate once/twice annually in polygraph examination to obtain information necessary for risk management and treatment and to reduce your denial mechanisms. Your polygraph examinations must be conducted by a polygrapher trained specifically in the use of polygraph for monitoring sex offenders and it shall be paid by you. The results of the polygraph examinations shall not be used as evidenced in court to prove that a violation of community supervision occurred.
- (l) You shall maintain a driving log, you shall not drive a motor vehicle while alone without prior approval of your supervising officer.
- (m) (if there was sexual contact) you shall submit to, at probationer's or community controllee's expense, an HIV test with the results to be released to the victim, or the victim's parents or guardian.
- (n) You will not obtain or use a Post Office Box without the prior approval of the supervising officer.
- (o) You will submit to electronic monitoring when deemed necessary by the community control or probation officer and his or her supervisor, and ordered by the court at the recommendation of the Department of Corrections.

(duplicate)

ber: \_\_\_\_\_

THE COURT RESERVES THE RIGHT TO RESCIND, MODIFY, OR REVOKE SUPERVISION TO THE EXTENT PROVIDED BY LAW ONE AND ORDERED AT West Palm Beach, Palm Beach County, Florida, this 30<sup>th</sup> day of June 2005.  
unc Pro Tunc: 10/5/2005.

Honorable Sandra K. McSorley  
Judge, Circuit Court

I have received a copy of the terms and conditions of my supervision. I have read and understand these conditions and agree to report to the Department of Corrections Probation Office for further instructions. Also, I hereby consent to the disclosure of my alcohol and drug abuse patient records, the confidentiality of which is federally regulated under 42CFR, Part II, for the duration of my supervision.

DEFENDANT

DATE

INSTRUCTED BY

AP 10/11/2005

40

**948.101 Terms and conditions of community control and criminal quarantine community control.--**

(1) The court shall determine the terms and conditions of community control. Conditions specified in this subsection do not require oral pronouncement at the time of sentencing and may be considered standard conditions of community control.

(a) The court shall require intensive supervision and surveillance for an offender placed into community control, which may include but is not limited to:

1. Specified contact with the parole and probation officer.
2. Confinement to an agreed-upon residence during hours away from employment and public service activities.
3. Mandatory public service.
4. Supervision by the Department of Corrections by means of an electronic monitoring device or system.
5. The standard conditions of probation set forth in s. 948.03.

(b) For an offender placed on criminal quarantine community control, the court shall require:

1. Electronic monitoring 24 hours per day.
2. Confinement to a designated residence during designated hours.

(2) The enumeration of specific kinds of terms and conditions does not prevent the court from adding thereto any other terms or conditions that the court considers proper. However, the sentencing court may only impose a condition of supervision allowing an offender convicted of s. 794.011, s. 800.04, s. 827.071, or s. 847.0145 to reside in another state if the order stipulates that it is contingent upon the approval of the receiving state interstate compact authority. The court may rescind or modify at any time the terms and conditions theretofore imposed by it upon the offender in community control. However, if the court withholds adjudication of guilt or imposes a period of incarceration as a condition of community control, the period may not exceed 364 days, and incarceration shall be restricted to a county facility, a probation and restitution center under the jurisdiction of the Department of Corrections, a probation program drug punishment phase I secure residential treatment institution, or a community residential facility owned or operated by any entity providing such services.

(3) The court may place a defendant who is being sentenced for criminal transmission of HIV in violation of s. 775.0877 on criminal quarantine community control. The Department of Corrections shall develop and administer a criminal quarantine community control program emphasizing intensive supervision with 24-hour-per-day electronic monitoring. Criminal quarantine community control status must include surveillance and may include other measures normally associated with community control, except that specific conditions necessary to monitor this population may be ordered.



794.0435 Sexual offenders required to register with the department; penalty.

(1) As used in this section, the term:

(a)1. "Sexual offender" means a person who meets the criteria in sub-subparagraph a., sub-subparagraph b., sub-subparagraph c., or sub-subparagraph d., as follows:

a.(1) Has been convicted of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(4); s. 847.0137; s. 847.0138; s. 847.0145; or s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this sub-sub-subparagraph; and

(II) Has been released on or after October 1, 1997, from the sanction imposed for any conviction of an offense described in sub-sub-subparagraph (I). For purposes of sub-sub-subparagraph (II), a sanction imposed in this state or in any other jurisdiction includes, but is not limited to, a fine, probation, community control, parole, conditional release, control release, or incarceration in a state prison, federal prison, private correctional facility, or local detention facility;

b. Establishes or maintains a residence in this state and who has not been designated as a sexual predator by a court of this state but who has been designated as a sexual predator, as a sexually violent predator, or by another sexual offender designation in another state or jurisdiction and was, as a result of such designation, subjected to registration or community or public notification, or both, or would be if the person were a resident of that state or jurisdiction, without regard to whether the person otherwise meets the criteria for registration as a sexual offender;

c. Establishes or maintains a residence in this state who is in the custody or control of, or under the supervision of, any other state or jurisdiction as a result of a conviction for committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes or similar offense in another jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(4); s. 847.0137; s. 847.0138; s. 847.0145; or s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this sub-sub-subparagraph; or

d. On or after July 1, 2007, has been adjudicated delinquent for committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction when the juvenile was 14 years of age or older at the time of the offense:

(I) Section 794.011, excluding s. 794.011(10);

(II) Section 800.04(4)(b) where the victim is under 12 years of age or where the court finds sexual activity by the use of force or coercion;

(III) Section 800.04(5)(c)1. where the court finds molestation involving unclothed genitals; or

(IV) Section 800.04(5)(d) where the court finds the use of force or coercion and unclothed genitals.

2. For all qualifying offenses listed in sub-subparagraph (1)(a)1.d., the court shall make a written finding of the age of the offender at the time of the offense.

For each violation of a qualifying offense listed in this subsection, the court shall make a written finding of the age of the victim at the time of the offense. For a violation of s. 800.04(4), the court shall additionally make a written finding indicating that the offense did or did not involve sexual activity and indicating that the offense did or did not involve force or coercion. For a violation of s. 800.04(5), the court shall additionally make a written finding that the offense did or did not involve unclothed genitals or genital area and that the offense did or did not involve the use of force or coercion.

(b) "Convicted" means that there has been a determination of guilt as a result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld, and includes an adjudication of delinquency of a juvenile as specified in this section. Conviction of a similar offense includes, but is not limited to, a conviction by a federal or military tribunal, including courts-martial conducted by the Armed Forces of the United States, and includes a conviction or entry of a plea of guilty or nolo contendere resulting in a sanction in any state of the United States or other jurisdiction. A sanction includes, but is not limited to, a fine, probation, community control, parole, conditional release, control release, or incarceration in a state prison, federal prison, private correctional facility, or local detention facility.

(c) "Permanent residence" and "temporary residence" have the same meaning ascribed in s. 775.21.

(d) "Institution of higher education" means a career center, community college, college, state university, or independent postsecondary institution.

(e) "Change in enrollment or employment status" means the commencement or termination of enrollment or employment or a change in location of enrollment or employment.

(f) "Electronic mail address" has the same meaning as provided in s. 668.602.

(g) "Instant message name" means an identifier that allows a person to communicate in real time with another person using the Internet.

(2) A sexual offender shall:

(a) Report in person at the sheriff's office:

1. In the county in which the offender establishes or maintains a permanent or temporary residence within 48 hours after:

a. Establishing permanent or temporary residence in this state; or

b. Being released from the custody, control, or supervision of the Department of Corrections or from the custody of a private correctional facility; or

2. In the county where he or she was convicted within 48 hours after being convicted for a qualifying offense for registration under this section if the offender is not in the custody or

control of, or under the supervision of, the Department of Corrections, or is not in the custody of a private correctional facility.

Any change in the sexual offender's permanent or temporary residence, name, any electronic mail address and any instant message name required to be provided pursuant to paragraph (4)(d), after the sexual offender reports in person at the sheriff's office, shall be accomplished in the manner provided in subsections (4), (7), and (8).

(b) Provide his or her name, date of birth, social security number, race, sex, height, weight, hair and eye color, tattoos or other identifying marks, occupation and place of employment, address of permanent or legal residence or address of any current temporary residence, within the state and out of state, including a rural route address and a post office box, any electronic mail address and any instant message name required to be provided pursuant to paragraph (4)(d), date and place of each conviction, and a brief description of the crime or crimes committed by the offender. A post office box shall not be provided in lieu of a physical residential address.

1. If the sexual offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual offender shall also provide to the department through the sheriff's office written notice of the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual offender's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual offender shall also provide to the department written notice of the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

2. If the sexual offender is enrolled, employed, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall also provide to the department through the sheriff's office the name, address, and county of each institution, including each campus attended, and the sexual offender's enrollment or employment status. Each change in enrollment or employment status shall be reported in person at the sheriff's office, within 48 hours after any change in status. The sheriff shall promptly notify each institution of the sexual offender's presence and any change in the sexual offender's enrollment or employment status.

When a sexual offender reports at the sheriff's office, the sheriff shall take a photograph and a set of fingerprints of the offender and forward the photographs and fingerprints to the department, along with the information provided by the sexual offender. The sheriff shall promptly provide to the department the information received from the sexual offender.

(3) Within 48 hours after the report required under subsection (2), a sexual offender shall report in person at a driver's license office of the Department of Highway Safety and Motor Vehicles, unless a driver's license or identification card that complies with the requirements of s. 322.141(3) was previously secured or updated under s. 944.607. At the driver's license office the sexual offender shall:

(a) If otherwise qualified, secure a Florida driver's license, renew a Florida driver's license, or secure an identification card. The sexual offender shall identify himself or herself as a sexual offender who is required to comply with this section and shall provide proof that the sexual offender reported as required in subsection (2). The sexual offender shall provide any of the information specified in subsection (2), if requested. The sexual offender shall submit to the taking of a photograph for use in issuing a driver's license, renewed license, or identification card, and for use by the department in maintaining current records of sexual offenders.

(b) Pay the costs assessed by the Department of Highway Safety and Motor Vehicles for issuing or renewing a driver's license or identification card as required by this section. The driver's license or identification card issued must be in compliance with s. 322.141(3).

(c) Provide, upon request, any additional information necessary to confirm the identity of the sexual offender, including a set of fingerprints.

(4)(a) Each time a sexual offender's driver's license or identification card is subject to renewal, and, without regard to the status of the offender's driver's license or identification card, within 48 hours after any change in the offender's permanent or temporary residence or change in the offender's name by reason of marriage or other legal process, the offender shall report in person to a driver's license office, and shall be subject to the requirements specified in subsection (3). The Department of Highway Safety and Motor Vehicles shall forward to the department all photographs and information provided by sexual offenders. Notwithstanding the restrictions set forth in s. 322.142, the Department of Highway Safety and Motor Vehicles is authorized to release a reproduction of a color-photograph or digital-image license to the Department of Law Enforcement for purposes of public notification of sexual offenders as provided in this section and ss. 943.043 and 944.606.

(b) A sexual offender who vacates a permanent residence and fails to establish or maintain another permanent or temporary residence shall, within 48 hours after vacating the permanent residence, report in person to the sheriff's office of the county in which he or she is located. The sexual offender shall specify the date upon which he or she intends to or did vacate such residence. The sexual offender must provide or update all of the registration information required under paragraph (2)(b). The sexual offender must provide an address for the residence or other location that he or she is or will be occupying during the time in which he or she fails to establish or maintain a permanent or temporary residence.

(c) A sexual offender who remains at a permanent residence after reporting his or her intent to vacate such residence shall, within 48 hours after the date upon which the offender indicated he or she would or did vacate such residence, report in person to the agency to which he or she reported pursuant to paragraph (b) for the purpose of reporting his or her address at such residence. When the sheriff receives the report, the sheriff shall promptly convey the information to the department. An offender who makes a report as required under paragraph (b) but fails to make a report as required under this paragraph commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) A sexual offender must register any electronic mail address or instant message name with the department prior to using such electronic mail address or instant message name on or after October 1, 2007. The department shall establish an online system through which sexual offenders may securely access and update all electronic mail address and instant message name information.

(5) This section does not apply to a sexual offender who is also a sexual predator, as defined in s. 775.21. A sexual predator must register as required under s. 775.21.

(6) County and local law enforcement agencies, in conjunction with the department, shall verify the addresses of sexual offenders who are not under the care, custody, control, or supervision of the Department of Corrections in a manner that is consistent with the provisions of the federal Adam Walsh Child Protection and Safety Act of 2006 and any other federal standards applicable to such verification or required to be met as a condition for the receipt of federal funds by the state. Local law enforcement agencies shall report to the department any failure by a sexual offender to comply with registration requirements.

(7) A sexual offender who intends to establish residence in another state or jurisdiction other than the State of Florida shall report in person to the sheriff of the county of current residence within 48 hours before the date he or she intends to leave this state to establish residence in another state or jurisdiction. The notification must include the address, municipality, county, and state of intended residence. The sheriff shall promptly provide to the department the information received from the sexual offender. The department shall notify the statewide law enforcement agency, or a comparable agency, in the intended state or jurisdiction of residence of the sexual offender's intended residence. The failure of a sexual offender to provide his or her intended place of residence is punishable as provided in subsection (9).

(8) A sexual offender who indicates his or her intent to reside in another state or jurisdiction other than the State of Florida and later decides to remain in this state shall, within 48 hours after the date upon which the sexual offender indicated he or she would leave this state, report in person to the sheriff to which the sexual offender reported the intended change of residence, and report his or her intent to remain in this state. The sheriff shall promptly report this information to the department. A sexual offender who reports his or her intent to reside in another state or jurisdiction but who remains in this state without reporting to the sheriff in the manner required by this subsection commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(9)(a) A sexual offender who does not comply with the requirements of this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A sexual offender who commits any act or omission in violation of this section may be prosecuted for the act or omission in the county in which the act or omission was committed, the county of the last registered address of the sexual offender, or the county in which the conviction occurred for the offense or offenses that meet the criteria for designating a person as a sexual offender.

(c) An arrest on charges of failure to register when the offender has been provided and advised of his or her statutory obligations to register under subsection (2), the service of an information or a complaint for a violation of this section, or an arraignment on charges for a violation of this section constitutes actual notice of the duty to register. A sexual offender's failure to immediately register as required by this section following such arrest, service, or arraignment constitutes grounds for a subsequent charge of failure to register. A sexual offender charged with the crime of failure to register who asserts, or intends to assert, a lack of notice of the duty to register as a defense to a charge of failure to register shall immediately register as required by this section. A sexual offender who is charged with a subsequent failure to register may not assert the defense of a lack of notice of the duty to register.

(d) Registration following such arrest, service, or arraignment is not a defense and does not relieve the sexual offender of criminal liability for the failure to register.

(10) The department, the Department of Highway Safety and Motor Vehicles, the Department of Corrections, the Department of Juvenile Justice, any law enforcement agency in this state, and the personnel of those departments; an elected or appointed official, public employee, or school administrator; or an employee, agency, or any individual or entity acting at the request or upon the direction of any law enforcement agency is immune from civil liability for damages for good faith compliance with the requirements of this section or for the release of information under this section, and shall be presumed to have acted in good faith in compiling, recording, reporting, or releasing the information. The presumption of good faith is not overcome if a technical or clerical error is made by the department, the Department of Highway Safety and Motor Vehicles, the Department of Corrections, the Department of Juvenile

Justice, the personnel of those departments, or any individual or entity acting at the request or upon the direction of any of those departments in compiling or providing information, or if information is incomplete or incorrect because a sexual offender fails to report or falsely reports his or her current place of permanent or temporary residence.

(11) Except as provided in s. 943.09354, a sexual offender must maintain registration with the department for the duration of his or her life, unless the sexual offender has received a full pardon or has had a conviction set aside in a postconviction proceeding for any offense that meets the criteria for classifying the person as a sexual offender for purposes of registration. However, a sexual offender:

(a)1. Who has been lawfully released from confinement, supervision, or sanction, whichever is later, for at least 25 years and has not been arrested for any felony or misdemeanor offense since release, provided that the sexual offender's requirement to register was not based upon an adult conviction:

- a. For a violation of s. 787.01 or s. 787.02;
- b. For a violation of s. 794.011, excluding s. 794.011(10);
- c. For a violation of s. 800.04(4)(b) where the court finds the offense involved a victim under 12 years of age or sexual activity by the use of force or coercion;
- d. For a violation of s. 800.04(5)(b);
- e. For a violation of s. 800.04(5)c.2. where the court finds the offense involved unclothed genitals or genital area;
- f. For any attempt or conspiracy to commit any such offense; or
- g. For a violation of similar law of another jurisdiction,

may petition the criminal division of the circuit court of the circuit in which the sexual offender resides for the purpose of removing the requirement for registration as a sexual offender.

2. The court may grant or deny relief if the offender demonstrates to the court that he or she has not been arrested for any crime since release; the requested relief complies with the provisions of the federal Adam Walsh Child Protection and Safety Act of 2006 and any other federal standards applicable to the removal of registration requirements for a sexual offender or required to be met as a condition for the receipt of federal funds by the state; and the court is otherwise satisfied that the offender is not a current or potential threat to public safety. The state attorney in the circuit in which the petition is filed must be given notice of the petition at least 3 weeks before the hearing on the matter. The state attorney may present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. If the court denies the petition, the court may set a future date at which the sexual offender may again petition the court for relief, subject to the standards for relief provided in this subsection.

3. The department shall remove an offender from classification as a sexual offender for purposes of registration if the offender provides to the department a certified copy of the court's written findings or order that indicates that the offender is no longer required to comply with the requirements for registration as a sexual offender.

(b) As defined in sub-subparagraph (1)(a)1.b. must maintain registration with the department for the duration of his or her life until the person provides the department with an order issued by the court that designated the person as a sexual predator, as a sexually violent predator, or by another sexual offender designation in the state or jurisdiction in which the order was issued which states that such designation has been removed or demonstrates to the department that such designation, if not imposed by a court, has been removed by operation of law or court order in the state or jurisdiction in which the designation was made, and provided such person no longer meets the criteria for registration as a sexual offender under the laws of this state.

(12) The Legislature finds that sexual offenders, especially those who have committed offenses against minors, often pose a high risk of engaging in sexual offenses even after being released from incarceration or commitment and that protection of the public from sexual offenders is a paramount government interest. Sexual offenders have a reduced expectation of privacy because of the public's interest in public safety and in the effective operation of government. Releasing information concerning sexual offenders to law enforcement agencies and to persons who request such information, and the release of such information to the public by a law enforcement agency or public agency, will further the governmental interests of public safety. The designation of a person as a sexual offender is not a sentence or a punishment but is simply the status of the offender which is the result of a conviction for having committed certain crimes.

(13) Any person who has reason to believe that a sexual offender is not complying, or has not complied, with the requirements of this section and who, with the intent to assist the sexual offender in eluding a law enforcement agency that is seeking to find the sexual offender to question the sexual offender about, or to arrest the sexual offender for, his or her noncompliance with the requirements of this section:

(a) Withholds information from, or does not notify, the law enforcement agency about the sexual offender's noncompliance with the requirements of this section, and, if known, the whereabouts of the sexual offender;

(b) Harbors, or attempts to harbor, or assists another person in harboring or attempting to harbor, the sexual offender; or

(c) Conceals or attempts to conceal, or assists another person in concealing or attempting to conceal, the sexual offender; or

(d) Provides information to the law enforcement agency regarding the sexual offender that the person knows to be false information,

commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(14)(a) A sexual offender must report in person each year during the month of the sexual offender's birthday and during the sixth month following the sexual offender's birth month to the sheriff's office in the county in which he or she resides or is otherwise located to reregister.

(b) However, a sexual offender who is required to register as a result of a conviction for:

1. Section 787.01 or s. 787.02 where the victim is a minor and the offender is not the victim's parent or guardian;

2. Section 794.011, excluding s. 794.011(10);
3. Section 800.04(4)(b) where the court finds the offense involved a victim under 12 years of age or sexual activity by the use of force or coercion;
4. Section 800.04(5)(b);
5. Section 800.04(5)(c)1. where the court finds molestation involving unclothed genitals or genital area;
6. Section 800.04(5)c.2. where the court finds molestation involving unclothed genitals or genital area;
7. Section 800.04(5)(d) where the court finds the use of force or coercion and unclothed genitals or genital area;
8. Any attempt or conspiracy to commit such offense; or
9. A violation of a similar law of another jurisdiction,

must register each year during the month of the sexual offender's birthday and every third month thereafter.

(c) The sheriff's office may determine the appropriate times and days for reporting by the sexual offender, which shall be consistent with the reporting requirements of this subsection. Registration shall include any changes to the following information:

1. Name; social security number; age; race; sex; date of birth; height; weight; hair and eye color; address of any permanent residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; any electronic mail address and any instant message name required to be provided pursuant to paragraph (4)(d); date and place of any employment; vehicle make, model, color, and license tag number; fingerprints; and photograph. A post office box shall not be provided in lieu of a physical residential address.
2. If the sexual offender is enrolled, employed, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall also provide to the department the name, address, and county of each institution, including each campus attended, and the sexual offender's enrollment or employment status.
3. If the sexual offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual offender shall also provide the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual offender's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual offender shall also provide the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel or houseboat.
4. Any sexual offender who fails to report in person as required at the sheriff's office, or who fails to respond to any address verification correspondence from the department within 3 weeks of the date of the correspondence or who fails to report electronic mail addresses or

Instant message names, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) The sheriff's office shall, within 2 working days, electronically submit and update all information provided by the sexual offender to the department in a manner proscribed by the department.





IN THE CIRCUIT COURT OF THE FIFTEENTH  
JUDICIAL CIRCUIT IN AND FOR PALM BEACH  
COUNTY, FLORIDA - CRIMINAL DIVISION

CASE NO: 2009 CF 9381 AX 1413

STATE OF FLORIDA

vs.

Jeffrey Epstein  
Defendant.

**FILED**

Circuit Criminal Department

DEC 18 2009

SHARON R. BOCK  
Clerk & Comptroller  
Palm Beach County

*Agreed*  
ORDER ON MOTION *D's Motion for travel*

THIS MATTER comes before the Court upon *D's motion for travel*.  
The Court, having been made aware that both counsel have agreed to said motion..

Accordingly, it is hereby:

ORDERED and ADJUDGED that *D's motion is granted under the following conditions: D's travel is weekdays only, no weekends*  
*his travel on any trip may include 1 overnight only. The D's travel must be reviewed and approved by the D's probation officer. Parman ~~Sharon~~ 48 hours in advance*

DONE and ORDERED in Chambers, West Palm Beach, Palm Beach County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_ *12/18/09*

*[Signature]*  
Circuit Court Judge

A49

Letter from Florida Department of Corrections Regarding Termination of Supervision,  
dated July 21, 2010



FLORIDA  
DEPARTMENT of  
CORRECTIONS

An Equal Opportunity Employer

2601 Blair Stone Road Tallahassee, FL 32399-2500

FILED  
2010 JUL 27 11 AM 10:29  
SHARON R. BOCK, CLERK  
PALM BEACH COUNTY, FL  
CRIMINAL

Governor  
CHARLIE CRIST

Secretary  
JAMES R. McDONOUGH.

<http://www.dc.state.fl.us>

Date: 7/21/2010

RE: TERMINATION OF SUPERVISION  
DC# W35755  
DOCKET/UC NO(S) 502008CF009381AXXX

Mr. Epstein  
358 El Brillio Way  
Palm Beach, FL 33480

Dear Mr. Epstein

You are hereby notified that you have completed your term(s) of supervision, as referenced above, and are no longer under the supervision of the Department of Corrections.

If you were adjudicated guilty of a felony offense, your name will be submitted to the Florida Parole Commission for consideration for restoration of the civil rights that you lost as a result of your felony conviction (right to vote, right to hold public office, and the right to serve on a jury). If your rights are restored, a certificate of restoration of civil rights will be mailed by the Office of Executive Clemency to your last mailing address of record usually within one year following the termination of supervision. If your rights are not restored through this initial referral, you will be notified by the Florida Parole Commission and furnished an additional application for submission for restoration of civil rights with a hearing. If you have any questions about your civil rights, you may contact the Office of Executive Clemency for further information by calling (850) 488-2952 or by writing to that office at Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450. Information and application forms may be accessed through the following web site: [www.state.fl.us/fpc/exoclem.html](http://www.state.fl.us/fpc/exoclem.html).

After eight (8) years from termination of your supervision, you may apply to regain your right to own firearms. Applications can be obtained from the Office of Executive Clemency or be accessed by the web site noted above.

If adjudication was withheld, you did not lose your civil rights, however, the Florida Department of Law Enforcement (FDLE) may refuse the right for you to purchase a firearm following successful completion of supervision, pursuant to Section 790.065 Florida Statutes. Contact your local FDLE office if you have questions regarding this law.

I would like to extend to you best wishes for a very successful future.

Sincerely,

Candice Elkins

- If you were on supervision for a sexual offense, attached is a copy of the Notice of Responsibilities, which outlines your continued responsibilities in accordance with Florida Statutes.
- If you were sentenced as a career offender, attached is a copy of the Career Offender Notice of Responsibilities, which outlines your continued responsibilities in accordance with Florida Statutes.

Original: Offender  
Copy: Offender File  
Florida Parole Commission (if applicable)  
Clerk of Court (if required)

(Revised 03/03)

A50

Letter from Palm Beach Sheriff's Office Regarding Jeffrey Epstein's Participation  
in the Work Release Program, dated August 12, 2010.

**PALM BEACH COUNTY**  
**SHERIFF'S OFFICE**  
RIC L. BRADSHAW, SHERIFF



DEPUTY K. SMITH 3656  
ALTERNATIVE CUSTODY UNIT  
PHONE: [REDACTED]

FAX: (561) 688-4929

E-MAIL: [REDACTED]

August 12<sup>th</sup> 2010

To Whom It May Concern:

Jeffery Epstein DOB [REDACTED] was a participant of the Palm Beach County Sheriff's Office work release program. Epstein was a participant of the work release program starting 10/10/08 and ending 07/22/09.

If you have any questions or concerns please contact me.

Deputy K. Smith

Letter from Jack A. Goldberger to NYS Sex Offender Registry Regarding Florida Registration Level applicable to Jeffrey E. Epstein, dated August 12, 2010

[pp. A51-A52]

ATTEBURY GOLDBERGER WEISS,

JOSEPH R. ATTEBURY

JACK A. GOLDBERGER

JASON S. WEISS

Board Certified Criminal Trial Attorney  
Member of New Jersey & Florida Bars

August 12, 2010

New York State Division of Criminal Justice Services  
Sex Offender Registry  
4 Tower Place  
Albany, N.Y. 12203

RE: Jeffrey E. Epstein

To Whom It May Concern:

The undersigned represented Jeffrey E. Epstein in the investigation that led to his entry of a guilty plea on June 30, 2008 to a felony charge in the State of Florida that required sex offender registration. The purpose of this letter is to clarify the level of registration that was applicable to Mr. Epstein's case

Under Florida's registration scheme there are two levels of registration available based on a risk assessment. Florida characterizes these two levels as sexual predator and sexual offender. The sexual predator designation is obviously the more serious classification.

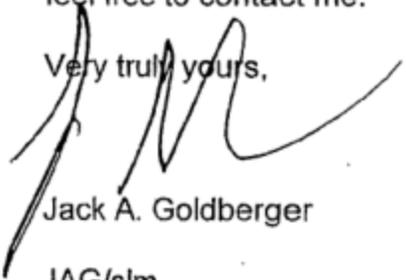
Mr. Epstein, based on the offense on which his guilty plea was entered, was classified as a sexual offender, Florida's lowest level of sexual registration. In fact, within the sexual offender designation there are two sub-levels of reporting requirements. One classification requires reporting to the local Sheriff's Office twice a year and one requires reporting four times a year. In Mr. Epstein's case he is required to report at the lowest level, two times per year. Accordingly, under the Florida registration scheme, Mr. Epstein's registration requirements are at the lowest level for a person for whom registration is required.

During the incarcerative portion of Mr. Epstein's sentence, he was allowed to participate in the Sheriff's Office work release program, an option that would not have been available to him had he been at a higher registration level. Additionally, while Mr. Epstein was in probationary status, he was allowed to travel on a limited basis for business purposes. This would not have been available to him had he been classified as a sexual predator.

A52

I hope this information assists your department in determining the registration requirements for Mr. Epstein. Should you desire to speak to me or need any further information, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to be 'JAG', written over the typed name 'Jack A. Goldberger'.

Jack A. Goldberger

JAG/slm

Letter from Martin G. Weinberg to NYS Board of Examiners of Sex Offenders Regarding  
Risk Level and Designation Determination for Jeffrey Epstein, dated August 16, 2010  
[pp. A53-A57]

MARTIN G. WEINBERG, P.C.  
ATTORNEY AT LAW

29 PARK PLAZA, SUITE 1000  
BOSTON, MASSACHUSETTS 02116

EMAIL ADDRESSES:



August 16, 2010

New York State  
Board of Examiners of Sex Offenders  
4 Tower Place  
Albany, New York 12203-3764

Re: Jeffrey Epstein  
NYSID [REDACTED]

Dear Sir or Madam:

This letter and the accompanying materials are submitted to the Board pursuant to its notice of August 2, 2010, concerning the risk level and designation determination to be made with respect to Jeffrey Epstein. Their purpose is to demonstrate to the Board that, based upon Mr. Epstein's history and personal characteristics, the circumstances of the offense which triggered the registration requirement, his acceptance of responsibility, his successful completion of his sentence and subsequent supervision, and the extraordinary unlikelihood of his ever again reoffending, the appropriate risk level designation is level 1.

Overview

Mr. Epstein, who is presently 58 years old, is a successful and respected financial advisor who also founded and heads a philanthropic organization, the C.O.U.Q. Foundation, Inc. which funds medical, educational, and advanced scientific research. The offense which led to the requirement that he register as a sex offender in Florida, which in turn triggered this state's reporting requirement, ended almost five years ago and involved an exchange of money and consensual conduct with a young woman who, for all but a few months of the prostitution offense charged, was over the age of 17. Notably, as addressed in greater detail, *infra*, the conduct which occurred after A.D. reached the age of 17 would not even have been a misdemeanor under the cognate New York statute at the time the offense was committed.

Mr. Epstein pled guilty to that offense in the Circuit Court for Palm Beach County, Florida, and has fully and sincerely accepted responsibility for his conduct. There have been no subsequent incidents of criminal misconduct of any description.

Florida has classified Mr. Epstein as its lowest level sex offender, with the lowest level of reporting requirement, as verified by the attorney who represented Mr. Epstein in the Florida proceedings:

Under Florida's registration scheme there are two levels of registration available based on a risk assessment. Florida characterizes these two levels as sexual predator and sexual offender. The sexual predator designation is obviously the more serious classification.

Mr. Epstein, based on the offense on which his guilty plea was entered was classified as a sexual offender, Florida's lowest level of sexual registration. In fact, within the sexual offender designation there are two-sub-levels of reporting requirements. One classification requires reporting to the local Sheriff's Office twice a year and one requires reporting four times a year. In Mr. Epstein's case, he is required to report at the lowest level, two times per year. Accordingly, under the Florida registration scheme, Mr. Epstein's registration requirements are at the lowest level for a person for whom registration is required.

Letter of Jack A. Goldberger, Esq., Ex. A. That Florida authorities did not – and do not – believe that Mr. Epstein presented a risk of reoffense is evidenced not just by Mr. Epstein's lowest-level reporting designation but also by the fact that he was permitted, while serving his sentence in the West Palm Beach County Jail, to leave the jail on a daily basis on work release for most of the period of his 13-month incarceration and that during his subsequent year of community control supervision (a probationary-type sentence), both the court and his probation officer agreed to permit him to travel outside Florida for business purposes on a significant number of occasions. He has now completed his year of community control supervision, having fully complied with all the requirements and obligations imposed on him.

In addition, Mr. Epstein has participated in therapy with a clinical psychologist, Stephen R. Alexander, Psy. D., who, based on his evaluation of, and therapy sessions with, Mr. Epstein and his long experience as a forensic psychologist, attests that Mr. Epstein presents no threat to the community and that the risk of his reoffending is "negligible":

Since my initial assessment of Mr. Epstein he has been extremely cooperative with all of the services provided to him. He has spent a great deal of time and energy focusing on his behavior and the attitudes, beliefs and expectations that undergird his approach to life. He has examined his priorities and undergone a comprehensive self-exploration on more than one occasion, primarily because of the vast changes that have occurred in his life and the upheaval these events have caused. Throughout it all Mr. Epstein has remained willing to focus on himself and how to turn even the most dire personal circumstances into productive experiences to the fullest extent possible. In my opinion Mr. Epstein has been highly cooperative with and benefited from the treatment provided. Relying upon my 25 years of experience as a forensic psychologist and the plethora of data gathered by me, I state with confidence that Mr. Epstein poses no threat to himself or the community. It is abundantly clear that he has learned his lesson and the probability of his reoffending is negligible. Mr.

Epstein poses no threat to either himself or the general community, and he requires no additional intervention or treatment for his no-risk/low-risk status to be maintained into the future.

Letter of Stephen R. Alexander, Psy. D., submitted herewith as Ex. B.<sup>1</sup>

All of these circumstances – Mr. Epstein’s low-risk classification in Florida, the state where the offense was committed, the low-risk assessment inherent in the decisions of Florida authorities responsible for the protection of the community, who knew him first-hand, to admit him to work release during his period of incarceration and to permit him to travel outside of Florida during his period of community control supervision, Dr. Alexander’s well-supported judgment that Mr. Epstein presents little or no risk of reoffense, the fact that the offense ended almost five years ago, and there has been no subsequent criminal misconduct of any kind, and the fact that Mr. Epstein is a mature, responsible, professional adult who uses neither alcohol nor drugs all support the conclusion that the supervision which accompanies a level 1 designation will more than suffice to serve the purposes of SORA. That conclusion is supported by the calculation of Mr. Epstein’s risk assessment guidelines score.

**The Conduct Underlying the Offense Triggering the Florida Registration Requirement Would For the Most Part Not Even Have Been a Registerable Offense in New York Had the Conduct Occurred in New York**

The offense which required Mr. Epstein to register as a sex offender in the state of Florida was a violation of Fla. Stat. §796.03, which criminalizes procuring a person under the age of 18 (the age of consent in Florida) for prostitution, specifically, here, one “A.D.” The nearest New York cognate among the registerable offenses listed in N.Y. Correction Law §168-a is N.Y. Penal Law §230.04 (patronizing a prostitute). The information to which Mr. Epstein pled guilty charged that the offense occurred between August 1, 2004, and October 9, 2005, *see* Information, Ex. C, that latter date being the day before A.D.’s 18th birthday: Thus, for almost all of the duration of the charged offense, A.D. was over the age of 17, and the wholly consensual conduct in exchange for money which occurred between the two would not even have been a registerable offense in New York. *See* §168-a(2)(a)(i)(§230.04 a registerable offense only if “person patronized” is in fact under 17 years old). Indeed, at the time of the offense at issue, the conduct which occurred after A.D. turned 17 years of age would not even have been a crime under that statute if the conduct had taken place in New York.<sup>2</sup> Mr. Epstein’s offense ranks among the least serious of those which trigger the requirement of SORA registration. The single Florida offense which required registration involved

<sup>1</sup> Dr. Alexander’s CV is included in Ex. B.

<sup>2</sup> In 2007, §230.04 was amended to extend its coverage to prostitution offenses involving individuals of any age, not just those under the age of 17, as the statute was written when Mr. Epstein’s offense was committed in 2004-05. Under §230.04 as written in 2004-05, the offense, to the extent that A.D. was in the last three months of her 16th year, would only have been a misdemeanor had it been committed in New York.

only one woman, and there was no force or violence involved at any time, nor did A.D. suffer from any mental disability, mental incapacity, or physical helplessness. The points attributable to the Current Offense factors (factors 1-7) total less than 70.

**Criminal History**

Prior to the offense at issue, Mr. Epstein had no prior criminal history whatsoever. Mr. Epstein's date of birth is January 20, 1953, and he was, accordingly, more than twenty years of age when the offense at issue was committed. Mr. Epstein does not use alcohol or illegal drugs and has no history of either drug or alcohol abuse. Accordingly, Mr. Epstein should be scored at zero for the Criminal History factors (factors 8-11).

**Post-Offense Behavior**

On June 30, 2008, Mr. Epstein pled guilty to the offense which subjected him to the requirement that he register as a sex offender in Florida and has fully accepted responsibility for his conduct. Mr. Epstein served approximately 13 months in a West Palm Beach County jail (rather than in a state correctional facility). During most of his period of confinement, from October 10, 2008, through July 22, 2009, the date of his release, Mr. Epstein participated in the jail's work release program, *see* Letter of Deputy K. Smith, Ex. D, which permitted him to leave the jail in the morning six days a week for his place of employment, the Florida Science Foundation, and return in the evening. That Mr. Epstein satisfactorily complied with the requirements of the program is evidenced by the fact that he remained in the work release program up to the time of his release from custody.

After his release on July 22, 2009, Mr. Epstein was subject to a one-year period of community control, which required, among other conditions, that he maintain contact with the probation office as required, that he be confined to his residence during the hours when he was not working or performing public service, that he not leave his county of residence without the consent of his probation officer, that he commit no further violations of the law, and that he maintain employment. During Mr. Epstein's period of community control from July 22, 2009, through July 21, 2010, he was permitted by the court, with the assent of his probation officer and without opposition by the state's attorney, to travel (including overnight stays) to New York and to the Virgin Islands for business purposes on a number of occasions, thus demonstrating a substantial level of trust by both the court and his supervising probation officer in Mr. Epstein's ability to refrain from unlawful conduct of any kind and to conform his conduct to the terms of his community control order and to the orders authorizing his travel, which he did on every such occasion.<sup>3</sup> Mr. Epstein successfully completed his term of community control on July, 21, 2010, *see* Florida Department of Corrections Termination of Supervision notice, Ex. F, having at all times fully complied with all obligations and restrictions imposed upon him.

Mr. Epstein has never refused or been expelled from any treatment since the time of his sentencing (factor 12(2)). *See* pages 2-3, *supra*. Based on his professional expertise and the

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<sup>3</sup> One such travel order is attached as Ex. E.

substantial time he has spent with Mr. Epstein, Dr. Alexander is able to state unequivocally that Mr. Epstein has learned his lesson, that he presents no threat to the community, and that there is negligible risk that he will ever reoffend. Accordingly, Mr. Epstein should be scored at zero for the Post-Offense Behavior factors (factors 12-13).

**Release Environment**

Factor 14 contemplates that the risk level assessment will be made, as required under New York law, prior to the offender's release from incarceration. Here, as the preceding section shows, Mr. Epstein was released from jail more than a year ago and was subject to close supervision for a period of one year afterwards. During the same time, he continued to meet with Dr. Alexander. The score for factor 14 should, accordingly, be zero.

Mr. Epstein maintains a vacation residence in Manhattan, which he owns, as well as residences in Florida and the Virgin Islands. Mr. Epstein's interactions in connection with both his employment and philanthropic work are with adult business professionals, scientists, and educators. There is nothing in either Mr. Epstein's living or employment situations which could even remotely be considered "inappropriate." The score on factor 15 too should be zero.

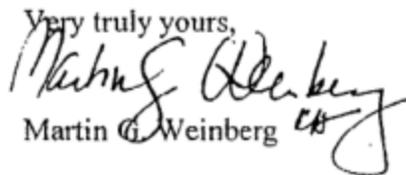
**Overrides**

None of the listed factors are of any relevance or applicability to Mr. Epstein's risk level designation.

**Conclusion**

Based on all the relevant factors, Mr. Epstein should be classified as a level 1 sex offender. Even should the Board somehow conclude that Mr. Epstein's risk assessment guidelines score exceeds 70, the circumstances addressed in this letter differentiate this case so markedly from the norm of level 2 sex offenders that the Board should recommend a level 1 classification, as it is empowered to do under the Sex Offender Guidelines. The ultimate issue is the risk that the offender will reoffend, and the information provided to the Board with this letter persuasively demonstrates that such a risk is virtually nonexistent in this case.

Very truly yours,

  
Martin G. Weinberg CA

**A58**

**Letter from Stephen R. Alexander, Psy.D. to Jack Goldberger Regarding Opinion of Jeffrey E. Epstein,  
dated August 16, 2010  
[pp. A58-A61]**

**Stephen R. Alexander, Psy.D.  
Clinical Psychologist  
1825 Forest Hill Boulevard, Suite 204  
West Palm Beach, Florida 33406  
561-433-2355**

August 16, 2010

Jack Goldberger, Esq.  
Atterbury, Goldberger and Weiss, P.A.  
250 South Australian Avenue, Suite 1400  
West Palm Beach, Florida 33401

Re.: Jeffrey Epstein

Dear Mr. Goldberger:

Since my initial assessment of Mr. Epstein he has been extremely cooperative with all of the services provided to him. He has spent a great deal of time and energy focusing on his behavior and the attitudes, beliefs and expectations that undergird his approach to life. He has examined his priorities and undergone a comprehensive self-exploration on more than one occasion, primarily because of the vast changes that have occurred in his life and the upheaval these events have caused. Throughout it all Mr. Epstein has remained willing to focus on himself and how to turn even the most dire personal circumstances into productive experiences to the fullest extent possible. In my opinion Mr. Epstein has been highly cooperative with and benefited from the treatment provided. Relying upon my 25 years of experience as a forensic psychologist and the plethora of data gathered by me, I state with confidence that Mr. Epstein poses no threat to himself or the community. It is abundantly clear that he has learned his lesson and the probability of his reoffending is negligible. Mr. Epstein poses no threat to either himself or the general community, and he requires no additional intervention or treatment for his no-risk/low-risk status to be maintained into the future.

If any questions remain or I can be of additional assistance, please contact my office.

Sincerely,



Stephen R. Alexander, Psy.D.  
Clinical Psychologist

SRA/bl

Epstein-06037-L2A

EFTA00180984

**Stephen R. Alexander, Psy.D.**  
**Clinical Psychologist**  
**1825 Forest Hill Boulevard, Suite 204**  
**West Palm Beach, Florida 33406**  
**561-433-2355**

**EDUCATION**

**Psy.D.** Florida Institute of Technology; Clinical Psychology, 1985  
**M.S.** Eastern Kentucky University; Clinical Psychology, 1980  
**B.A.** University of North Carolina at Chapel Hill; 1977

**LICENSURE**

Florida Board of Psychological Examiners: Psychologist, PY0003713

**CERTIFICATIONS**

Supreme Court of Florida: Family Court Mediator 19355 CF  
Supreme Court of Florida: County Court Mediator 19355 CF

**PROFESSIONAL EXPERIENCE**

**Clinical Psychologist:** Private practice providing services to children, adolescents, adults and families. Specialization in psychodiagnostic evaluations (personality, forensic, psychoeducational), forensic psychology, and psychotherapy. July 1989 to present.

**Chief Psychologist:** Juvenile and Family Divisions of the Fifteenth Judicial Circuit and Division of Youth Affairs, Palm Beach County, Florida. September 1987 to July 1989.

**Duties:** Supervise Psychological Services provided to Juvenile and Family Court including psychological evaluations of children, adolescents and adults in delinquency, dependency, custody, and sex abuse cases; testimony as Expert Witness.

Program Supervision of Sable Palm Youth Service Center, a 48 bed residential treatment program for emotionally and behaviorally disturbed adolescents; family therapy approach to treatment.

Program Supervision of the Youth Service Bureau, a community based family counseling/delinquency prevention program.

Directing program evaluation and basic research within the Division of Youth Affairs.

Directing APA Approved continuing education office for professional staff under the Chief Psychologist (5 Psy.D./Ph.D. psychologists, and 20 M.A./M.S.W. counselors).

## A60

**Court Psychologist:** Juvenile and Family Divisions of the Fifteenth Judicial Circuit and the Division of Youth Affairs, Palm Beach County, Florida. October 1985 to September 1987.

**Duties:** Psychodiagnostic evaluations of children, adolescents and adults for the court in delinquency, dependency, custody and sex abuse cases. Clinical Supervisor of the Sable Palm Youth Service Center.

**Staff Psychologist:** Scotland County Mental Health Center, Laurinberg, North Carolina. February to August 1982.

**Duties:** Individual and family psychotherapy (60% child services, 40% adult outpatient). Consultant to Scotland County School system. Competency evaluations for courts.

**Staff Psychologist:** Robeson County Mental Health Center, Lumberton, North Carolina. August 1980 to July 1981.

**Duties:** Outpatient Individual and family psychotherapy (60% child services, 40% adult outpatient). Psychodiagnostic evaluations for Center patients, local courts, and the Division of Vocational Rehabilitation.

Program evaluation of 15 Head Start Centers in a four county area for H.E.W.

Consultant to Red Springs City School system, Southeastern Sheltered Workshop, and Robeson County Group Homes.

### INTERNSHIP

**Louisiana State University Medical School (APA Approved):** New Orleans, Louisiana. September 1984 to August 1985. Training consisted of equal time spent in three rotations: Adult, Child and Neuropsychology. Year long training in outpatient psychotherapy and community mental health services at West Jefferson Mental Health Center (1 day per week), psychoanalytic treatment of adults at LSU Medical Center, weekly psychoanalytic psychotherapy seminars and weekly psychodiagnostics seminars.

### PRACTICUM PLACEMENTS

**Neuropsychiatry Unit:** Wuesthoff Memorial Hospital, Rockledge, Florida. 20 hours per week (200 total hours); January to March, 1984.

**Center for Student Development:** Florida Institute of Technology, Melbourne, Florida  
10 hours per week (200 total hours); June to December 1983.

**Melbourne Head Start Center:** Melbourne, Florida. 10 hours per week (100 total  
hours); September to December 1983.

**Robeson County Mental Health Center:** Lumberton, North Carolina. 40 hours per  
week (1040 total hours); January to June 1980.

**University of Kentucky Medical Center (Outpatient Psychiatry):** Lexington,  
Kentucky. 20 hours per week (640 total hours); January to December 1979.

#### **PUBLICATIONS & RESEARCH PAPERS**

Alexander, S. & Wiatrowski, M. (1989). Delinquency prevention in a Youth Service  
Bureau. Unpublished manuscript.

Alexander, S. (1992). Choosing and using experts. In, *Child Custody and Visitation in  
Florida*. Eau Claire, WI: National Business Institute, Inc.

#### **AWARDS**

**1993 Special Service Award** presented by the Legal Aid Society and the Palm Beach  
County Bar Association for pro bono services to the community.

#### **PROFESSIONAL POSITIONS**

**Education Chair** of the Palm Chapter of the Florida Psychological Association, 1994.

**President** of the Palm Chapter of the Florida Psychological Association, 1995.

#### **COMMUNITY SERVICE POSITIONS**

**Board of Directors** Fern House, West Palm Beach, Florida. Fern House is a residential  
rehabilitation center for male alcoholics and drug addicts. 2004 to present.

Recommendation of Board of Examiners of Sex Offenders, Including Risk Assessment Instrument, dated August 19, 2010 and Case Summary, dated August 23, 2010

[pp. A62-A66]

Offender Name: JEFFREY E EPSTEIN

NYSID #: OS1909

1ST Reviewer Initials: SOW

The following is the Board of Examiners of Sex Offenders' recommendation pursuant to Section 168-l of Article 6-C of the NYS Correction Law as to whether the offender shall be designated a Sexually Violent Offender, Predicate Sex Offender, or Sexual Predator as defined in subdivision seven of Section 168-a or whether the offender does not fit any of those categories due to his conviction.

Please check all that apply:

1.  Sexually Violent Offender - a sex offender who has been convicted of a sexually violent offense defined in Correction Law section 168-a (3).

Please check which conviction(s) apply, also please indicate whether the conviction was for an attempt at an offense:

Attempt

130.35 - Rape 1st degree	_____	130.53 - Persistent sexual abuse	_____
130.50 - Sodomy 1st degree/Criminal Sexual Act 1st degree	_____	130.65-a - Aggravated sexual abuse 4th degree	_____
130.65 - Sexual Abuse 1st degree	_____	130.90 - Facilitating a sex offense with a controlled substance	_____
130.66 - Aggravated sexual abuse 3rd degree	_____	a conviction of or a conviction for an attempt to commit any provisions of the foregoing sections committed or attempted as a hate crime defined in sections 485.05 of the penal law or as a crime of terrorism defined in section 490.25 of such law.	_____
130.67- Aggravated sexual abuse 2nd degree	_____	a conviction of an offense in any other jurisdiction which includes all of the essential elements of any such felony provided for above or conviction of a felony in any other jurisdiction for which the offender is required to register as a sex offender in the jurisdiction which the conviction occurred.	_____
130.70 - Aggravated sexual abuse 1st degree	_____		_____
130.75 - Course of sexual conduct against a child 1st degree	_____		_____
130.80 - Course of sexual conduct against a child 2nd degree	_____		_____

2.  Predicate Sex Offender - a sex offender who has been convicted of an offense set forth in subdivision 2 or 3 of Correction Law Section 168-a when the offender has been previously convicted of an offense set forth in subdivision 2 or 3 of Section 168-a, regardless of the date of the prior conviction and regardless of whether the offender was required to register for the previous conviction.

Please identify below the offenders previous qualifying conviction(s) as well as the offender's current qualifying conviction, also please indicate whether the conviction was for an attempt at an offense:

Current	Previous	Attempt	Current	Previous	Attempt
_____	130.20 - Sexual Misconduct	_____	130.60 - Sexual Abuse 2nd degree	_____	_____
_____	130.25 - Rape 3rd degree	_____	255.25 - Incest	_____	_____
_____	130.30 - Rape 2nd degree	_____	Article 263 offense - Sexual Performance by a Child	_____	_____
_____	130.40 - Sodomy 3rd degree/ Criminal Sexual Act 3rd	_____	135.05 - Unlawful Imprisonment 2nd degree	_____	_____
_____	130.45 - Sodomy 2nd degree/ Criminal Sexual Act 2nd	_____	135.10 - Unlawful Imprisonment 1st degree	_____	_____
_____	_____	_____	135.20 - Kidnapping 2nd degree	_____	_____
_____	_____	_____	135.25 - Kidnapping 1st degree	_____	_____

(\*Note: 135.05, 135.10, 135.20, 135.25 - the victim must be less than 17 years old and the offender must not be the parent of the victim)

Continued on the next page.



Offender Name: JEFFREY E EPSTEIN

NYSID #: OS1909

Docket #: \_\_\_\_\_

RISK LEVEL: 3

Assessor's Signature: Sul D. Ueh

Date: 8-19-10

A. Overrides (If any override is circled, offender is presumptively a Level 3)

- Offender has a prior felony conviction for a sex crime
- Offender inflicted serious physical injury or caused death
- The offender has made a recent threat that he will reoffend by committing a sexual or violent crime
- There has been a clinical assessment that the offender has a psychological, physical, or organic abnormality that decreases ability to control impulsive sexual behavior

B. Departure

- A departure from the risk level is warranted  
 Yes  No
- If yes, circle the appropriate risk level 1 2 3
- If yes, explain the basis for departure ( See Summary)

RISK FACTOR	VALUE	SCORE
<b>III. POST-OFFENSE BEHAVIOR</b>		
12. Acceptance of Responsibility		
Not accepted responsibility	+10	0
Not accepted responsibility / refused or expelled from treatment	+15	
13. Conduct while confined / supervised		
Unsatisfactory	+10	0
Unsatisfactory with sexual misconduct	+20	
<b>IV. RELEASE ENVIRONMENT</b>		
14. Supervision		
Release with specialized supervision	0	
Release with supervision	+5	0
Release without supervision	+15	
15. Living / employment situation		
Living or employment inappropriate	+10	0
<b>COLUMNS 12-15 SUBTOTAL</b>		
		0
<b>COLUMNS 1-11 SUBTOTAL</b>		
		130
<b>TOTAL RISK FACTOR SCORE (add 2 subtotals)</b>		
1 2 X		130

Level 1 (low)	=	0 to +70
Level 2 (moderate)	=	+75 to +105
Level 3 (high)	=	+110 to +300

Note: The Sex Offender Registration Act requires the court or Board of Examiners of Sex Offenders to consider any victim impact statement in determining a sex offender's level of risk.

RISK FACTOR	VALUE	SCORE
<b>I. CURRENT OFFENSE(S)</b>		
1. Use of Violence		
Used forcible compulsion	+10 X	10
Inflicted physical injury	+15	
Armed with a dangerous instrument	+30	
2. Sexual Contact with Victim		
Contact over clothing	+5	
Contact under clothing	+10	
Sexual intercourse, deviate sexual intercourse or aggravated sexual abuse	+25 X	25
3. Number of Victims		
Two	+20	30
Three or more	+30 X	
4. Duration of offense conduct with victim		
Continuing course of sexual misconduct	+20 X	20
5. Age of victim		
11 through 16	+20 X	20
10 or less, 63 or more	+30	
6. Other victim characteristics		
Victim suffered from mental disability or incapacity or from physical helplessness	+20	0
7. Relationship with victim		
Stranger or established for purpose of victimizing or professional relationship	+20 X	20
<b>II. CRIMINAL HISTORY</b>		
8. Age at first act of sexual misconduct		
20 or less	+10	0
9. Number and nature of prior crimes		
Prior history/no sex crimes or felonies	+5 X	5
Prior history/non-violent felony	+15	
Prior violent felony, or misdemeanor sex crime or endangering welfare of a child	+30	
10. Recency of prior offense		
Less than 3 years	+10	0
11. Drug or Alcohol abuse		
History of abuse	+15	0
<b>COLUMNS I- II SUBTOTAL</b>		
		130

RE: JEFFREY E EPSTEIN  
NYSID #: OS1909

DATE: 8/23/2010

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### CASE SUMMARY

This assessment is based upon a review of the inmate's file which may include but is not limited to the pre-sentence investigation, prior criminal history and post-offense behavior.

Jeffrey Epstein is a 57-year-old sex offender who pled guilty in the state of Florida on 6/30/2008 to two felony sex offenses, Procuring a Person Under 18 for Prostitution and Felony Solicitation of Prostitution. He was sentenced to 12 months in jail followed by 12 months of Community Control.

It would appear he was convicted in London England of Unlawful Possession of an Offensive Weapon, a Sword Stick, and was sentenced to a Conditional Discharge on 1/4/1973.

Regarding the instant offense, Epstein was approximately 51 years of age on or about the year 2005 when he sexually assaulted numerous females between the approximate ages of 14 and 17. Most of the victims were recruited by one of Epstein's female employees from a local high school in the Palm Beach Florida area. Some of the female participants were age 18 or older. The contact included vaginal intercourse, mouth to vagina sodomy, the touching of the breasts and vagina, placing his fingers inside the vagina and Epstein using a vibrator on the victim's vaginal area. The available police reports from the Palm Beach Police Department include conversations with numerous female victims who in most cases, did not know Epstein when they were victimized. Most of the females were embarrassed to speak with police regarding what had happened to them while they were at Epstein's home. Sworn statements were taken from at least five victims and seventeen witnesses concerning massages and unlawful sexual activity that took place at the residence of Jeffrey Epstein. Most of the victims were paid at least \$200.00 each time they performed a massage.

The victims were told they would be giving Epstein a massage and they were escorted to his bedroom. Most victims noted numerous pictures of naked young females, (some of the photos depicted females who would be eventually interviewed by police), on display throughout the home. The offender would enter the room only wearing a towel. In most cases he would remove the towel and ask the victim to remove her clothing. In some cases he would masturbate into a towel while receiving a massage. In other cases he would touch the breasts or vagina of the victim with his hands or use the vibrator. One 14 year old described how Epstein touched her vaginal area with a vibrator and thereafter, when contacted by law enforcement, she had to identify the offender through the use of a photo array. Another 16-year-old victim described giving Epstein massages for two years and at times, he grabbed her buttocks and caressed her butt cheeks as she gave him a massage. Another 16-year-old described going to the offender's home at least 100 times. He would touch her breasts, insert his fingers into her vagina and sometimes use the vibrator on her while masturbating. He would also pay this underage victim to have sex with a female friend while he watched. Occasionally, he would join both girls and perform oral sex on both. This 16-year-old victim described for police how one time, Epstein turned her over on the massage table and forcibly raped her. When she screamed, "NO," he stopped and subsequently apologized for his actions.

The offenders conduct while on Community Control will be considered satisfactory and he does not have a history of substance abuse. Based upon his plea of guilty, Epstein will be credited with accepting responsibility for his actions. He will be scored for sexual and deviate sexual intercourse, forcible compulsion, numerous victims and their ages, a continued course of sexual misconduct, a prior misdemeanor conviction in England absent specific information, for his stranger relationship to most victims and for establishing a relationship with these underage girls for the purpose of victimization.

The Board acknowledges correspondence received from the offender's attorney.

**A66**

RE: JEFFREY E EPSTEIN  
NYSID #: OS1909

DATE: 8/23/2010

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**CASE SUMMARY**

Jeffrey Epstein used his wealth and power in such a way so that he could take advantage of many teenage girls to satisfy his own sexual perversions. He scores as a Level III Sex Offender with absolutely no basis for downward departure.

**A67**

**Letter from Supreme Court attaching Notification, Recommendation and Notice of Right to Appeal,  
dated August 26, 2010**

Supreme Court  
of the  
State of New York



100 CENTRE STREET  
NEW YORK, N.Y. 10013

TO: PART 66  
FROM: CORRESPONDENCE UNIT  
SUBJECT: SEX OFFENDER RISK ASSESSMENT  
RE: Jeffrey Epstein SCID. # 30129-2010

Please refer to the attached:

- 1) Notification to sex offender, defense attorney and D.A.'s office of the scheduled risk assessment;
- 2.) Recommendation from Board of Examiners
- 3.) Notice of Right to Appeal and Appeal Application.

Please be advised that the above named defendant, his assigned counsel, Sex Crimes Unit of the D.A.'s office, City and State Correctional Facilities have been notified of the sex offender risk level assessment hearing which has been scheduled in your part.

Upon completion of the risk assessment, you must endorse the calendar and worksheet and forward the **COURT FILE AND ASSESSMENT DOCUMENTS** to this office.

**BE FURTHER ADVISED THAT THE DIVISION OF PAROLE MAY HOLD THE DEFENDANT UNTIL A RISK LEVEL HAS BEEN ASSIGNED.**

**A REQUEST FOR 18B ASSIGNMENT HAS BEEN MADE. ONCE YOU ARE NOTIFIED THAT AN ATTORNEY HAS BEEN ASSIGNED PLEASE SEND THE ATTACHED NOTIFICATION LETTER AND BOARD OF EXAMINER'S PACKAGE TO HIM/HER**

A68

Letter from Supreme Court to Jeffrey E. Epstein Informing of SORA Level Determination Hearing,  
dated August 26, 2010

Supreme Court  
of the  
State of New York



100 CENTRE STREET  
NEW YORK, N.Y. 10013

August 26, 2010

Mr. Jeffrey Epstein  
9 East 71<sup>st</sup> Street  
New York, N.Y. 10021

Re: SCID # 30129-2010

Dear Mr. Epstein:

Please be advised that pursuant to the 1996 Sex Offender Registration Act, the court must conduct a hearing to determine whether you will be classified as a level 1, 2 or 3 sex offender and if you will be designated as a sexual predator, a sexually violent offender or a predicate sex offender. The court's decision will determine how long you must register as a sex offender and how much information can be provided to the public concerning your registration. The court's determination may be higher, lower or the same as the one recommended by the Board of Examiners.

Your hearing has been scheduled for September 15, 2010 at 9:30 a.m., before the Hon. Ruth Pickholz in part 66 located at 111 Centre Street, New York, N.Y. You have a right to attend this hearing. If you wish to waive your appearance for the hearing enclosed is a waiver form which must be notarized and returned to this office within ten days of receipt. **A request has been made for an attorney to represent you at this hearing.**

If you fail to appear at this proceeding, without sufficient excuse, it shall be held in your absence. Failure to appear may result in a longer period of registration or a higher level of community notification because you are not present to offer evidence or contest evidence offered by the District Attorney.

Enclosed please find the Board of Examiners summary with their recommendation that you be assigned a risk level of 3 and a document which describes what your duties will be after you are assigned a risk level. At the conclusion of the determination hearing you will receive a copy of the court's final recommendation with a notice to appeal.

Very truly yours,

Mary A. Price, CCS  
Supreme Court - Criminal Term, New York County

encs.

EFTA00180994

A69

Order Sheet for Jeffrey Epstein, dated August 26, 2010  
[pp. A69-A70]

ORDER SHEET

Court Supreme Court, Criminal Term

Date August 26, 2010

County New York

Part Correspondence Unit

The People of the State of New York,
vs.
Jeffrey Epstein
Defendant

Docket Ind.# 30129-2010

Highest Charge (Penal Law)

Homicide

Felony

Misdemeanor

Violation

Special Proceeding

Sex Offender Hearing

Being satisfied after a review of the financial status of the defendant named, that he is financially unable to obtain counsel, and upon his request for the appointment of counsel, it is,

Ordered that the following member of the Bar be and hereby is appointed to represent such defendant in all matters pertaining to this action:

Prosecuting a person under 18 by prostitution

Adjourned Date Sept. 15, 2010

Adjourned Part 66

Assigning Judge

Ruth Pickholz

Defendant's Status:

Paroled

Bailed

Incarcerated

Age

57

Defendant's Address:

9 East 71<sup>st</sup> Street, New York, N.Y.

Comments:

Prior Attorney:

Clerk's Name:

Mary A. Price, CCS

Telephone #

646-386-3860

TRANSMISSION VERIFICATION REPORT

TIME : 08/26/2010 10:58  
NAME : CORRESP UNIT  
FAX :   
TEL :   
SER. # : BROK5J356431

DATE, TIME 08/26 10:58  
FAX NO./NAME 18B ASSIGNED  
DURATION 00:00:18  
PAGE(S) 01  
RESULT OK  
MODE STANDARD  
ECM

ORDER SHEET

Court Supreme Court, Criminal Term  
County New York

Date August 26, 2010  
Part Correspondence Unit

The People of the State of New York.  
vs.  
Jeffrey Epstein  
Defendant

Docket Ind.# 30129-2010

Highest Charge (Penal Law) \_\_\_\_\_

Homicide  Felony  Misdemeanor  Violation

Special Proceeding \_\_\_\_\_ Sex Offender Hearing \_\_\_\_\_

Being satisfied after a review of the financial status of the defendant named, that he is financially unable to obtain counsel, and upon his request for the appointment of counsel, it is,

Ordered that the following member of the Bar be and hereby is appointed to represent such defendant in all matters pertaining to this action:

*Prosecuting a person under 18 years of age*

**A71**

**Letter from Supreme Court to Counsel Informing of SORA Level Determination Hearing  
(with attachments), dated August 26, 2010  
[pp. A71-A76]**

Supreme Court  
of the  
State of New York



100 CENTRE STREET  
NEW YORK, N.Y. 10013

August 26, 2010

Defense Attorney  
18B To Be Assigned

Ms. Inn-Young Park  
NYC District Attorneys Office  
1 Hogan Place, Room 831  
New York, N.Y. 10013

Re: Jeffrey Epstein  
SCID # 30129-2010

Dear Sir/Madam:

The above named defendant is scheduled for a Sex Offender Risk Level Determination before the Hon. Ruth Pickholz in part 66 on September 15, 2010 at 9:30 a.m. The defendant has been notified under separate cover of this hearing and forwarded a copy of the Board of Examiners recommendation, advised of his/her right to appear, advised of the name and address of the attorney assigned to represent him or that one is being assigned, risk level guidelines, and of his right to waive his appearance.

Enclosed please find a copy of the Board of Examiners recommendation.

Very truly yours,

Mary A. Price, CCS  
Supreme Court - Criminal Term  
New York County

enc.

EFTA00180997





SEX OFFENDER REGISTRATION ACT RISK ASSESSMENT INSTRUMENT		VALUE	SCORE
<b>I. CURRENT OFFENSE(S)</b>			
1. Use of Violence			
Used forcible compulsion	+10	X	10
Inflicted physical injury	+15		
Armed with a dangerous instrument	+30		
2. Sexual Contact with Victim			
Contact over clothing	+5		
Contact under clothing	+10		
Sexual intercourse, deviate sexual intercourse or aggravated sexual abuse	+25	X	25
3. Number of Victims			
Two	+20		
Three or more	+30	X	30
4. Duration of offense conduct with victim			
Continuing course of sexual misconduct	+20	X	20
5. Age of victim			
11 through 16	+20	X	20
10 or less, 63 or more	+30		
6. Other victim characteristics			
Victim suffered from mental disability or incapacity or from physical helplessness	+20		0
7. Relationship with victim			
Stranger or established for purpose of victimizing or professional relationship	+20	X	20
<b>II. CRIMINAL HISTORY</b>			
8. Age at first act of sexual misconduct			
20 or less	+10		0
9. Number and nature of prior crimes			
Prior history/no sex crimes or felonies	+5	X	5
Prior history/non-violent felony	+15		
Prior violent felony, or misdemeanor sex crime or endangering welfare of a child	+30		
10. Recency of prior offense			
Less than 3 years	+10		0
11. Drug or Alcohol abuse			
History of abuse	+15		0
<b>COLUMNS I- 11 SUBTOTAL</b>			<b>130</b>

SEX OFFENDER REGISTRATION ACT RISK ASSESSMENT INSTRUMENT		VALUE	SCORE
<b>III. POST-OFFENSE BEHAVIOR</b>			
12. Acceptance of Responsibility			
Not accepted responsibility	+10		0
Not accepted responsibility / refused or expelled from treatment	+15		
13. Conduct while confined / supervised			
Unsatisfactory	+10		0
Unsatisfactory with sexual misconduct	+20		
<b>IV. RELEASE ENVIRONMENT</b>			
14. Supervision			
Release with specialized supervision	0		0
Release with supervision	+5		
Release without supervision	+15		
15. Living / employment situation			
Living or employment inappropriate	+10		0
<b>COLUMNS 12-15 SUBTOTAL</b>			<b>0</b>
<b>COLUMNS I-11 SUBTOTAL</b>			<b>130</b>
<b>TOTAL RISK FACTOR SCORE (add 2 subtotals)</b>			<b>130</b>

1 2 X

Level 1 (low)	=	0 to +70
Level 2 (moderate)	=	+75 to +105
Level 3 (high)	=	+110 to +300

Note: The Sex Offender Registration Act requires the court or Board of Examiners of Sex Offenders to consider any victim impact statement in determining a sex offender's level of risk.

Offender Name: JEFFREY E EPSTEIN

NYSID #: OS1909

Docket #: \_\_\_\_\_

RISK LEVEL: 3

Assessor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

A. Overrides (If any override is circled, offender is presumptively a Level 3)

- Offender has a prior felony conviction for a sex crime
- Offender inflicted serious physical injury or caused death
- The offender has made a recent threat that he will reoffend by committing a sexual or violent crime
- There has been a clinical assessment that the offender has a psychological, physical, or organic abnormality that decreases ability to control impulsive sexual behavior

**B. Departure**

1. A departure from the risk level is warranted

Yes  No

2. If yes, circle the appropriate risk level 1 2 3

3. If yes, explain the basis for departure ( See Summary)

RE: JEFFREY E EPSTEIN  
NYSID #: OS1909

DATE: 8/23/2010

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### CASE SUMMARY

This assessment is based upon a review of the inmate's file which may include but is not limited to the pre-sentence investigation, prior criminal history and post-offense behavior.

Jeffrey Epstein is a 57-year-old sex offender who pled guilty in the state of Florida on 6/30/2008 to two felony sex offenses, Procuring a Person Under 18 for Prostitution and Felony Solicitation of Prostitution. He was sentenced to 12 months in jail followed by 12 months of Community Control.

It would appear he was convicted in London England of Unlawful Possession of an Offensive Weapon, a Sword Stick, and was sentenced to a Conditional Discharge on 1/4/1973.

Regarding the instant offense, Epstein was approximately 51 years of age on or about the year 2005 when he sexually assaulted numerous females between the approximate ages of 14 and 17. Most of the victims were recruited by one of Epstein's female employees from a local high school in the Palm Beach Florida area. Some of the female participants were age 18 or older. The contact included vaginal intercourse, mouth to vagina sodomy, the touching of the breasts and vagina, placing his fingers inside the vagina and Epstein using a vibrator on the victim's vaginal area. The available police reports from the Palm Beach Police Department include conversations with numerous female victims who in most cases, did not know Epstein when they were victimized. Most of the females were embarrassed to speak with police regarding what had happened to them while they were at Epstein's home. Sworn statements were taken from at least five victims and seventeen witnesses concerning massages and unlawful sexual activity that took place at the residence of Jeffrey Epstein. Most of the victims were paid at least \$200.00 each time they performed a massage.

The victims were told they would be giving Epstein a massage and they were escorted to his bedroom. Most victims noted numerous pictures of naked young females, (some of the photos depicted females who would be eventually interviewed by police), on display throughout the home. The offender would enter the room only wearing a towel. In most cases he would remove the towel and ask the victim to remove her clothing. In some cases he would masturbate into a towel while receiving a massage. In other cases he would touch the breasts or vagina of the victim with his hands or use the vibrator. One 14 year old described how Epstein touched her vaginal area with a vibrator and thereafter, when contacted by law enforcement, she had to identify the offender through the use of a photo array. Another 16-year-old victim described giving Epstein massages for two years and at times, he grabbed her buttocks and caressed her butt cheeks as she gave him a massage. Another 16-year-old described going to the offender's home at least 100 times. He would touch her breasts, insert his fingers into her vagina and sometimes use the vibrator on her while masturbating. He would also pay this underage victim to have sex with a female friend while he watched. Occasionally, he would join both girls and perform oral sex on both. This 16-year-old victim described for police how one time, Epstein turned her over on the massage table and forcibly raped her. When she screamed, "NO," he stopped and subsequently apologized for his actions.

The offenders conduct while on Community Control will be considered satisfactory and he does not have a history of substance abuse. Based upon his plea of guilty, Epstein will be credited with accepting responsibility for his actions. He will be scored for sexual and deviate sexual intercourse, forcible compulsion, numerous victims and their ages, a continued course of sexual misconduct, a prior misdemeanor conviction in England absent specific information, for his stranger relationship to most victims and for establishing a relationship with these underage girls for the purpose of victimization.

The Board acknowledges correspondence received from the offender's attorney.

**A76**

RE: JEFFREY E EPSTEIN  
NYSID #: OS1909

DATE: 8/23/2010

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**CASE SUMMARY**

Jeffrey Epstein used his wealth and power in such a way so that he could take advantage of many teenage girls to satisfy his own sexual perversions. He scores as a Level III Sex Offender with absolutely no basis for downward departure.

A77

Letter from Jay P. Lefkowitz to Hon. Ruth Pickholz Requesting a Continuance of the Hearing,  
dated September 9, 2010

09/07/2010 09:55 FAX

002/002

KIRKLAND & ELLIS LLP  
AND AFFILIATED PARTNERSHIPS

601 Lexington Avenue  
New York, New York 10022

Jay P. Lefkowitz, P.C.  
To Call Writer Directly:

lefkowitz@kirkland.com

www.kirkland.com

Facsimile:

September 7, 2010

BY FACSIMILE

The Honorable Ruth Pickholz  
New York County Supreme Court  
Part 66  
111 Centre Street  
New York, NY 10013

Re: SCID No. 30129-2010

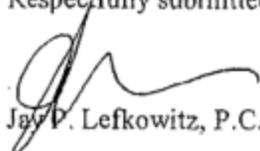
Dear Justice Pickholz:

I am writing regarding the hearing for Mr. Jeffrey Epstein in the above-referenced matter, which is currently scheduled for 9:30 a.m. on Wednesday, September 15, 2010.

We respectfully request a continuance of the hearing. Kirkland & Ellis was only recently retained by Mr. Epstein to represent him in this matter and due to the holidays this week and because the matter arises out of Florida, we will need some time in order to collect information to prepare for the hearing.

We are available on or after October 4, 2010 for a hearing on this matter if that would be acceptable to the Court. We are available to discuss at the Court's convenience.

Respectfully submitted,

  
Jay P. Lefkowitz, P.C.

**A78**

**Letter from Supreme Court to Sex Offender Registry Unit Enclosing Final Determinations,  
dated January 19, 2011  
[pp. A78-A79]**

Supreme Court  
of the  
State of New York



100 CENTRE STREET  
NEW YORK, N.Y. 10013

January 19, 2011

Sex Offender Registry Unit  
NYS Division of Criminal Justice Services  
4 Tower Place  
Albany, NY 12203

Dear Sir/Madam:

Enclosed please find the Final Determinations on the following cases:

<u>Name</u>	<u>Ind.#</u>	<u>Risk Level</u>
Jeffrey Epstein	30129-2010	Three (3)

Respectfully yours,

Encl.

F. Halwick, SCC  
Correspondence Unit  
Supreme Court, Criminal Term

cc: Mr. Jeffrey Epstein  
9 East 71<sup>st</sup> Street  
New York, NY 10021

EFTA00181004

STATE OF NEW YORK  
BOARD OF EXAMINERS OF SEX OFFENDERS  
4 TOWER PLACE  
ALBANY, NEW YORK 12203-3764

TO NEW YORK COUNTY SUPREME COURT

DATE: 8/19/2010

FROM BOARD EXAMINER, STEPHEN D. WEBER SDW

RE JEFFREY E EPSTEIN

NYSID# OR BOARD ID# OS1909

REPORTED ADDRESS 9 EAST 71ST STREET  
NEW YORK, NY 10021

SUPERVISING OFFICER:  
SUPERVISING AGENCY: NONE, OFFENDER IS UNSUPERVISED

The above referenced individual has committed an offense in another jurisdiction and has established residence in New York State at the address indicated. It has been determined that the offender is required to register and be risk assessed as a sex offender in New York State.

The NYS Board of Examiners of Sex Offenders is recommending a risk level and designation for the offender, as indicated on the attached risk assessment instrument, case summary and designation form. Pursuant to Correction Law Section 168-k(2), the County or Supreme Court in the county of residence of the offender shall determine the offender's risk level and designation. The Court must determine whether the offender meets the definition of sexually violent offender, predicate sex offender or sexual predator as set forth in Correction Law Section 168-a(7).

Please note, pursuant to Chapter 684 of the Laws of 2005, as amended, 2005, Correction Law Section 168-b, 168-k and 168-n have been amended to provide that the Court shall conduct the risk level and designation hearing if the sex offender, having been given notice including the date, time, and place of the proceeding, fails to appear without sufficient excuse. Please note that until the court determines the offender's risk level, no community notification can occur.

A copy of the order setting forth the risk level and designation determinations, and the findings and conclusions of law on which such determinations are based, shall be submitted to the Division of Criminal Justice Services Sex Offender Registry Unit by the Court. In addition, please complete and attach this form indicating the offender's risk level and designation to the Court's order. Please distribute the remaining copies as indicated below.

Information below is to be completed by Sentencing Court

FINAL RISK LEVEL DETERMINATION (circle one) 1 2 3

DESIGNATION: Please check any that apply pursuant to Article 6-C of the NYS Correction Law:

Sexually Violent Offender  Sexual Predator  Predicate Sex Offender  No such designation

Judge's Name (please print): RICHARD PICKHALZ

Judge's signature: [Handwritten Signature]

Date signed: 1/13/2011

WHITE COPY: Sex Offender Registry Unit  
DCJS, 4 Tower Pl., Albany, NY 12203  
YELLOW COPY: Court  
PINK COPY: Offender

COUNTY OF \_\_\_\_\_

PEOPLE VS

*Jeffrey Epstein*

INDICTMENT NO. <sup>SC10</sup> 30129-2010

N.Y.S.I.D. NO. \_\_\_\_\_

DATE OF BIRTH \_\_\_\_\_

SEX

*M*

ADDRESS \_\_\_\_\_

NOTICE OF APPEARANCE \_\_\_\_\_ 20 \_\_\_\_\_

FILED BY \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE NO. \_\_\_\_\_

RET  L.A.  18B

SUBSTITUTION \_\_\_\_\_ 20 \_\_\_\_\_

FILED BY \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE \_\_\_\_\_

RET  L.A.  18B

**KIRKLAND & ELLIS LLP**  
AND AFFILIATED PARTNERSHIPS

JAY P. LEFKOWITZ, P.C.

601 \_\_\_\_\_ Avenue • New York, New York 10022  
Tel (\_\_\_\_\_) 446-4970 • Fax \_\_\_\_\_

jay.lefkowitz@kirkland.com

INTERPRETER \_\_\_\_\_

COURT CLERK \_\_\_\_\_

ARTICLE 730 EXAMINATION

ORDERED \_\_\_\_\_ 20 \_\_\_\_\_

JUSTICE \_\_\_\_\_

COURT CLERK \_\_\_\_\_

COURT REPORTER \_\_\_\_\_

ORDERED \_\_\_\_\_ 20 \_\_\_\_\_

JUSTICE \_\_\_\_\_

COURT CLERK \_\_\_\_\_

COURT REPORTER \_\_\_\_\_

COMMITTED TO COMMISSIONER OF MENTAL HYGIENE: \_\_\_\_\_

RECOGNIZANCE

ROR \_\_\_\_\_ 20 \_\_\_\_\_

BAIL FIXED \_\_\_\_\_

AMOUNT \_\_\_\_\_

COURT CLERK \_\_\_\_\_

COUNSEL PRESENT \_\_\_\_\_ JUSTICE \_\_\_\_\_

ON CONSENT OF ADA \_\_\_\_\_

COURT REPORTER \_\_\_\_\_

BAILED \_\_\_\_\_ 20 \_\_\_\_\_ \$ \_\_\_\_\_

SURETY \_\_\_\_\_

COURT CLERK \_\_\_\_\_

ROR REVOKED-BW \_\_\_\_\_ 20 \_\_\_\_\_

JUSTICE \_\_\_\_\_

BAIL FORF.-BW \_\_\_\_\_ 20 \_\_\_\_\_

JUSTICE \_\_\_\_\_

BAIL EXONERATED \_\_\_\_\_

JUSTICE \_\_\_\_\_

SURR. BY SURETY \_\_\_\_\_ 20 \_\_\_\_\_

SUBSEQUENT ACTION RE RECOGNIZANCE

PART *1-18-2011* \_\_\_\_\_ 20 \_\_\_\_\_

*Level #3*

JUSTICE *Ruth Pickholmy*

ADA PRESENT *J. Gaffney*

COUNSEL PRESENT *J. Lefkowitz*

COURT REPORTER *V. Benkel*

COURT CLERK *[Signature]*

PART \_\_\_\_\_ 20 \_\_\_\_\_

JUSTICE \_\_\_\_\_

ADA PRESENT \_\_\_\_\_

COUNSEL PRESENT \_\_\_\_\_

VERNY VISIT

JEFFREY EPSTEIN

|||  
(SOH)

SSD 30129-2010

AAA - Jennifer Gagnier  
Def Atty - Jay Berkowitz



R. Garofano Adj

J. Beidman

A. BOGIER

11/9

J. Br. Spitzer

L. L. Key

J. Br. Spitzer

1-7-2010 Leth Picholtz Adj 11-29

RECEIVED G. Nanda

J. Br. Spitzer

29-2010 Leth Picholtz Adj 1-18-2011

18-2011 Leth Picholtz

V. Benfel

Son Heil and Son

J. Br. Spitzer (By Name David A. Atten)

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SUPREME COURT NEW YORK COUNTY  
TRIAL TERM PART 66

-----X  
THE PEOPLE OF THE STATE OF NEW YORK: INDICTMENT #  
: 30129/2010

AGAINST

JEFFREY EPSTEIN  
Defendant.

-----X SORA HEARING

111 Centre Street  
New York, New York 10013  
January 18, 2011

B E F O R E:

HONORABLE RUTH PICKHOLZ  
Justice of the Supreme Court

A P P E A R A N C E S:

For the People: CYRUS R. VANCE, JR., ESQ.,  
New York County District Attorney  
One Hogan Place  
New York, New York 10013  
BY: JENNIFER GAFFNEY, ESQ.  
Assistant District Attorney

For the Defense: KIRKLAND & ELLI, LLP  
153 East 53rd Street  
New York, New York 10022  
BY: JAY LEFKOWITZ, ESQ.  
SANDRA MUSUMECI, ESQ.

Vikki J. Benkel  
Senior Court Reporter

1 COURT CLERK: This is number two on the calendar,  
2 matter of Jeffrey Epstein.

3 Your appearances please.

4 MS. GAFFNEY: Jennifer Gaffney for the People.

5 Good afternoon, Your Honor.

6 MR. LEFKOWITZ: Jay Lefkowitz and Sandra Musumeci  
7 for Mr. Epstein.

8 THE COURT: Mr. Epstein is not here.

9 MR. LEFKOWITZ: That's correct.

10 THE COURT: Are you waiving his appearance?

11 MR. LEFKOWITZ: Yes.

12 MS. GAFFNEY: Your Honor, this case is on for a  
13 SORA hearing this afternoon.

14 The People did receive the board's recommendation  
15 of a Level Three. However, we received the underlying  
16 information from them and also had some contact with  
17 Florida, and we don't believe that we can rely on the entire  
18 probable cause affidavit.

19 I don't know if the board sent that to you as  
20 well.

21 THE COURT: I don't know why you cannot rely on  
22 it.

23 MS. GAFFNEY: Because in Florida of all of the  
24 victims in that probable cause affidavit, they actually only  
25 went forward on one case. There was only an indictment for

1 one victim and that is what the defendant plead to.

2 So it is unlike a situation where everything was  
3 indicted and then we get to sort of assess points for all of  
4 the victims, if it was part of a plea bargain. They did not  
5 actually choose to go forward on any except for the one  
6 victim.

7 So under the board guidelines, the risk assessment  
8 interim guidelines, it actually says, you know, by way of  
9 contrast if an offender is not indicted for an offense, it  
10 is strong evidence that the offense did not occur and I  
11 don't think --

12 THE COURT: Do you find that if somebody is not  
13 indicted it is strong evidence that it did not occur?

14 MS. GAFFNEY: I don't know that we can rely on it  
15 as clear and convincing evidence if the prosecutor's office  
16 never went forward on it. The prosecution said that the  
17 victims, although they spoke to the police early on, did not  
18 cooperate with them. So we don't have any follow up  
19 information.

20 THE COURT: But the board found a Level Three.

21 I have to tell you, I am a little overwhelmed  
22 because I have never seen the prosecutor's office do  
23 anything like this. I have never seen it. I had a case  
24 with one instance it was a marine who went to a bar, and I  
25 wish I had the case before me, but he went to a bar and a 17

1 year old, he was an adult obviously, he was a Marine, a 17  
2 year old came up to him and one thing lead to another and he  
3 had sex with her and the People would not agree to a  
4 downward modification on that.

5 So I am a little overwhelmed here because I see --  
6 I mean I read everything here, I am just a little  
7 overwhelmed that the People are making this application.

8 I could cite many many, I have done many SORAs  
9 much less troubling than this one where the People would  
10 never make a downward argument like this.

11 MS. GAFFNEY: I agree with Your Honor, it is  
12 incredibly unusual for us to make a downward argument. But  
13 the problem is the one thing that we have from the board is  
14 it seems to be in contradiction to their own guidelines  
15 which if something was not indicted, you are not supposed to  
16 rely on it.

17 THE COURT: They obviously took that into  
18 consideration.

19 MS. GAFFNEY: And I tried to reach -- I reached  
20 the authorities in Florida to try to see if they had all the  
21 interview notes or other things that we can then  
22 subsequently rely on that might be considered clear and  
23 convincing evidence, if they had interviewed these women on  
24 their own, and they never did. No one was cooperative and  
25 they did not go forward on any of the cases and none of them

1 were indicted. So I don't know.

2 THE COURT: And you spoke to the prosecutor?

3 MS. GAFFNEY: The actual prosecutor left the  
4 office. I spoke to the prosecutor that took over the case.

5 THE COURT: Maybe you can find the prosecutor that  
6 left the office.

7 You have done more in other cases looking into it.  
8 I have never seen the prosecutor's office do this. I have  
9 to tell you, I am shocked.

10 MS. GAFFNEY: Right, but I spoke to the prosecutor  
11 that took over the case and they don't have anything, any  
12 affidavits, any statements, any notes.

13 THE COURT: Why don't you speak to the prosecutor  
14 that did do the case, I am sure you could find that  
15 prosecutor.

16 MS. GAFFNEY: I can find her, but based upon what  
17 the other prosecutor said, they did not speak to that  
18 prosecutor either.

19 THE COURT: You did not speak to the prosecutor  
20 yourself, you did not speak to them, that is hearsay. You  
21 did not speak to the prosecutor that handled the case.

22 MS. GAFFNEY: That's right.

23 THE COURT: I don't think you did much of an  
24 investigation here.

25 MS. GAFFNEY: I mean I called the prosecutor.

1 Even though the first prosecutor left, presumably the  
2 prosecutor's office has the file.

3 THE COURT: I would still call the prosecutor.

4 MS. GAFFNEY: Anything from these women they would  
5 have forwarded it to us.

6 THE COURT: I don't know that, I think you have to  
7 speak to the prosecutor.

8 But be that as it may, I hear your argument.

9 Anything else?

10 MS. GAFFNEY: I mean that is why I don't think we  
11 can, I don't think we are entitled to rely on this because  
12 they did not go forward.

13 THE COURT: The board made a recommendation.

14 MS. GAFFNEY: Correct.

15 MS. MUSUMECI: May I speak, Your Honor?

16 THE COURT: Yes.

17 MS. MUSUMECI: Good afternoon.

18 I would like to bring a few additional points to  
19 Your Honor's attention that don't come across in the board  
20 recommendation.

21 The first is that Mr. Epstein is not a resident of  
22 New York, unlike most of these out of state, he has not  
23 changed his address and moved to New York, he maintains a  
24 vacation home in New York. His primary residence is the  
25 U.S. Virgin Islands.

1           He is registered in the U.S. Virgin Islands, he  
2 has been since his release from jail. He notifies the  
3 Virgin Island authorities every time he leaves that  
4 jurisdiction. Virgin Island authorities rated him at the  
5 lowest level of registration.

6           He also registered in Florida, which is the state  
7 of this particular offense, and the only reason that this  
8 conviction is even before Your Honor.

9           The offense for which he was convicted is not a  
10 registrable offense in New York. He is only registrable  
11 here arguably because based on the provision of SORA that  
12 says if a crime is registrable in the state of conviction,  
13 then it is registrable here in New York. And the Florida  
14 authorities that considered that rated him at the lowest  
15 level of their SORA statute.

16           He additionally has a vacation home in New Mexico  
17 and is registered in New Mexico. The New Mexican  
18 authorities when they considered his offenses, determined he  
19 need not register at all. Nevertheless, he has voluntarily  
20 registered with New Mexico and maintains that registration.

21           Additionally, because of his possession of a  
22 vacation home in New York, he has been voluntarily  
23 registered with New York SOMU, the Sex Offender Monitoring  
24 Unit since May of this year. He notifies them whenever he  
25 comes to travel to New York. He never comes to New York for

1 more than seven days or at least he has not since he has  
2 been registered. He has no intention to ever be here for  
3 longer than a period of ten days.

4 Like I said, he does notify the authorities when  
5 he is here. He fully understands the reason for voluntary  
6 registration, he wants to be compliant with the Federal SORA  
7 law which requires wherever you own a property to register.

8 To require Mr. Epstein to register as a Level  
9 Three offender in New York would actually require him to  
10 come to New York more than he does normally, it would  
11 require him to come every 90 days and renew his  
12 registration.

13 He is very diligent in registering with New York  
14 authorities.

15 All of the other jurisdictions that have  
16 considered his case have determined that he either not  
17 register at all or register at the lowest level, and he has  
18 been more than compliant with all of those requirements.

19 Your Honor, we would join in the prosecutor's  
20 application.

21 THE COURT: I am sure you would.

22 MS. MUSUMECI: By way of background, we have been  
23 in contact with the prosecutor's office on this matter since  
24 I believe certainly since Mr. Epstein got his notification,  
25 which I believe was in August. We have met with the

1 prosecutor and provided numerous materials for the  
2 prosecutor to consider. We have included in that a  
3 deposition from the detective who headed this investigation  
4 who acknowledged in a sworn deposition that the lead  
5 prosecutor who originally had the case, whose name I cannot  
6 pronounce, Lanna Belohlavek, I apologize for the  
7 mispronunciation, said to the detective after her  
8 investigation, there are no real victims here.

9 All of the alleged conduct that is cited in the  
10 board's write up was commercial conduct. All of the alleged  
11 conduct the women went voluntarily, there are no allegations  
12 of force certainly none.

13 THE COURT: There was no allegation of force in  
14 the marine either, who met a girl in a bar, a young girl 17,  
15 there was no force there.

16 MS. MUSUMECI: It is our understanding that the  
17 prosecutor in Florida conducted a full investigation, as  
18 full as she was able with the cooperation afforded by these  
19 complainants, and determined that the only case that she  
20 could present to the grand jury was this indictment for a  
21 non registrable offense then --

22 THE COURT: But it is registrable here.  
23 I don't know what you mean non registrable  
24 offense.

25 MS. MUSUMECI: Let me explain, Your Honor.

1 Mr. Epstein plead to two charges, one was an  
2 indictment which is an offense that is not registrable, it  
3 is a Florida indictment for --

4 THE COURT: Then why does he have to register  
5 here?

6 MS. MUSUMECI: It was a second offense that he  
7 plead to --

8 THE COURT: That is registrable.

9 MS. MUSUMECI: That is registrable.

10 That offense was by information and that is the  
11 only registrable offense, that is what the DA's office is  
12 considering in doing their scoring.

13 The indictment which was the only case that the  
14 prosecutor even prosecuted through grand jury is not even a  
15 registrable offense.

16 THE COURT: He plead guilty to a registrable  
17 offense.

18 MS. MUSUMECI: Yes.

19 THE COURT: What did he plead guilty to?

20 MS. GAFFNEY: He plead guilty to the procuring a  
21 person under 18 for prostitution.

22 THE COURT: Procuring a person under 18 for  
23 prostitution.

24 MS. GAFFNEY: Right.

25 THE COURT: How old was she?

1 MS. GAFFNEY: It appears the first time they met  
2 she was either 16 or 17, then for the remainder of their  
3 relationship she was probably 17.

4 THE COURT: How long was their relationship?

5 MS. GAFFNEY: She met, she gave him approximately  
6 15 massages, including with sexual contact, and ultimately  
7 when she is 17 had intercourse with him.

8 THE COURT: She is a child.

9 MS. MUSUMECI: Your Honor, I would note that under  
10 SORA it is clear that prostitution offenses are only  
11 registrable when in fact by clear and convincing evidence  
12 the woman or victim is 17, is under 17.

13 THE COURT: Well, she met him at 16, he procured  
14 her at 16 from what I read.

15 MS. MUSUMECI: There is evidence we challenged.

16 THE COURT: He plead guilty to that, didn't he?

17 MS. MUSUMECI: He plead guilty to under 18, which  
18 is the law in Florida, which is a different standard than  
19 what the law is in New York. And there is no evidence,  
20 there is no clear and convincing evidence as to her specific  
21 age at the time of the specific conduct.

22 THE COURT: Well, the DA just told me she was most  
23 likely 17, she just said it on the record.

24 MS. MUSUMECI: Your Honor, we agree that the  
25 evidence is that she was 17 on the one occasion she had

1 consensual intercourse with him and 17 is not registrable or  
2 criminal under New York law.

3 And the prostitution aspect of having intercourse  
4 with a 17 year old is not registrable conduct.

5 THE COURT: Why does he have to register here?

6 MS. GAFFNEY: Because it is a register able  
7 offense in Florida, New York State board of examiners --

8 THE COURT: Recognizes it.

9 MS. GAFFNEY: Recognizes it, yes.

10 THE COURT: I have had many cases like that where  
11 it was not registrable here but it was in the state where  
12 the person came from and New York recognized that.

13 MS. MUSUMECI: Your Honor, we are not saying that  
14 he should not register. Mr. Epstein has already registered  
15 and recognizes his duty to register.

16 THE COURT: I am glad of that, very glad of that.  
17 I am sorry he may have to come here every 90 days.  
18 He can give up his New York home if he does not  
19 want to come every 90 days.

20 Anything else?

21 I rely on the board.

22 MS. MUSUMECI: Your Honor, we would reserve our  
23 right to appeal Your Honor's ruling.

24 THE COURT: Of course, do so.

25 MS. GAFFNEY: For the record, Your Honor, he is

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