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519



U.S. Department of Justice

United States Attorney
Southern District of Florida

500 S. Australian Ave, Ste 400
West Palm Beach, FL 33401
(561) 820-8711
Facsimile: (561) 820-8777

July 19, 2013

DELIVERY BY FEDERAL EXPRESS

Brad Edwards, Esq.,
Farmer Jaffe Weissing Edwards Fistos Lehrman
425 N Andrews Ave Ste 2
Fort Lauderdale, FL 33301-3268

Re: Jane Doe #1 and Jane Doe #2 . United States

Dear Brad:

Enclosed please find:

- (1) One DVD containing documents Bates Stamped 000001 thru 000979;
- (2) Documents bearing Bates Nos. P-003652 thru P-003663;
- (3) Documents bearing Bates Nos. P-008300 thru P-008343;
- (4) Documents bearing Bates Nos. P-008891 thru P-009103;
- (5) Documents bearing Bates Nos. P-009114 thru P-009115;
- (6) Documents bearing Bates Nos. P-009712 thru P-009819;
- (7) A copy of the Privilege Log that was filed with the Court; and
- (8) A copy of the Responses to your Requests for Admissions that were filed with the Court.

Please let me know if you have any difficulties with any of the copies.

Sincerely,

Wifredo A. Ferrer
United States Attorney

By:


A. Marie Villafañá
Assistant United States Attorney

cc: Dexter Lee, Esq.

EFTA00190766

Case No. 08-80736-CV-MARRA

P-003652

VICTIM CIVIL SU

EFTA00190768

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-80069-CIV-MARRA/JOHNSON

JANE DOE NO. 1, by and through
JANE DOE's FATHER as parent and natural
guardian, and JANE DOE's FATHER, and
JANE DOE's STEPMOTHER, individually,

Plaintiffs,

vs.

JEFFREY EPSTEIN,

Defendant.

**PLAINTIFFS' MEMORANDUM OF LAW IN OPPOSITION
TO MOTION TO STAY PROCEEDINGS PENDING
JANE DOE NO. 1 REACHING AGE OF MAJORITY**

Plaintiffs, Jane Doe No. 1, by and through Jane Doe's Father as parent and natural guardian, and Jane Doe's Father and Jane Doe's Stepmother, individually, submit this Memorandum of Law in Opposition to Motion to Stay Proceedings Pending Jane Doe No. 1 Reaching Age of Majority, as follows:

I. Introduction

This action alleges the sexual assault of Plaintiff Jane Doe No. 1 ("Jane Doe") by the Defendant when she was 14 years old. The Motion to Stay Proceedings filed by Jane Doe's Mother is without basis and should be stricken or denied for the following reasons:

1. It fails to include or be accompanied by a memorandum of law, in violation of S.D.Fla.L.R. 7.1(A)(1). This failure is particularly glaring here, as there is no obvious or apparent legal basis for the stay sought by Jane Doe's Mother, and in preparing this Memorandum of Law in Opposition, Plaintiff is left to guess at the authorities relied upon by Jane Doe's Mother.

HERMAN & MERMELSTEIN, P. A.

www.hermanlaw.com

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Case No. 08-80736-CV-MARRA

P-003653

EFTA00190769

2. The Motion to Stay was not served on all parties as shown on the Motion's Certificate of Service. Only Plaintiff's counsel was served with the Motion. As a result, notice of the relief sought by Jane Doe's Mother is fatally defective.

3. Jane Doe's Father, by Court Order, was awarded full custody of the Minor Plaintiff, and is thus her sole natural guardian. Jane Doe's Mother is not Jane Doe's natural guardian under Florida law, and thus has no standing to seek a stay of this action on behalf of Jane Doe.

4. A stay would serve no constructive purpose or function in this litigation, but would only unnecessarily delay this case.

Based on any or all of the foregoing grounds, as further discussed below, the Motion to Stay should be denied.

II. Argument

THE MOTION TO STAY IS PROCEDURALLY AND SUBSTANTIVELY DEFECTIVE

A. The Motion to Stay Violates the Local Rules and Was Served Without Sufficient Notice

Under S.D.Fla.L.R. 7.1(A)(1), "[e]very motion when filed shall include or be accompanied by a memorandum of law citing supporting authorities. . . ."¹ No such memorandum of law was filed with the Motion to Stay. Plaintiff is prejudiced by this omission because he has had no notice of what authorities Jane Doe's Mother relies upon for the relief sought in her Motion. As a result, the Motion to Stay is defective and should be stricken.

The Motion to Stay also raises due process concerns because it was not served on all parties according to the Certificate of Service accompanying the Motion. The Defendant has not yet filed an appearance in the case, and his response to the Complaint is not yet due. The Motion to Stay is

¹The stated exceptions to Rule 7.1(A)(1) are inapplicable here.

therefore premature and defective for lack of notice.

B. Jane Doe's Mother is Not Jane Doe's Natural Guardian, and Therefore Has No Standing to Seek a Stay on Her Behalf

The Motion to Stay and supporting Affidavit of Jane Doe's Mother contain the following false and misleading statements:

a. "Jane Doe No. 1 is a minor child . . . *who is under the joint control of her parents and natural guardians, Jane Doe's Father and Jane Doe's Mother*, who are divorced." (Motion to Stay Proceedings, ¶ 1) (emphasis supplied).

b. "I am the mother *and natural guardian* for Jane Doe No. 1" (Affidavit of Dawn LaVogue Sandberg, Exh. "A" to Motion to Stay, ¶ 1) (emphasis supplied).

Jane Doe's Mother does not have "joint control" or legal custody of Jane Doe, and is not her natural guardian under Florida law. Jane Doe's Mother and Jane Doe's Father entered into a Custodial Parent Modification dated March 28, 2006. This Modification was granted by Court Order dated April 25, 2006. (A copy of the Custodial Parent Modification and the Order Granting Custodial Parent Modification are attached hereto as Composite Exhibit "A").² The Custodial Parent Modification states as follows: "**Full Parental Custody of both minor children shall be granted to former husband [Jane Does' Father].**" (Custodial Parent Modification, ¶ 3) (emphasis supplied).

Under Florida statutory law, in the case of a dissolved marriage, only the parent awarded custody can be the natural guardian of the minor child: "If the marriage between the parents is dissolved, *the natural guardianship belongs to the parent to whom custody of the child is awarded.*" §744.301(1), Fla. Stat. (emphasis supplied). It is therefore abundantly clear that Jane

² The names of Jane Doe and Jane Doe's Father are redacted from Exhibit "A" hereto to protect the Minor Plaintiff's anonymity. (See Complaint ¶ 4).

Doe's Father, as the custodial parent, is *the* natural guardian, and *the only* natural guardian, of Jane Doe. As the natural guardian, Jane Doe's Father may sue on behalf of Jane Doe. See Fed.R.Civ.P. 17(b) (providing that capacity to sue or be sued shall be determined by the law of the state in which the district court is held). Because Jane Doe's Father, as her natural guardian, represents her interests in this lawsuit, there is no legal basis for Jane Doe's Mother to assert the right to represent Jane Doe. Jane Doe's Mother lacks standing to seek a stay or other relief from this Court on behalf of Jane Doe.

C. There Is No Legal Basis for a Stay

A stay of proceedings may be appropriate in a situation where it will avoid piecemeal litigation, conserve judicial resources, aid in the comprehensive disposition of the litigation, or serve as a means of controlling the district court's docket. See American Manufacturers Mutual Ins. Co. v. Edward D. Stone Jr. & Assoc., 743 F.2d 1519 (11th Cir. 1984). For example, a stay may be considered in a case where there is another pending lawsuit or administrative proceeding addressing the identical issues. See Ortega Trujillo v. Converg & Co. Communications, Inc., 225 F.3d 1262 (11th Cir. 2000). Even then, a case in federal court should not be stayed absent "exceptional circumstances." American Manufacturers, 743 F.2d at 1524-1525. Here, the only conceivable purpose that would be served by a stay is delay, which would be to Jane Doe's prejudice. A stay would not be in the interests of judicial economy and efficiency, and would not aid in a resolution of this litigation. Because there is no legitimate argument for a stay in this case, the Motion should be denied.

III. Conclusion

Based on the foregoing, the Motion to Stay is defective, deficient and meritless. Denial of the Motion is appropriate on multiple, alternative grounds. Plaintiffs therefore respectfully request that the Motion to Stay be denied.

Dated: February 13, 2008

Respectfully submitted,

By: s/ Jeffrey M. Herman
Jeffrey M. Herman (FL Bar No. 521647)
jherman@hermanlaw.com
Stuart S. Mermelstein (FL Bar No. 947245)
smermelstein@hermanlaw.com
Adam D. Horowitz (FL Bar No. 376980)
ahorowitz@hermanlaw.com
HERMAN & MERMELSTEIN, P.A.
Attorneys for Plaintiffs Jane Doe et al.
18205 Biscayne Blvd., Suite 2218
Miami, Florida 33160
Tel: 305-931-2200
Fax: 305-931-0877

CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2008, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on the following, via transmission of Notices of Electronic Filing generated by CM/ECF:

Theodore Jon Leopold
tjeopold@riccilaw.com

/s/ Jeffrey M. Herman

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

FAMILY DIVISION

CASE NO. [REDACTED]

2008 APR 20 PM 1:18

IN RE: THE FORMER MARRIAGE OF
DAWN LAVOGUE-SANDBERG,

Petitioner/Former Wife,

vs.

[REDACTED]

Respondent/Former Husband

CUSTODIAL PARENT MODIFICATION

THIS AGREEMENT is made in Palm Beach County, Florida between DAWN LAVOGUE-SANDBERG, hereinafter referred to as the "Former Wife" and [REDACTED] hereinafter referred to as "Former Husband".

In consideration of the mutual undertakings herein contained, the parties agree as follows:

1. STATUS OF PARTIES:

The parties were divorced on June 18, 1991.

The custodial parent circumstances of the parties have changed, they desire to adjust their responsibilities for custodial parent of their minor children.

DLS [Signature] 332



DAG [Signature]

LAVOGUE-SANDBERG and [REDACTED]
Case No. [REDACTED]

2. PURPOSE OF AGREEMENT AND CONSIDERATION:

The purpose of this Agreement is to effect a complete settlement, with reference to the parties's obligations with respect to the visitation and parental responsibility of the two minor children, [REDACTED] and [REDACTED]

3. CUSTODY OF MINOR CHILDREN:

Full Parental Custody of both minor children shall be granted to Former Husband. Both minor children shall reside with Former Husband in Florida.

4. VISITATION:

Former Wife shall be entitled to open communication between herself and minor children. Former Wife shall receive visitation as often as children desire but shall be at minimum once a year. All plane fare for said visitation shall be at the expense of Former Wife except in such case Former Husband shall for any reason need children to commute to Former Wife in Georgia for personal, emergency, or necessary reasons then Former Husband shall pay for said plane fare.

5. FINANCIAL RESPONSIBILITY:

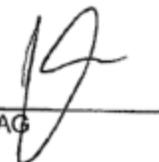
Former Husband shall hold complete financial responsibility for both minor children including but not limited to all medical, dental, vision, etc. care and or insurance. Former Husband shall be granted both Florida Prepaid College Programs for both minor children and be responsible for college tuition, etc. payments. Former Husband shall claim both minor children on his personal income taxes beginning 2006 tax year.

DLS



-2-

DAG



LAVOGUE-SANDBERG and [REDACTED]
Case No. [REDACTED]

6. AGREEMENT BINDING:

This Agreement and all the obligations and covenants hereunder shall bind the parties hereto, their heirs, executors, administrators, legal representatives and assigns.

7. REPRESENTATIONS:

The parties represent to each other that:

A. The parties fully understand the facts as to their legal rights and obligations. Each is signing the Agreement freely and voluntarily, intending to be bound by it.

B. The laws of Florida shall govern the validity, construction, interpretation and effect of this Agreement.

C. Neither party is represented by legal counsel.

8. PARAGRAPH HEADINGS:

Paragraph headings are provided for convenience in locating paragraphs and are not intended to add or detract anything from language of the paragraphs.

DLS



-3-

DAG



LAVOGUE-SANDBERG and [REDACTED]
Case No. [REDACTED]

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this 28th day of ~~April~~ ^{March}, 2006, personally appeared DAWN LAVOGUE-SANDBERG, who is personally known to me or has provided a valid Georgia Driver's License , and who after being duly sworn, deposes and says that she is Former Wife in the above and foregoing Agreement; that she has read the foregoing Agreement and that she has executed the same freely and voluntarily for the purposes therein expressed.



Tammy S. Parker

Notary Public
My Commission Expires:

BEFORE ME, the undersigned authority, this 28th day of ~~April~~ ^{MARCH}, 2006, personally appeared [REDACTED] who is personally known to me or has provided a valid Florida Driver's License , and who after being duly sworn, deposes and says that he is Former husband in the above and foregoing Agreement; that he has read the foregoing Agreement and that he has executed the same freely and voluntarily for the purposes therein expressed.

Yvette Sosa

Notary Public
My Commission Expires: 5-4-07

YVETTE SOSA
NOTARY PUBLIC
COMMISSION NO. DD209030

LAVOGUE-SANDBERG and [REDACTED]
Case No. [REDACTED]

IN WITNESS WHEREOF, the parties hereto have signed and acknowledged this

Agreement in the presence of the witnesses signing below on this 28 day of
~~MARCH~~
April, 2006.

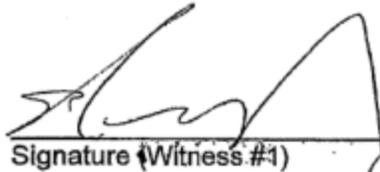

Signature (Witness #1)

LISA R. HALE
(Print) (Witness #1)


Dawn LaVogue-Sandberg

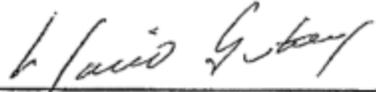

Signature (Witness #2)

Nancy Griffin
(Print) (Witness #2)


Signature (Witness #1)

[REDACTED]
(Print) (Witness #1)


[REDACTED]


Signature (Witness #2)

MARIO GUTIERREZ
(Print) (Witness #2)

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

IN RE: THE FORMER MARRIAGE OF
DAWN LAVOGUE-SANDBERG,
Petitioner/Former Wife,

FAMILY DIVISION
CASE NO. [REDACTED]

and

[REDACTED]
Respondent/Former Husband

APR 25 10 41 AM '06

ORDER GRANTING CUSTODIAL PARENT MODIFICATION

COMES NOW before the court the CUTODIAL PARENT MODIFICATION and the court having been advised that the parties are in agreement, it is:

ORDERED and ADJUDGED that said Custodial Parent Modification be GRANTED.

DONE AND ORDERED in chambers this 25th day of April, 2006.



CIRCUIT COURT JUDGE

WILLIAM J. BERGER

cc: Dawn Lavogue-Sandberg
411 Christophers Ct.
Waleska, GA 30183

[REDACTED]

333

APR 25 10 41 AM '06
M.L.P.

Case No. 08-80736-CV-MARR-A08300

Aerwits Filed in State Court

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:

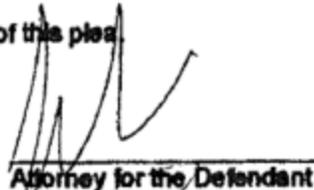
As a special condition of his community control, the Defendant is to have no unsupervised contact with minors, and the supervising adult must be approved by the Department of Corrections.

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

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.



'943.0435 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.(I) 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 (I), 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 [REDACTED] 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. 943.04354, 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 [REDACTED] 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 reregister 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. Reregistration 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 prescribed by the department.

JUN-27-2008 FRI 03:33 PM

FAX NO. 5618358691

P. 01

ORIGINAL PROPOSED AGREEMENT - NOT FILED w/ COURT

ATTERBURY, GOLDBERGER & WEISS, P.A.
250 Australian Avenue South
Suite 1400
West Palm Beach, Florida 33401
(561) 659-8300
Fax: (561) 835-8691

FAX TRANSMITTAL COVER SHEET

DATE: June 27, 2008
TO: A. Marie Villafana
FAX NO.: 820-8777
FROM: Nayanira, Assistant to Jack A. Goldberger, Esquire
REMARKS: Jeffrey Epstein's Plea Agreement
TOTAL PAGES: 15, including cover sheet

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8:30 Room 111F

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

Name: Jeffrey E. Epstein

Plea: Guilty

Case No.	Charge	Count	Lesser Degree
06CF009454AMB	Felony Solicitation of Prostitution	1	No
08CF009381AMB	Procuring Person Under 18 for Prostitution	1	No
			2 FEL
			3 FEL

ADJUDICATION: [x]

Adjudicate [x]

PSI: Waived/Not Required

Required/Requested

SENTENCE:

On 06CF009454AMB, 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 18 months Community Control 1 (one). As a special condition of this Community Control, the Defendant must serve the first 6 months in the Palm Beach County Detention Facility, with credit for 1 (one) day time served. This sentence is to be served consecutive to the 12 month sentence in 06CF009454AMB. The conditions of community control are attached hereto and incorporated herein.

OTHER COMMENTS OR CONDITIONS:

Court Costs: \$474.00 Cost of Prosecution: \$50.00 Drug Trust Fund: \$50.00

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

Attorney for the Defendant

Date of Plea

Defendant

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.

943.0435 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.(i) 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. 794.08; 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 [REDACTED] 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 (i), 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, or 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. 668.607.

(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 [REDACTED]:

(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 944.686.

(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

Justico, 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. 943.04354, 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 reregister 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. Reregistration 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 prescribed by the department.

948.30 Additional terms and conditions of probation or community control for certain sex offenses.--Conditions imposed pursuant to this section do not require oral pronouncement at the time of sentencing and shall be considered standard conditions of probation or community control for offenders specified in this section.

(1) Effective for probationers or community controllees whose crime was committed on or after October 1, 1995, and who are placed under supervision for violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, the court must impose the following conditions in addition to all other standard and special conditions imposed:

(a) A mandatory curfew from 10 p.m. to 6 a.m. The court may designate another 8-hour period if the offender's employment precludes the above specified time, and the alternative is recommended by the Department of Corrections. If the court determines that imposing a curfew would endanger the victim, the court may consider alternative sanctions.

(b) If the victim was under the age of 18, a prohibition on living within 1,000 feet of a school, day care center, park, playground, or other place where children regularly congregate, as prescribed by the court. The 1,000-foot distance shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, day care center, park, playground, or other place where children congregate. The distance may not be measured by a pedestrian route or automobile route.

(c) Active participation in and successful completion of a sex offender treatment program with qualified practitioners specifically trained to treat sex offenders, at the probationer's or community controllee's own expense. If a qualified practitioner is not available within a 50-mile radius of the probationer's or community controllee's residence, the offender shall participate in other appropriate therapy.

(d) A prohibition on any contact with the victim, directly or indirectly, including through a third person, unless approved by the victim, the offender's therapist, and the sentencing court.

(e) If the victim was under the age of 18, a prohibition on contact with a child under the age of 18 except as provided in this paragraph. The court may approve supervised contact with a child under the age of 18 if the approval is based upon a recommendation for contact issued by a qualified practitioner who is basing the recommendation on a risk assessment. Further, the sex offender must be currently enrolled in or have successfully completed a sex offender therapy program. The court may not grant supervised contact with a child if the contact is not recommended by a qualified practitioner and may deny supervised contact with a child at any time. When considering whether to approve supervised contact with a child, the court must review and consider the following:

1. A risk assessment completed by a qualified practitioner. The qualified practitioner must prepare a written report that must include the findings of the assessment and address each of the following components:

- a. The sex offender's current legal status;
- b. The sex offender's history of adult charges with apparent sexual motivation;
- c. The sex offender's history of adult charges without apparent sexual motivation;

- d. The sex offender's history of juvenile charges, whenever available;
- e. The sex offender's offender treatment history, including consultations with the sex offender's treating, or most recent treating, therapist;
- f. The sex offender's current mental status;
- g. The sex offender's mental health and substance abuse treatment history as provided by the Department of Corrections;
- h. The sex offender's personal, social, educational, and work history;
- i. The results of current psychological testing of the sex offender if determined necessary by the qualified practitioner;
- j. A description of the proposed contact, including the location, frequency, duration, and supervisory arrangement;
- k. The child's preference and relative comfort level with the proposed contact, when age appropriate;
- l. The parent's or legal guardian's preference regarding the proposed contact; and
- m. The qualified practitioner's opinion, along with the basis for that opinion, as to whether the proposed contact would likely pose significant risk of emotional or physical harm to the child.

The written report of the assessment must be given to the court;

2. A recommendation made as a part of the risk assessment report as to whether supervised contact with the child should be approved;
3. A written consent signed by the child's parent or legal guardian, if the parent or legal guardian is not the sex offender, agreeing to the sex offender having supervised contact with the child after receiving full disclosure of the sex offender's present legal status, past criminal history, and the results of the risk assessment. The court may not approve contact with the child if the parent or legal guardian refuses to give written consent for supervised contact;
4. A safety plan prepared by the qualified practitioner, who provides treatment to the offender, in collaboration with the sex offender, the child's parent or legal guardian, if the parent or legal guardian is not the sex offender, and the child, when age appropriate, which details the acceptable conditions of contact between the sex offender and the child. The safety plan must be reviewed and approved by the court; and
5. Evidence that the child's parent or legal guardian understands the need for and agrees to the safety plan and has agreed to provide, or to designate another adult to provide, constant supervision any time the child is in contact with the offender.

The court may not appoint a person to conduct a risk assessment and may not accept a risk assessment from a person who has not demonstrated to the court that he or she has met the requirements of a qualified practitioner as defined in this section.

(f) If the victim was under age 18, a prohibition on working for pay or as a volunteer at any place where children regularly congregate, including, but not limited to, schools, day care centers, parks, playgrounds, pet stores, libraries, zoos, theme parks, and malls.

(g) Unless otherwise indicated in the treatment plan provided by the sexual offender treatment program, a prohibition on viewing, accessing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs, or computer services that are relevant to the offender's deviant behavior pattern.

(h) Effective for probationers and community controllees whose crime is committed on or after July 1, 2005, a prohibition on accessing the Internet or other computer services until the offender's sex offender treatment program, after a risk assessment is completed, approves and implements a safety plan for the offender's accessing or using the Internet or other computer services.

(i) A requirement that the probationer or community controllee must submit a specimen of blood or other approved biological specimen to the Department of Law Enforcement to be registered with the DNA data bank.

(j) A requirement that the probationer or community controllee make restitution to the victim, as ordered by the court under s. 775.089, for all necessary medical and related professional services relating to physical, psychiatric, and psychological care.

(k) Submission to a warrantless search by the community control or probation officer of the probationer's or community controllee's person, residence, or vehicle.

(2) Effective for a probationer or community controllee whose crime was committed on or after October 1, 1997, and who is placed on community control or sex offender probation for a violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, in addition to any other provision of this section, the court must impose the following conditions of probation or community control:

(a) As part of a treatment program, participation at least annually in polygraph examinations to obtain information necessary for risk management and treatment and to reduce the sex offender's denial mechanisms. A polygraph examination must be conducted by a polygrapher trained specifically in the use of the polygraph for the monitoring of sex offenders, where available, and shall be paid for by the sex offender. The results of the polygraph examination shall not be used as evidence in court to prove that a violation of community supervision has occurred.

(b) Maintenance of a driving log and a prohibition against driving a motor vehicle alone without the prior approval of the supervising officer.

(c) A prohibition against obtaining or using a post office box without the prior approval of the supervising officer.

(d) If there was sexual contact, a submission to, at the probationer's or community controllee's expense, an HIV test with the results to be released to the victim or the victim's parent or guardian.

(e) 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.

(3) Effective for a probationer or community controllee whose crime was committed on or after September 1, 2005, and who:

(a) Is placed on probation or community control for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older;

(b) Is designated a sexual predator pursuant to s. 775.21; or

(c) Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older,

the court must order, in addition to any other provision of this section, mandatory electronic monitoring as a condition of the probation or community control supervision.

**IN RE:
INVESTIGATION OF
JEFFREY EPSTEIN**

NON-PROSECUTION AGREEMENT

IT APPEARING that the City of Palm Beach Police Department and the State Attorney's Office for the 15th Judicial Circuit in and for Palm Beach County (hereinafter, the "State Attorney's Office") have conducted an investigation into the conduct of Jeffrey Epstein (hereinafter "Epstein");

IT APPEARING that the State Attorney's Office has charged Epstein by indictment with solicitation of prostitution, in violation of Florida Statutes Section 796.07;

IT APPEARING that the United States Attorney's Office and the Federal Bureau of Investigation have conducted their own investigation into Epstein's background and any offenses that may have been committed by Epstein against the United States from in or around 2001 through in or around September 2007, including:

- (1) knowingly and willfully conspiring with others known and unknown to commit an offense against the United States, that is, to use a facility or means of interstate or foreign commerce to knowingly persuade, induce, or entice minor females to engage in prostitution, in violation of Title 18, United States Code, Section 2422(b); all in violation of Title 18, United States Code, Section 371;
- (2) knowingly and willfully conspiring with others known and unknown to travel in interstate commerce for the purpose of engaging in illicit sexual conduct, as defined in 18 U.S.C. § 2423(f), with minor females, in violation of Title 18, United States Code, Section 2423(b); all in violation of Title 18, United States Code, Section 2423(e);
- (3) using a facility or means of interstate or foreign commerce to knowingly persuade, induce, or entice minor females to engage in prostitution; in violation of Title 18, United States Code, Sections 2422(b) and 2;
- (4) traveling in interstate commerce for the purpose of engaging in illicit sexual conduct, as defined in 18 U.S.C. § 2423(f), with minor females; in violation

of Title 18, United States Code, Section 2423(b); and

- (5) knowingly, in and affecting interstate and foreign commerce, recruiting, enticing, and obtaining by any means a person, knowing that the person had not attained the age of 18 years and would be caused to engage in a commercial sex act as defined in 18 U.S.C. § 1591(c)(1); in violation of Title 18, United States Code, Sections 1591(a)(1) and 2; and

IT APPEARING that Epstein seeks to resolve globally his state and federal criminal liability and Epstein understands and acknowledges that, in exchange for the benefits provided by this agreement, he agrees to comply with its terms, including undertaking certain actions with the State Attorney's Office;

IT APPEARING, after an investigation of the offenses and Epstein's background by both State and Federal law enforcement agencies, and after due consultation with the State Attorney's Office, that the interests of the United States, the State of Florida, and the Defendant will be served by the following procedure;

THEREFORE, on the authority of R. Alexander Acosta, United States Attorney for the Southern District of Florida, prosecution in this District for these offenses shall be deferred in favor of prosecution by the State of Florida, provided that Epstein abides by the following conditions and the requirements of this Agreement set forth below.

If the United States Attorney should determine, based on reliable evidence, that, during the period of the Agreement, Epstein willfully violated any of the conditions of this Agreement, then the United States Attorney may, within ninety (90) days following the expiration of the term of home confinement discussed below, provide Epstein with timely notice specifying the condition(s) of the Agreement that he has violated, and shall initiate its prosecution on any offense within sixty (60) days' of giving notice of the violation. Any notice provided to Epstein pursuant to this paragraph shall be provided within 60 days of the United States learning of facts which may provide a basis for a determination of a breach of the Agreement.

After timely fulfilling all the terms and conditions of the Agreement, no prosecution for the offenses set out on pages 1 and 2 of this Agreement, nor any other offenses that have been the subject of the joint investigation by the Federal Bureau of Investigation and the United States Attorney's Office, nor any offenses that arose from the Federal Grand Jury investigation will be instituted in this District, and the charges against Epstein if any, will be dismissed.

Terms of the Agreement:

1. Epstein shall plead guilty (not nolo contendere) to the Indictment as currently pending against him in the 15th Judicial Circuit in and for Palm Beach County (Case No. 2006-cf-009495AXXXMB) charging one (1) count of solicitation of prostitution, in violation of Fl. Stat. § 796.07. In addition, Epstein shall plead guilty to an Information filed by the State Attorney's Office charging Epstein with an offense that requires him to register as a sex offender, that is, the solicitation of minors to engage in prostitution, in violation of Florida Statutes Section 796.03;
2. Epstein shall make a binding recommendation that the Court impose a thirty (30) month sentence to be divided as follows:
 - (a) Epstein shall be sentenced to consecutive terms of twelve (12) months and six (6) months in county jail for all charges, without any opportunity for withholding adjudication or sentencing, and without probation or community control in lieu of imprisonment; and
 - (b) Epstein shall be sentenced to a term of twelve (12) months of community control consecutive to his two terms in county jail as described in Term 2(a), *supra*.
3. This agreement is contingent upon a Judge of the 15th Judicial Circuit accepting and executing the sentence agreed upon between the State Attorney's Office and Epstein, the details of which are set forth in this agreement.
4. The terms contained in paragraphs 1 and 2, *supra*, do not foreclose Epstein and the State Attorney's Office from agreeing to recommend any additional charge(s) or any additional term(s) of probation and/or incarceration.
5. Epstein shall waive all challenges to the Information filed by the State Attorney's Office and shall waive the right to appeal his conviction and sentence, except a sentence that exceeds what is set forth in paragraph (2), *supra*.
6. Epstein shall provide to the U.S. Attorney's Office copies of all

proposed agreements with the State Attorney's Office prior to entering into those agreements.

7. The United States shall provide Epstein's attorneys with a list of individuals whom it has identified as victims, as defined in 18 U.S.C. § 2255, after Epstein has signed this agreement and been sentenced. Upon the execution of this agreement, the United States, in consultation with and subject to the good faith approval of Epstein's counsel, shall select an attorney representative for these persons, who shall be paid for by Epstein. Epstein's counsel may contact the identified individuals through that representative.
8. If any of the individuals referred to in paragraph (7), *supra*, elects to file suit pursuant to 18 U.S.C. § 2255, Epstein will not contest the jurisdiction of the United States District Court for the Southern District of Florida over his person and/or the subject matter, and Epstein waives his right to contest liability and also waives his right to contest damages up to an amount as agreed to between the identified individual and Epstein, so long as the identified individual elects to proceed exclusively under 18 U.S.C. § 2255, and agrees to waive any other claim for damages, whether pursuant to state, federal, or common law. Notwithstanding this waiver, as to those individuals whose names appear on the list provided by the United States, Epstein's signature on this agreement, his waivers and failures to contest liability and such damages in any suit are not to be construed as an admission of any criminal or civil liability.
9. Epstein's signature on this agreement also is not to be construed as an admission of civil or criminal liability or a waiver of any jurisdictional or other defense as to any person whose name does not appear on the list provided by the United States.
10. Except as to those individuals who elect to proceed exclusively under 18 U.S.C. § 2255, as set forth in paragraph (8), *supra*, neither Epstein's signature on this agreement, nor its terms, nor any resulting waivers or settlements by Epstein are to be construed as admissions or evidence of civil or criminal liability or a waiver of any jurisdictional or other defense as to any person, whether or not her name appears on the list provided by the United States.
11. Epstein shall use his best efforts to enter his guilty plea and be

sentenced not later than October 26, 2007. The United States has no objection to Epstein self-reporting to begin serving his sentence not later than January 4, 2008.

12. Epstein agrees that he will not be afforded any benefits with respect to gain time, other than the rights, opportunities, and benefits as any other inmate, including but not limited to, eligibility for gain time credit based on standard rules and regulations that apply in the State of Florida. At the United States' request, Epstein agrees to provide an accounting of the gain time he earned during his period of incarceration.
13. The parties anticipate that this agreement will not be made part of any public record. If the United States receives a Freedom of Information Act request or any compulsory process commanding the disclosure of the agreement, it will provide notice to Epstein before making that disclosure.

Epstein understands that the United States Attorney has no authority to require the State Attorney's Office to abide by any terms of this agreement. Epstein understands that it is his obligation to undertake discussions with the State Attorney's Office and to use his best efforts to ensure compliance with these procedures, which compliance will be necessary to satisfy the United States' interest. Epstein also understands that it is his obligation to use his best efforts to convince the Judge of the 15th Judicial Circuit to accept Epstein's binding recommendation regarding the sentence to be imposed, and understands that the failure to do so will be a breach of the agreement.

In consideration of Epstein's agreement to plead guilty and to provide compensation in the manner described above, if Epstein successfully fulfills all of the terms and conditions of this agreement, the United States also agrees that it will not institute any criminal charges against any potential co-conspirators of Epstein, including but not limited to Sarah Kellen, Adriana Ross, Lesley Groff, or Nadia Marcinkova. Further, upon execution of this agreement and a plea agreement with the State Attorney's Office, the federal Grand Jury investigation will be suspended, and all pending federal Grand Jury subpoenas will be held in abeyance unless and until the defendant violates any term of this agreement. The defendant likewise agrees to withdraw his pending motion to intervene and to quash certain grand jury subpoenas. Both parties agree to maintain their evidence, specifically evidence requested by or directly related to the grand jury subpoenas that have been issued, and including certain computer equipment, inviolate until all of the terms of this agreement have been satisfied. Upon the successful completion of the terms of this agreement, all outstanding grand jury subpoenas shall be deemed withdrawn.

By signing this agreement, Epstein asserts and certifies that each of these terms is material to this agreement and is supported by independent consideration and that a breach of any one of these conditions allows the United States to elect to terminate the agreement and to investigate and prosecute Epstein and any other individual or entity for any and all federal offenses.

By signing this agreement, Epstein asserts and certifies that he is aware of the fact that the Sixth Amendment to the Constitution of the United States provides that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial. Epstein further is aware that Rule 48(b) of the Federal Rules of Criminal Procedure provides that the Court may dismiss an indictment, information, or complaint for unnecessary delay in presenting a charge to the Grand Jury, filing an information, or in bringing a defendant to trial. Epstein hereby requests that the United States Attorney for the Southern District of Florida defer such prosecution. Epstein agrees and consents that any delay from the date of this Agreement to the date of initiation of prosecution, as provided for in the terms expressed herein, shall be deemed to be a necessary delay at his own request, and he hereby waives any defense to such prosecution on the ground that such delay operated to deny him rights under Rule 48(b) of the Federal Rules of Criminal Procedure and the Sixth Amendment to the Constitution of the United States to a speedy trial or to bar the prosecution by reason of the running of the statute of limitations for a period of months equal to the period between the signing of this agreement and the breach of this agreement as to those offenses that were the subject of the grand jury's investigation. Epstein further asserts and certifies that he understands that the Fifth Amendment and Rule 7(a) of the Federal Rules of Criminal Procedure provide that all felonies must be charged in an indictment presented to a grand jury. Epstein hereby agrees and consents that, if a prosecution against him is instituted for any offense that was the subject of the grand jury's investigation, it may be by way of an Information signed and filed by the United States Attorney, and hereby waives his right to be indicted by a grand jury as to any such offense.

///

///

///

By signing this agreement, Epstein asserts and certifies that the above has been read and explained to him. Epstein hereby states that he understands the conditions of this Non-Prosecution Agreement and agrees to comply with them.

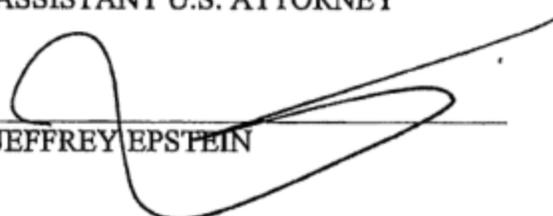
R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

Dated: _____

By: _____

A. MARIE VILLAFANA
ASSISTANT U.S. ATTORNEY

Dated: 9/24/07



JEFFREY EPSTEIN

Dated: _____

GERALD LEFCOURT, ESQ.
COUNSEL TO JEFFREY EPSTEIN

Dated: _____

LILLY ANN SANCHEZ, ESQ.
ATTORNEY FOR JEFFREY EPSTEIN

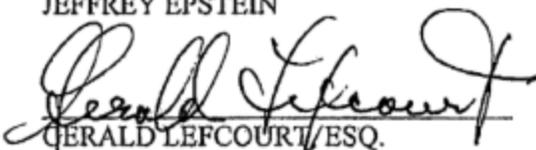
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R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

Dated: _____

By: _____
A. MARIE VILLAFANA
ASSISTANT U.S. ATTORNEY

Dated: _____

JEFFREY EPSTEIN

GERALD LEFCOURT/ESQ.
COUNSEL TO JEFFREY EPSTEIN

Dated: 9/24/07

Dated: _____

LILLY ANN SANCHEZ, ESQ.
ATTORNEY FOR JEFFREY EPSTEIN

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UNITED STATES ATTORNEY

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A. MARIE VILLAFANA
ASSISTANT U.S. ATTORNEY

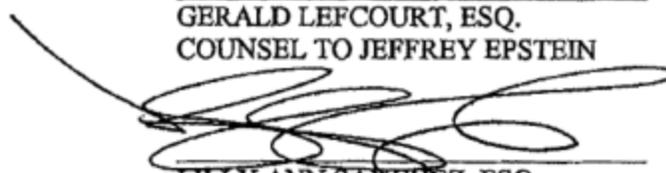
Dated: _____

JEFFREY EPSTEIN

Dated: _____

GERALD LEFCOURT, ESQ.
COUNSEL TO JEFFREY EPSTEIN

Dated: 9-24-07



LILLY ANN SANCHEZ, ESQ.
ATTORNEY FOR JEFFREY EPSTEIN

IN RE:
INVESTIGATION OF
JEFFREY EPSTEIN

ADDENDUM TO THE NON-PROSECUTION AGREEMENT

IT APPEARING that the parties seek to clarify certain provisions of page 4, paragraph 7 of the Non-Prosecution Agreement (hereinafter "paragraph 7"), that agreement is modified as follows:

- 7A. The United States has the right to assign to an independent third-party the responsibility for consulting with and, subject to the good faith approval of Epstein's counsel, selecting the attorney representative for the individuals identified under the Agreement. If the United States elects to assign this responsibility to an independent third-party, both the United States and Epstein retain the right to make good faith objections to the attorney representative suggested by the independent third-party prior to the final designation of the attorney representative.
- 7B. The parties will jointly prepare a short written submission to the independent third-party regarding the role of the attorney representative and regarding Epstein's Agreement to pay such attorney representative his or her regular customary hourly rate for representing such victims subject to the provisions of paragraph C, infra.
- 7C. Pursuant to additional paragraph 7A, Epstein has agreed to pay the fees of the attorney representative selected by the independent third party. This provision, however, shall not obligate Epstein to pay the fees and costs of contested litigation filed against him. Thus, if after consideration of potential settlements, an attorney representative elects to file a contested lawsuit pursuant to 18 U.S.C. s 2255 or elects to pursue any other contested remedy, the paragraph 7 obligation of the Agreement to pay the costs of the attorney representative, as opposed to any statutory or other obligations to pay reasonable attorneys fees and costs such as those contained in s 2255 to bear the costs of the attorney representative, shall cease.

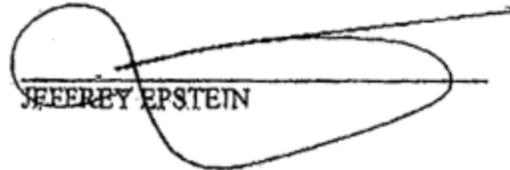
By signing this Addendum, Epstein asserts and certifies that the above has been read and explained to him. Epstein hereby states that he understands the clarifications to the Non-Prosecution Agreement and agrees to comply with them.

R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

Dated: _____

By: _____
A. MARIE VILLAFANA
ASSISTANT U.S. ATTORNEY

Dated: 10/29/07


JEFFREY EPSTEIN

Dated: _____

GERALD LEFCOURT, ESQ.
COUNSEL TO JEFFREY EPSTEIN

Dated: _____

LILLY ANN SANCHEZ, ESQ.
ATTORNEY FOR JEFFREY EPSTEIN

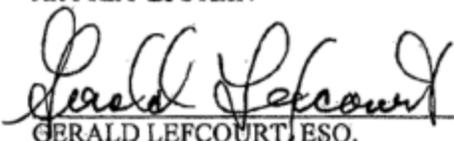
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R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

Dated: _____

By: _____
A. MARIE VILLAFANA
ASSISTANT U.S. ATTORNEY

Dated: _____

JEFFREY EPSTEIN

GERALD LEFCOURT, ESQ.
COUNSEL TO JEFFREY EPSTEIN

Dated: 10/29/07

Dated: _____

LILLY ANN SANCHEZ, ESQ.
ATTORNEY FOR JEFFREY EPSTEIN

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R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

Dated: _____

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A. MARIE VILLAFANA
ASSISTANT U.S. ATTORNEY

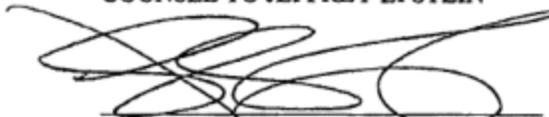
Dated: _____

JEFFREY EPSTEIN

Dated: _____

GERALD LEFCOURT, ESQ.
COUNSEL TO JEFFREY EPSTEIN

Dated: 10-29-07



LILLY ANN SANCHEZ, ESQ.
ATTORNEY FOR JEFFREY EPSTEIN



U.S. Department of Justice

United States Attorney
Southern District of Florida

R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

99 N.E. 4 Street
Miami, FL 33132
(305) 961-9100 - Telephone
(305) 530-6444 - Facsimile

December 19, 2007

DELIVERY BY FACSIMILE

Lilly Ann Sanchez
Fowler White Burnett, PA
1395 Brickell Ave, 14th Floor
Miami, FL 33131

Re: Jeffrey Epstein

Dear Ms. Sanchez:

I write to follow up on the December 14th meeting between defense counsel and the Epstein prosecutors, as well as our First Assistant, the Miami FBI Special Agent in Charge and myself.

[REDACTED]

² Section 2255 provides that: "[a]ny person who, while a minor, was a victim of a violation of [enumerated sections of Title 18] and who suffers personal injury as a result of such violation . . . may sue in any appropriate United States District Court and shall recover the actual damages such person sustains and the cost of the suit, including a reasonable attorney's fee."

[REDACTED]

With this in mind, I have considered defense counsel arguments regarding the Section 2255 portions of the Agreement. As I previously observed, our intent has been to place the victims in the same position as they would have been had Mr. Epstein been convicted at trial. No more; no less. From our meeting, it appears that the defense agrees that this was the intent. During the course of negotiations that intent was reduced to writing in Paragraphs 7 and 8, which as I wrote previously, appear far from simple to understand. I would thus propose that we solve our disagreements over interpretations by saying precisely what we mean, in a simple fashion. I would replace Paragraphs 7 and 8 with the following language:

“Any person, who while a minor, was a victim of a violation of an offense enumerated in Title 18, United States Code, Section 2255, will have the same rights to proceed under Section 2255 as she would have had, if Mr. Epstein been tried federally and convicted of an enumerated offense. For purposes of implementing this paragraph, the United States shall provide Mr. Epstein’s attorneys with a list of individuals whom it was prepared to name in an Indictment as victims of an enumerated offense by Mr. Epstein. Any judicial authority interpreting this provision, including any authority determining which evidentiary burdens if any a plaintiff must meet, shall consider that it is the intent of the parties to place these identified victims in the same position as they would have been had Mr. Epstein been convicted at trial. No more; no less.”

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Sincerely,



R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

[REDACTED]

IDENTIFIED COPY OF STATE CASE

Case No. 08-80736-CV-MARRA

P-008891

1 BE IT REMEMBERED that the following
2 proceedings were had in the above-entitled cause
3 before the HONORABLE DEBORAH DALE PUCILLO, one of
4 the judges of the aforesaid court, at the Palm
5 Beach County Courthouse, located in the City of
6 West Palm Beach, State of Florida on June 20, 2008
7 beginning at 8:40 o'clock, a.m. with appearances
8 as hereinbefore noted, to wit:

9 THEREUPON:

10 MR. GOLDBERGER: Good morning, Judge,
11 Jack Goldberger on behalf of Jeffrey
12 Epstein.

13 THE COURT: Good morning.

14 MR. GOLDBERGER: Your Honor, we are
15 here for a plea conference.

16 THE COURT: Raise your right hand.

17 THEREUPON:

18 JEFFREY EPSTEIN,
19 after being called as a witness by the Defense and
20 after being first duly sworn by the Court, was
21 examined and testified as follows:

22 THE DEFENDANT: Yes, ma'am.

23 THE COURT: Is this one case or two?

24 MS. BELOHLAVEK: Two.

25 THE COURT: May I see the PC

1 affidavit in both cases, please?

2 MS. BELOHLAVEK: There are no PC
3 affidavits. There was originally an
4 Indictment, the second charge was filed
5 arising out of the booking. It was all
6 testimony presented to the grand jury.

7 THE COURT: Let me see the Indictment
8 then?

9 I have one Indictment, one
10 Information?

11 MS. BELOHLAVEK: Correct.

12 THE COURT: So one case is charged by
13 Indictment, one is charged by Information?

14 MS. BELOHLAVEK: Correct.

15 THE COURT: In case 2006036744 you
16 are charged with procuring a person under
17 18 for prostitution, a second degree
18 felony, maximum penalty of fifteen years
19 Department of Corrections; minimum, some
20 period of probation. No mandatory minimum
21 apply, is that correct, State?

22 MS. BELOHLAVEK: Correct.

23 ~~THE COURT: And in case number 06~~
24 9454CF, you are charged with felony
25 solicitation to prostitution, a third

1 degree felony, punishable by a maximum
2 penalty of five years in the Department of
3 Corrections, and a minimum, probation. No
4 mandatory minimums, correct?

5 MS. BELOHLAVEK: Correct.

6 THE COURT: The defendant has no
7 prior criminal record?

8 MS. BELOHLAVEK: Correct.

9 MR. GOLDBERGER: Yes, Your Honor.

10 THE COURT: You checked the NCIC as
11 well as State records?

12 MS. BELOHLAVEK: Yes.

13 THE COURT: And the guideline score
14 sheet I have before me shows 21.5 months in
15 the Department of Corrections as the lowest
16 permissible prison sentence in months.
17 Both sides agree to the preparation of the
18 guideline score sheet?

19 MR. GOLDBERGER: We so agree, Your
20 Honor.

21 MS. BELOHLAVEK: Yes.

22 THE COURT: What is proposed -- it
23 goes on for pages.

24 MR. GOLDBERGER: Your Honor, much of
25 the documentation is acknowledgement by my

1 client to community control, sex offender
2 status.

3 THE COURT: I understand.

4 Okay. What is proposed -- those
5 are the maximums and minimums, Mr. Epstein.
6 What is proposed is that you will be
7 pleading guilty to felony solicitation to
8 prostitution and procuring a person under
9 18 for prosecution. A PSI would be waived,
10 you would be adjudicated guilty of both
11 felonies, is that correct?

12 MS. BELOHLAVEK: Correct.

13 THE COURT: And on 06 9454, the
14 defendant to be sentenced to 12-months in
15 the Palm Beach County -- detention
16 facility? He's going to do time in the
17 jail?

18 MS. BELOHLAVEK: Yes.

19 THE COURT: With credit for one day
20 served. And on 08 9381, he is to be
21 sentenced to six months in the Palm Beach
22 County jail detention facility, with credit
23 for one day served. And the six month
24 sentence is to be served consecutive to the
25 12 month sentence?

1 MS. BELOHLAVEK: Correct.

2 THE COURT: Following the six months
3 sentence, the defendant will be placed on
4 12-months of community control one. The
5 conditions of the community control are
6 attached hereto and incorporated herein.

7 As a special condition of
8 community control, he's to have no
9 unsupervised contact with minors and the
10 supervising adult must be approved -- and I
11 would say, pre-approved, approved ahead of
12 time, not after the fact by the Department
13 of Corrections. And you would mean by that
14 his community control officer?

15 MS. BELOHLAVEK: Correct.

16 THE COURT: The defendant is
17 designated as a sexual offender pursuant to
18 Florida Statute 943.0435 and must abide by
19 all the corresponding requirements of the
20 statute, a copy of which is attached hereto
21 and incorporated herein. The defendant
22 must provide a DNA sample in court at the
23 time of this plea. Is this the -- and the
24 attachments are the terms and conditions of
25 community control. There are some

1 squiggles on the bottom of the page, what
2 would those squiggles be?

3 MR. GOLDBERGER: Thank you, Your
4 Honor, those are my client's signature
5 acknowledging that we have gone over all
6 the conditions.

7 THE COURT: One page after the plea
8 sheet that really spells out the terms and
9 conditions of community control, Florida
10 Statute 948.101, Mr. Epstein, is that
11 squiggle at the bottom your squiggle?

12 THE DEFENDANT: Yes, ma'am.

13 THE COURT: Would those be your
14 initials?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: Did you read all of that
17 page?

18 THE DEFENDANT: Yes, ma'am.

19 THE COURT: Can you read?

20 THE DEFENDANT: Yes, ma'am.

21 THE COURT: How far did you go in
22 school?

23 THE DEFENDANT: High school.

24 THE COURT: That's your highest
25 degree?

1 THE DEFENDANT: Yes.

2 THE COURT: And is this your
3 signature on the plea sheet that recites
4 the terms of the plea I just read?

5 THE DEFENDANT: Yes, ma'am.

6 THE COURT: Did you read that
7 document as well?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: You understand once you
10 do your 12 months followed by your six
11 months all in the Palm Beach County jail
12 you will then be put on community control
13 which involves having an electronic monitor
14 attached to you and --

15 MR. GOLDBERGER: Actually Your Honor,
16 the agreement of the parties is to, it's
17 community control one which is not monitor.

18 THE COURT: Oh, community control
19 one, is that spelled out in here?

20 MS. BELOHLAVEK: Yes.

21 MR. GOLDBERGER: Yes, it is, Your
22 Honor.

23 MS. BELOHLAVEK: He does not fall
24 under the Jessica Lunsford Act which
25 requires the bracelet.

1 THE COURT: Community control two.

2 MS. BELOHLAVEK: Correct.

3 THE COURT: Community control one --
4 that would be no electronic monitor?

5 MR. GOLDBERGER: That is correct.

6 THE COURT: Now which of the terms
7 and conditions of community control one are
8 you incorporating?

9 MR. GOLDBERGER: I can go through
10 them with Your Honor.

11 THE COURT: None of the them appear
12 to be articulated in the plea sheet which
13 is why I'm asking.

14 MR. GOLDBERGER: These are the
15 standard conditions of community control by
16 statute would apply to anyone that goes on
17 community control and out of an abundance
18 of caution, we simply memorialized those
19 standard conditions in the plea sheet
20 agreement.

21 THE COURT: The Court shall require
22 intensive supervision and surveillance for
23 ~~an offender placed on community control~~
24 which may include but is not limited to
25 specified contact with the parole and

1 probation officer, specified by who?

2 PROBATION OFFICER: Specified by you,
3 Your Honor.

4 THE COURT: I don't see that in the
5 plea sheet. That's why I'm asking the
6 questions. No one has specified how often,
7 how frequently he is to have contact with
8 his parole and probation officer.
9 Confinement to an agreed upon residence
10 during the hours away from employment and
11 public service activity, has that been
12 articulated?

13 MS. BELOHLAVEK: I believe
14 Judge McSorley has a standard order
15 somewhere on the bench up there regarding
16 this, I'm told by the prosecutor.

17 MS. LENHARDT: Judge, usually this is
18 the probation sheet she hands out to folks.

19 THE COURT: I have seen those
20 sheets -- I have seen them incorporated in
21 plea agreements which is why I'm asking.

22 MR. GOLDBERGER: I see.

23 THE COURT: Is there some reason you
24 didn't use this particular document in this
25 case?

1 MS. BELOHLAVEK: I didn't realize
2 until Ms. Lenhardt just told me that Judge
3 McSorley has that.

4 MR. GOLDBERGER: We'd be happy to
5 execute that document, Your Honor. We were
6 -- we overreacted by just having him sign
7 off on all conditions of community control.

8 THE COURT: Well, this is --

9 MR. GOLDBERGER: Perhaps the better
10 practice would be --

11 THE COURT: This is, the reason
12 Judge McSorley does this which makes
13 ultimate sense is we're going to be here
14 half the morning if we're going to decide
15 among ourselves now what the --

16 MR. GOLDBERGER: That makes sense.

17 THE COURT: I'm not going to leave
18 this just unspecified.

19 MS. BELOHLAVEK: We can take care of
20 that right now if you could give us a few
21 minutes.

22 THE COURT: All right.

23 ~~These are the standard conditions~~
24 that Judge McSorley normally uses. If you
25 like them, you need to circle the ones that

1 apply and everyone must initial them. We
2 will go over it. If you wish to change --
3 you understand there is quite a bit of
4 latitude given the court in putting
5 somebody on community control. If you
6 agree to some change, let me know, but
7 understand at the outset that I'm a big fan
8 of specificity. I want to know what he
9 will be doing for employment. I want to
10 know exactly where he is going to be living
11 and I want it on the record now. It can
12 change but it can only change with
13 preapproval by DOC. I want it crystal
14 clear. I don't want the community control
15 officer who gets this case the day he walks
16 out the Palm Beach County to have any doubt
17 or confusion as to exactly what this
18 defendant is supposed to do, where he is
19 supposed to be when, exactly what I am
20 requesting that officer to supervise.

21 MS. BELOHLAVEK: Absolutely.

22 THE COURT: Okay.

23 MR. GOLDBERGER: We will work on it.

24 Thank you, Your Honor.

25 THE COURT: We will recall that case.

1 (Brief recess.)

2 MR. GOLDBERGER: Your Honor, we are
3 back on Jeffrey Epstein, actually it
4 worked, we had an opportunity to go through
5 Judge McSorley's conditions of community
6 control and we asked the Department of
7 Corrections representative to assist us to
8 make sure we did everything properly.
9 They were very helpful and we executed the
10 document.

11 MS. BELOHLAVEK: Yes, and Your Honor,
12 this defendant doesn't fall under the sex
13 offender probation but we have included
14 special sex offender conditions as part of
15 the community control and they are all
16 circled there.

17 THE COURT: The plea agreement stated
18 the defendant is designated as a sexual
19 offender pursuant to Florida Statute
20 942.035.

21 MS. BELOHLAVEK: Correct. But the
22 sex offender probation, the statute is
23 ~~different and only applies to certain~~
24 offenses and this one was not enumerated.

25 THE COURT: Okay. I want to make

1 sure both I and the defendant are clear.
2 The sexual offender statute you are
3 referring to in the plea sheet is the one
4 that requires registration?

5 MS. BELOHLAVEK: Correct.

6 MR. GOLDBERGER: Correct.

7 THE COURT: And we will talk about
8 that.

9 MR. GOLDBERGER: Okay.

10 THE COURT: But it is not the one
11 that requires the special conditions of sex
12 offender probation?

13 MS. BELOHLAVEK: Correct.

14 THE COURT: Now, rather than 948, do
15 you want me to disregard 948? He's read
16 it?

17 MS. BELOHLAVEK: He's read it.

18 THE COURT: We will leave it in
19 there. But these conditions we are going
20 to go over right now are going to be viewed
21 in my mind, yes, and they have been signed
22 by the defendant and we will go over that
23 in a second as a part of the whole plea.

24 MS. BELOHLAVEK: Correct.

25 THE COURT: So circled are

1 conditions, A, you will remain confined to
2 your residence except one half hour before
3 and after your approved employment,
4 community service work or any other
5 activity approved by your probation
6 officer.

7 B, you will maintain an hourly
8 accounting of all your activities on a
9 daily log which you will submit to your
10 supervising officer upon request.

11 My understanding about the daily
12 log, maybe I'm just confused from other
13 cases I've heard, is the daily log is a
14 weekly log, I guess it is submitted ahead
15 of time, is that correct?

16 PROBATION OFFICER: That is correct,
17 Your Honor.

18 THE COURT: So part A, where he has
19 to stay in his residence except for one
20 hour before and after the approved
21 employment, community service work and
22 other activity. All that's information
23 ~~that will be recorded in writing and the~~
24 defendant will have a copy and he will know
25 exactly where he is supposed to be when.

1 PROBATION OFFICER: That is correct,
2 Your Honor.

3 THE COURT: As will his supervising
4 probation officer. And then to document
5 that he's supposedly done all that he
6 himself will be keeping a daily log?

7 PROBATION OFFICER: That is correct,
8 Your Honor.

9 THE COURT: And the log form will be
10 provided by the department and he will be
11 turning that in every time he meets with
12 the probation officer?

13 PROBATION OFFICER: That is correct,
14 Your Honor.

15 THE COURT: Okay. So that applies
16 and F applies. Does E apply? No.

17 MS. BELOHLAVEK: Did I circle E?

18 THE COURT: No. F -- made one up,
19 the defendant will be residing at 358 El
20 Brillo Way, Palm Beach, Florida, 33480. He
21 knows now that that's where he will be
22 living when he is released after his 12
23 months and six months.

24 MR. GOLDBERGER: That is correct,
25 Your Honor.

1 THE COURT: That's a private
2 residence?

3 MR. GOLDBERGER: That is his home.

4 THE COURT: Does he own the
5 residence?

6 MR. GOLDBERGER: He does, Your Honor.

7 THE COURT: Is there any possibility
8 that he no longer owns the residence?

9 MR. GOLDBERGER: Not anticipated,
10 Your Honor.

11 THE COURT: Okay. Should he not be
12 for whatever reason -- 18-months is a long
13 time, should he not be owning that
14 residence or able to reside there, he will
15 have the obligation of notifying his
16 probation officer prior, and I emphasize
17 this, prior to his release from custody. I
18 assume that the department will be notified
19 prior to, to his release?

20 PROBATION OFFICER: That is correct,
21 Your Honor.

22 THE COURT: And then you would need
23 ~~to send someone to meet with him before he~~
24 walks out of the Palm Beach County jail and
25 verify his address and employment

PHYLLIS A. DAMES, OFFICIAL COURT REPORTER

Case No. 08-80736-CV-MARRA

P-008908

EFTA00190842

1 information?

2 PROBATION OFFICER: That is correct.

3 THE COURT: All address -- I assume
4 all of this to and from work and any other
5 approved activities restricts him to Palm
6 Beach County, is that correct?

7 PROBATION OFFICER: That is correct,
8 Your Honor.

9 THE COURT: So let's be clear,
10 everything, from the day he walks out
11 occurs in Palm Beach County, is that clear?

12 MR. GOLDBERGER: We understand, Your
13 Honor. That's correct.

14 THE COURT: Then the additional
15 condition of his probation, they are not
16 sex offender standard conditions, they are
17 just conditions that are being imposed
18 especially in this case?

19 MS. BELOHLAVEK: Correct.

20 THE COURT: They are as follows, you
21 shall submit to a mandatory curfew from 10
22 p.m. to 6:00 a.m. regardless of any other
23 restrictions regarding work or approved
24 activity, there will be no exceptions to
25 being at home in house from 10 p.m. to 6

PHYLLIS A. DAMES, OFFICIAL COURT REPORTER

Case No. 08-80736-CV-MARRA

P-008909

EFTA00190843

1 a.m., is that correct?

2 MS. BELOHLAVEK: Yes.

3 THE COURT: If the victim was under
4 age of 18 years which I gather is the case
5 because it's circled, you shall not live
6 within 1000 feet of a school, day care
7 center, park, playground or other place
8 where children regularly congregate.

9 Has someone verified that 358 El
10 Brillo is such a place?

11 MS. BELOHLAVEK: No, but that will be
12 done prior to his release.

13 THE COURT: So 358 El Brillo will not
14 be approved if it should happen to be one
15 thousand feet from a school, day care
16 center, park, playground or other place --
17 this is rather open.

18 MR. GOLDBERGER: Where children
19 gather.

20 THE COURT: Where children regularly
21 congregate.

22 MS. BELOHLAVEK: Right.

23 ~~THE COURT: The Court knows 358 El~~
24 Brillo Way is a residential neighborhood,
25 are there areas there where children

1 regularly congregate?

2 MS. BELOHLAVEK: I personally do not
3 know.

4 THE COURT: Neither do I, which is
5 why I'm asking. Has that been
6 investigated?

7 MR. GOLDBERGER: We have done our due
8 diligence, for what it's worth, there is a
9 residential street. There are not children
10 congregating on that street. We think the
11 address applies, if it doesn't, we fully
12 recognize that he can't live there.

13 THE COURT: Okay. D is, you shall
14 not have any contact with the victim, are
15 there more than one victim?

16 MS. BELOHLAVEK: There's several.

17 THE COURT: Several, all of the
18 victims. So this should be plural. I'm
19 making that plural. You are not to have
20 any contact direct or indirect, and in this
21 day and age I find it necessary to go over
22 exactly what we mean by indirect. By
23 indirect, we mean no text messages, no
24 e-mail, no Face Book, no My Space, no
25 telephone calls, no voice mails, no

1 messages through carrier pigeon, no
2 messages through third parties, no hey
3 would you tell so and so for me, no having
4 a friend, acquaintance or stranger approach
5 any of these victims with a message of any
6 sort from you, is that clear?

7 THE DEFENDANT: Yes, ma'am

8 THE COURT: And then it states,
9 unless approved by the victim, the
10 therapist and the sentencing court. Okay.

11 THE DEFENDANT: I understand.

12 THE COURT: And the sentencing court.
13 So, if there is a desire which, I would
14 think would be a bit strange to have
15 contact with any of the victims the court
16 must approve it.

17 MS. BELOHLAVEK: Correct.

18 THE COURT: If the victim was under
19 the age of 18, which was the case, you
20 shall not until you have successfully
21 attended and completed the sex offender
22 program. So, is this sex offender program
23 ~~becoming a condition of probation?~~

24 MS. BELOHLAVEK: That is not. I
25 don't believe I circled that one.

1 THE COURT: You did.

2 MR. GOLDBERGER: That's a mistake on
3 our part. Actually the statute that he is
4 pleading guilty to does not require the --

5 THE COURT: I understand that, but
6 you circled it.

7 MS. BELOHLAVEK: I apologize, that
8 one is not. He has already been in
9 treatment with a private psychiatrist.

10 THE COURT: Which you find to be an
11 adequate substitute for sex offender
12 program?

13 MS. BELOHLAVEK: I -- it is not
14 required and based upon the evaluation and
15 my contact with that doctor, I don't
16 believe it's necessary at this point.

17 THE COURT: Has that been -- I assume
18 you have a law degree and do not have a
19 Ph.D in a psychology or MD in psychiatry?

20 MS. BELOHLAVEK: That is correct, I
21 don't.

22 THE COURT: So it is just your
23 judgement --

24 MS. BELOHLAVEK: Correct.

25 THE COURT: -- that his treatment

1 with some fancy private psychiatrist or
2 psychologist in his case is okay?

3 MS. BELOHLAVEK: That is correct.

4 THE COURT: So you are not imposing
5 E?

6 MS. BELOHLAVEK: Correct.

7 THE COURT: F, if the victim was
8 under the age of 18, you shall not work or
9 play or as a volunteer in any school, day
10 care center, park, play ground or other
11 place where children regularly congregate,
12 is that understood?

13 THE DEFENDANT: Yes, ma'am.

14 THE COURT: Children will be defined
15 as anyone under the age of 18. There are a
16 lot of places where children regularly
17 congregate. What kind of work do you do?

18 THE DEFENDANT: Banking.

19 THE COURT: Here in Palm Beach
20 County?

21 THE DEFENDANT: Virgin Islands,
22 ma'am.

23 ~~THE COURT: You understand you will~~
24 not travel from Palm Beach County for the
25 duration of this?

1 THE DEFENDANT: Yes, ma'am.

2 MR. GOLDBERGER: Your Honor, I'm
3 sorry to interrupt, we do cover the
4 employment later in the agreement as to
5 what he is going to be doing during the one
6 year that he is on community control.

7 THE COURT: Okay. And let me --
8 condition G, which is circled, unless
9 otherwise indicated in the treatment plan
10 provided by sexual offender treatment
11 program.

12 MR. GOLDBERGER: That's not in there.

13 THE COURT: Is that what you want?

14 MS. BELOHLAVEK: No.

15 THE COURT: But you do want the, you
16 will not view, own or possess any obscene
17 pornographic --

18 MS. BELOHLAVEK: Correct.

19 THE COURT: Okay. But are you saying
20 that this therapist can okay him to own
21 certain pornographic material?

22 MS. BELOHLAVEK: No, not at all.

23 MR. GOLDBERGER: No, Your Honor.

24 THE COURT: Would be really helpful
25 if people read these things before they

1 signed them thoroughly.

2 Unless otherwise indicated in the
3 treatment plan. I'm just going to strike
4 out, provided by the sexual offender
5 treatment program. Is that what you
6 intend, that his therapist can --

7 MS. BELOHLAVEK: No.

8 THE COURT: No?

9 MS. BELOHLAVEK: No.

10 THE COURT: Unless otherwise
11 indicated.

12 MR. GOLDBERGER: The parties have
13 agreed that during the period that he is --
14 cannot be --

15 THE COURT: Condition G will now
16 read, you shall not view, own, possess any
17 obscene, pornographic or sexually
18 stimulating visual or auditory material
19 including telephonic, electronic media,
20 computer program or computer services that
21 are relevant to your deviant behavior
22 pattern. And who is going to enforce that?

23 ~~MS. BELOHLAVEK: The community~~
24 control officer.

25 THE COURT: How?

1 MS. BELOHLAVEK: They have the
2 obligation and included in there for
3 warrantless search to check at any time his
4 home, his computer, anything he has contact
5 with.

6 THE COURT: And do they regularly do
7 that?

8 PROBATION OFFICER: Yes, ma'am.

9 THE COURT: Since we have the
10 pleasure of having someone from the
11 Department of Corrections here.

12 Okay. H, you shall submit two
13 specimens of blood to the Florida
14 Department of Law Enforcement to be
15 registered in the DNA data bank.

16 J, you shall submit to a
17 warrantless search by your probation
18 officer or community control officer of
19 your person, residence or vehicle.

20 G -- where is the G?

21 MS. BELOHLAVEK: That was under the
22 original part, not under the sex offender
23 one.

24 THE COURT: Okay. Defendant to have
25 contact with the community control officer

1 at a minimum one time a week.

2 Defendant to work at Florida
3 Science Foundation, 250 Australian Avenue,
4 West Palm Beach, Florida. Is that
5 volunteer work or work for pay?

6 MR. GOLDBERGER: It is a 501C
7 corporation that he has formed, Your Honor,
8 that will be doing charitable work.

9 THE COURT: That he has formed?

10 MR. GOLDBERGER: Yes.

11 THE COURT: What exactly is Florida
12 Science Foundation?

13 MR. GOLDBERGER: Do you want to
14 explain?

15 THE DEFENDANT: It funds science
16 programs around the state and the country.

17 THE COURT: How long has it been in
18 existence?

19 THE DEFENDANT: Fifteen years.

20 THE COURT: How many programs has it
21 funded?

22 THE DEFENDANT: Numerous, more than

23 50.

24 THE COURT: What is your position
25 with the organization?

1 THE DEFENDANT: President.

2 THE COURT: Is there a board of
3 directors?

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: Who's on the board of
6 directors?

7 THE DEFENDANT: Two attorneys.

8 THE COURT: What exactly do you do?

9 THE DEFENDANT: I'm an investment
10 banker but my --

11 THE COURT: No, no, I mean with the
12 science foundation.

13 THE DEFENDANT: We fund
14 science programs --

15 THE COURT: I don't want to know what
16 we do, I want to know what you do. How
17 often are you there?

18 THE DEFENDANT: I'm there every day,
19 I research, I take in people who want to
20 make presentations about why they need
21 money for funding medical research,
22 advanced science research. My background
23 is in physics. I go through all the
24 programs in detail, review the science work
25 potentials, I follow through on a daily

1 basis with what they have been given money
2 to do.

3 THE COURT: Who are some recent
4 grantees?

5 THE DEFENDANT: Harvard University.
6 There is a full program of Evolutionary
7 Dynamics, Neuro Science Institute of
8 California, the Physics Institute, MIT.

9 THE COURT: Do you ever have occasion
10 to deal with anyone under the age of
11 eighteen?

12 THE DEFENDANT: Not very often. It
13 is, if someone is in college -- sorry.

14 THE COURT: Right, that's why I'm
15 asking the question.

16 THE DEFENDANT: Most of the people I
17 fund are all usually professors.

18 THE COURT: Thank you. You
19 understand that you can't have contact with
20 anyone if -- this organization, do they
21 ever have any involvement with high
22 schools?

23 THE DEFENDANT: No, ma'am.

24 THE COURT: Students or teachers?

25 THE DEFENDANT: No, ma'am.

1 THE COURT: Okay.

2 MS. BELOHLAVEK: Those are
3 duplicates, you will see those are the same
4 as the ones on the previous page, however,
5 it was reproduced.

6 THE COURT: The next condition, you
7 shall maintain a driving log. You shall
8 not drive a motor vehicle while alone
9 without prior approval of your supervising
10 officer.

11 If there was sexual contact, you
12 shall submit to at probationer's or
13 community controllee's expense an HIV test
14 with results to be released to the victims,
15 victim's parent or guardian -- will be
16 victims, plural. Has that been done?

17 MR. GOLDBERGER: Not yet.

18 THE COURT: Do we have a time frame
19 on that? I would think ASAP might be good
20 on something like that.

21 MS. BELOHLAVEK: I believe they can
22 actually do that at the jail.

23 THE COURT: At his expense?

24 MS. BELOHLAVEK: Yes.

25 THE COURT: I would request that that

1 be done within 48 hours?

2 You shall not obtain or use a post
3 office box without prior approval of the
4 supervising officer.

5 Okay. Are all those conditions
6 you two have agreed to?

7 MS. BELOHLAVEK: Yes, Your Honor.

8 MR. GOLDBERGER: With the court's
9 amendments, yes.

10 THE COURT: Mr. Epstein, do you
11 understand?

12 THE DEFENDANT: Yes, ma'am.

13 THE COURT: I need the defendant to
14 sign number D where I had an s added to
15 victim, and G, we struck out the otherwise
16 indicated language. Otherwise, it is as
17 you agreed.

18 Mr. Epstein, do you understand
19 this is a somewhat complicated terms of the
20 plea that you've agreed to?

21 THE DEFENDANT: Yes, ma'am

22 THE COURT: Do you have any questions
23 ~~about the terms of the plea?~~

24 THE DEFENDANT: No.

25 THE COURT: Can I ask the State why

1 you choose -- or defense and the State
2 together, why twelve months in the Palm
3 Beach County jail followed by six months?
4 Why not just send him to DOC?

5 MR. GOLDBERGER: It was the agreement
6 of the parties, Your Honor. We just
7 decided that was the best way to accomplish
8 what needed to be done here and the parties
9 agreed that that sentence satisfied
10 everyone's requirements.

11 THE COURT: The taxpayers of Palm
12 Beach County is going to pay 18 months to
13 house this guy instead of DOC?

14 MS. BELOHLAVEK: Right.

15 THE COURT: You understand we're
16 losing positions left and right in county
17 government because we haven't got enough
18 money but you want -- okay.

19 His requirement to register there
20 is many, many -- there is nine pages
21 outlining the sexual offender's requirement
22 to register with the department and
23 penalty, have you read all those,
24 Mr. Epstein?

25 THE DEFENDANT: Yes, ma'am.

1 THE COURT: Do you understand you
2 will be required to register and this will
3 be an ongoing life long obligation?

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: And this registration
6 occurs when?

7 MS. BELOHLAVEK: Within 48-hours of
8 release.

9 THE COURT: So when he gets out of
10 the Palm Beach County jail, he needs to
11 register? Okay. And the department -- who
12 is going to provide him with the form?

13 MR. GOLDBERGER: He actually
14 registers out at the Sheriff's Office, Your
15 Honor, we can do it out there.

16 THE COURT: Okay. It has been
17 brought to my attention that FDLE is the
18 one who is statutorily required to handle
19 these registrations but some of our
20 municipal jurisdictions have taken it upon
21 themselves to impose additional
22 requirements, y'all understand that?

23 ~~MS. BELOHLAVEK: Correct.~~

24 MR. GOLDBERGER: Right.

25 THE COURT: . What you are telling him

1 he has to do is the official State of
2 Florida registration?

3 MS. BELOHLAVEK: Correct.

4 THE COURT: Mr. Epstein, I need to
5 make sure you understand that that's what's
6 required by this plea. Anyone on
7 probation, community control is required to
8 live and abide by the laws. So if a
9 jurisdiction you choose to reside in should
10 have some additional municipal requirements
11 you will be required in order to comply
12 with the law of living there, just like you
13 can't get a parking ticket or speeding
14 ticket, to comply with those regulations
15 but I want to make sure you understand
16 because I have seen some defendants who
17 have been confused about this. If you
18 don't, for example, if the Town of Palm
19 Beach has you register that does not take
20 care of your requirement. Your requirement
21 to register with FDLE through the Sheriff's
22 office is separate, distinct and must be
23 done on their form according to their
24 schedule.

25 THE DEFENDANT: Yes, ma'am.

1 THE COURT: And if my experience the
2 last few months is of any value, they are
3 very serious about enforcing this. They
4 will be tracking you for the rest of your
5 life. Do not move. Do not go -- I don't
6 care when you are done with community
7 control, they need to know exactly where
8 you are and if you go anywhere without
9 registering, they will find and you will be
10 locked up.

11 THE DEFENDANT: Yes, ma'am.

12 THE COURT: Okay. Any questions
13 about that?

14 THE DEFENDANT: No, ma'am.

15 THE COURT: Did you read the plea in
16 the circuit court form that describes all
17 the rights you are giving up by entering
18 this plea?

19 THE DEFENDANT: Yes, ma'am.

20 THE COURT: I think I asked you
21 before, can you read?

22 THE DEFENDANT: Yes.

23 THE COURT: Are you under the
24 influence of alcohol, drugs or medication
25 today?

1 THE DEFENDANT: No, ma'am.

2 THE COURT: Normally taking any
3 prescribed medication?

4 THE DEFENDANT: Only for cholesterol.

5 THE COURT: Does that interfere with
6 your mental ability?

7 THE DEFENDANT: No.

8 THE COURT: Do you understand you
9 have an attorney, you have a right to trial
10 by jury, there is not going to be a jury
11 trial. There won't be witnesses called.
12 That your attorney and you would have a
13 right to confront and cross examine, do you
14 understand you have a right to call
15 witnesses of your own and the court would
16 issue subpoenas to compel their attendance
17 just like any other witness called by the
18 State, that you have the right -- absolute
19 right to remain silent and that you would
20 not have to say or do anything at the trial
21 if there were a trial, do you understand
22 those rights?

23 THE DEFENDANT: Yes, ma'am.

24 THE COURT: Do you understand if you
25 are not a United States citizen your plea

1 could subject you to deportation pursuant
2 to the laws and regulations governing the
3 United States Immigration and
4 Naturalization Service and this court has
5 no jurisdiction or authority in such
6 matters, do you understand that?

7 THE DEFENDANT: Yes.

8 THE COURT: Has anybody threatened
9 you, coerced you or promised you anything
10 other than the terms of this plea to get
11 you to enter this plea?

12 THE DEFENDANT: No.

13 THE COURT: Do you understand this is
14 a plea in criminal court?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: This has -- in criminal
17 court in Palm Beach County, State of
18 Florida. I have absolutely nothing to do
19 with any civil matters or matters in any
20 other jurisdiction, do you understand that?

21 THE DEFENDANT: Yes, ma'am.

22 THE COURT: Is this plea in any way
23 ~~tied to any promises or representations by~~
24 any civil attorneys or other jurisdictions?

25 MR. GOLDBERGER: May we come sidebar

1 on that, Your Honor?

2 THE COURT: It is going to be
3 recorded.

4 MR. GOLDBERGER: That's fine.

5 THE COURT: Defendant needs to
6 approach as well.

7 (Whereupon, there was a conference at
8 the bench.)

9 MR. GOLDBERGER: The reason why I
10 asked to come sidebar, there is a
11 nonprosecution agreement with the United
12 States Attorney's office that triggers as a
13 result of this plea agreement. In other
14 words, they have signed off and said they
15 will not prosecute Mr. Epstein in the
16 Southern District of Florida for any
17 offense upon his successful taking of this
18 plea today. That is a confidential
19 document that the parties have agreed to.
20 Just in an abundance of caution, I wanted
21 to tell the court.

22 THE COURT: I understand, that would
23 also be invalidated should he violate his
24 community control?

25 MR. GOLDBERGER: Absolutely. That

1 nonprosecution agreement --

2 MS. BELOHLAVEK: They spell all that
3 out.

4 THE COURT: Mr. Epstein needs to come
5 closer.

6 Mr. Epstein, your attorney has
7 told me that in addition to everything, we
8 talked about another Inducement, shall we
9 say, to your taking this plea is that the
10 U.S. Attorney for the Southern District of
11 the State of Florida, federal prosecutor,
12 has agreed to a nonprosecution agreement
13 with you, meaning that if you successfully
14 complete probation and do everything you're
15 supposed to, they have, have agreed not to
16 prosecute you federally, did you understand
17 that?

18 THE DEFENDANT: Yes, ma'am.

19 THE COURT: And I would view that as
20 a significant inducement in accepting this
21 plea.

22 MS. BELOHLAVEK: They are actually in
23 ~~court here today, also.~~

24 THE COURT: Okay.

25 MR. GOLDBERGER: And the plea

1 agreement very carefully spelled out if
2 there was a breach that would violate this
3 agreement, so we are well aware of it.

4 THE COURT: Okay. I would request
5 that a sealed copy of that -- Mr. Epstein
6 has signed that document?

7 MR. GOLDBERGER: Yes, I would like to
8 seal the copy.

9 THE COURT: I want a sealed copy of
10 that filed in this case. That is the only
11 other condition of the agreement that is
12 influencing this defendant to make this
13 decision?

14 MR. GOLDBERGER: Absolutely. I think
15 that's the right idea.

16 (Return to open court.)

17 THE COURT: Mr. Epstein, is there
18 anything else?

19 THE DEFENDANT: No, ma'am.

20 THE COURT: Because I don't take
21 these pleas unless they are freely and
22 voluntarily made.

23 THE DEFENDANT: I understand that.

24 THE COURT: I also don't want
25 somebody or anybody coming back a year,

1 two years from now saying, oh no, no, they
2 beat me over the head or if there is
3 anything else that is influencing you to
4 make this decision, then I need to know
5 about it.

6 THE DEFENDANT: I understand that.

7 MR. GOLDBERGER: Thank you.

8 THE DEFENDANT: Thank you very much,
9 Your Honor.

10 (Return to open court.)

11 THE COURT: All right, Mr. Epstein,
12 any questions about the rights you are
13 giving up by entering this plea?

14 THE DEFENDANT: No ma'am.

15 THE COURT: State, please give me a
16 factual basis.

17 MS. BELOHLAVEK: In 069454 CF AMB,
18 between August 1, 2004 and October 31,
19 2005, the defendant in Palm Beach County
20 did solicit or procure someone to commit
21 prosecution on three or more occasions.

22 And in 08 CF 9381 CF AMB between
23 August 1, 2004 and October 9, 2005, the
24 defendant did procure a minor under the age
25 of 18 to commit prostitution in Palm Beach

1 County also.

2 THE COURT: I find a sufficient
3 factual basis to support the pleas.

4 Are all of the victims in both of
5 these cases in agreement with the terms of
6 this plea?

7 MS. BELOHLAVEK: I have spoken to
8 several myself and I have spoken to
9 counsel, through counsel as to the other
10 victim, and I believe, yes.

11 THE COURT: And with regard to the
12 victims under age eighteen, is that
13 victim's parents or guardian in agreement
14 with the plea?

15 MS. BELOHLAVEK: That victim is not
16 under age 18 any more and that's why we
17 spoke with her counsel.

18 THE COURT: And she is in agreement
19 with the plea?

20 MS. BELOHLAVEK: Yes.

21 THE COURT: And community control
22 will be given information concerning how to
23 contact these victims?

24 MS. BELOHLAVEK: Yes.

25 THE COURT: Confidentially. That

1 information will not be related to the
2 defendant but will be used exclusively for
3 purposes of verifying compliance with this
4 agreement?

5 MS. BELOHLAVEK: Yes.

6 THE COURT: Is there anything else
7 from anybody else before I accept this
8 plea?

9 MR. GOLDBERGER: No, Your Honor.

10 THE COURT: Mr. Goldberger, if it is
11 your desire, you may enter your client's
12 plea.

13 MR. GOLDBERGER: Thank you, Your
14 Honor, at this time we would withdraw our
15 previously entered pleas of not guilty,
16 enter pleas of guilty pursuant to
17 negotiations with the State.

18 THE COURT: Mr. Epstein, I am going
19 to accept those pleas on your behalf. I
20 find you are intelligent, alert, you
21 understand what is going on here and the
22 consequence of entering this plea, you are
23 ~~doing it freely and voluntarily.~~

24 Pursuant to the plea, I am waiving
25 a PSI, I will sentence you at this time

1 pursuant to it. I will adjudicate you
2 guilty of felony solicitation of
3 prostitution, a third degree felony, case
4 number 06 CF 00945A -- 454 AMB, and
5 procuring a person under 18 for
6 prostitution, a second degree felony 08 CF
7 009381AMB.

8 With respect to the solicitation
9 of prosecution, I will sentence you to
10 twelve months in the Palm Beach County
11 detention facility with credit for the one
12 day served.

13 With respect to 08 CF 009381, I
14 will sentence you to six months in the Palm
15 Beach County detention facility, with
16 credit for the one day served. That six
17 month sentence is to be served consecutive
18 to the twelve month sentence.

19 Following the six month sentence
20 you will be placed on 12 months of
21 community control. That will be on both
22 cases, I assume, to run concurrently,
23 correct?

24 MS. BELOHLAVEK: Only on the 08 case.

25 THE COURT: Only on the second degree

1 felony?

2 MS. BELOHLAVEK: Correct, the one
3 that designates him a sexual offender.

4 THE COURT: Okay. So only on case
5 number 08 CF 009381AMB will you be on one
6 year community control which would then
7 invoke a potential penalty of fifteen years
8 were you to violate.

9 The special conditions are that
10 you are to have no unsupervised contact
11 with minors and the supervising adult must
12 be approved by the Department of
13 Corrections. You are to be designated a
14 sexual offender pursuant to Florida Statute
15 943.0435 and you must abide by all
16 requirements of that statute which I have
17 read and we have discussed.

18 You will remain confined to your
19 residence except one half hour before and
20 after your approved employment, community
21 service work or other activities approved
22 by your probation officer. You will
23 maintain an hourly accounting of all your
24 activity on a daily log which you submit to
25 the supervising officer upon request.

1 You will be residing at 358 El
2 Brillo Way, Palm Beach, Florida 33480.
3 Should you desire to move or go to a
4 different location upon release from
5 custody, you will get preapproval of that
6 location from the Department of
7 Corrections. You will have to contact your
8 community control officer a minimum of once
9 a week, it can be more often at their
10 discretion and you are to work at the
11 Florida Science Foundation at 250
12 Australian Avenue in West Palm Beach,
13 Florida. You will submit to a mandatory
14 curfew of 10 p.m. to 6 a.m.

15 You shall not live within a
16 thousand feet of a school, day care center,
17 park, playground or other place where
18 children congregate. You shall not have
19 any contact with the victims, directly or
20 indirectly including through a third person
21 unless approved by victim's therapist and
22 the sentencing court.

23 You shall not work for pay or as a
24 volunteer at any school, day care center
25 park, play ground, other place where

1 children may congregate. You shall not
2 view, own or possess any obscene
3 pornographic or sexually stimulating or
4 visual, auditory material including
5 telephone, electronic media, computer
6 programs, computer services that are
7 relevant to deviant behavior.

8 You shall submit two specimens of
9 blood to Florida Department of Law
10 Enforcement to be registered with the DNA
11 data bank. You shall submit to a
12 warrantless search by the probation officer
13 or community control officer of your
14 person, residence or vehicle.

15 You shall maintain a driving log.
16 You shall not drive a motor vehicle while
17 alone without prior approval of the
18 supervising officer.

19 You shall submit to, at
20 probationer or community control expense a
21 HIV test, the result of which is to be
22 released to the victims or victim's parent
23 or guardian. That has to be done within 48
24 hours.

25 You shall not obtain or a use post

1 office box without the prior approval of
2 the supervising officer.

3 MS. BELOHLAVEK: You forgot one that
4 you may not possess, own or view sexually
5 stimulating -- I don't believe you read
6 that outloud just now.

7 THE COURT: Yes, I did.

8 MS. BELOHLAVEK: I'm sorry, I didn't
9 hear it. I just wanted to make sure.

10 THE COURT: And the warrantless
11 search by the community control officer of
12 the person, residence or vehicle --
13 understand the person, residence or vehicle
14 includes anything you might possess like
15 computer, a cell phone and whatever other
16 elaborate devices there are to communicate
17 electronically these days, okay. Good
18 luck.

19 MR. GOLDBERGER: Thank you.

20 MS. BELOHLAVEK: Thank you.

21 THE COURT: Is there a judgment?

22 MR. GOLDBERGER: Yes, there should be
23 judgments.

24 THE COURT: Was there a condition of
25 community control that he pay or is he

1 paying it?

2 MR. GOLDBERGER: Actually there is a
3 cash bond posted, court cost can be
4 deducted from the cash bond.

5 THE COURT: \$574 is the total?

6 MS. BELOHLAVEK: Correct.

7 THE COURT: Is that to cover both
8 cases?

9 MR. GOLDBERGER: Yes.

10 THE COURT: Thank you.

11 MR. GOLDBERGER: Thank you, Your
12 Honor.

13 (Whereupon, at 9:48 o'clock a.m. the
14 proceedings before the Court concluded.)
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C E R T I F I C A T E

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THE STATE OF FLORIDA,
COUNTY OF PALM BEACH.

I, PHYLLIS A. DAMES, Official Court Reporter for the Fifteenth Judicial Circuit, Criminal Division, in and for Palm Beach County, Florida; do hereby certify that I was authorized to and did report the foregoing proceedings before the Court at the time and place aforesaid; and that the preceding pages numbered from 1 through 49, inclusive, represent a true and accurate transcription of my stenonotes taken at said proceedings.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 19th day of July, 2008.

PHYLLIS A. DAMES

Jeffrey Epstein

CASE NUMBER(S): 06-CF009454AMB
05-CF009381AMB

PLEA IN THE CIRCUIT COURT

- 1. DEFENDANT: I am the defendant in the above-mentioned matter(s), and I am represented by the attorney indicated below. I understand I have the right to be represented by an attorney at all stages of the proceeding until the case is terminated, and if I cannot afford an attorney, one will be appointed free of charge. [X]
- 2. DEFENDANT: I understand I have the right to a speedy and public trial either by jury or by court. I hereby waive and give up this right. [X]
- 3. DEFENDANT: I understand I have the right to be confronted by the witnesses against me and to cross examine them by myself or through my attorney. I hereby give up these rights. [X]
- 4. DEFENDANT: I understand I have the right to testify on my own behalf, but I cannot be compelled to be a witness against myself and may remain silent if I so choose. I hereby give up these rights. [X]
- 5. DEFENDANT: I understand I have the right to call witnesses to testify in my behalf and to invoke the compulsory process of the Court to subpoena those witnesses. I hereby give up these rights. [X]
- 6. DEFENDANT: I understand I have the right to appeal all matters relating to the charge(s) and, unless I plea Guilty or No Contest, specifically reserving my right to appeal, I will give up such right of appeal. [X]
- 7. DEFENDANT: I understand that if I am not a United States Citizen, my plea may subject me to deportation pursuant to the laws and regulations governing the United States Immigration and Naturalization Service; and, this Court has no jurisdiction (authority) in such matters. [X]
- 8. DEFENDANT: I have not received any promises from anyone, including my attorney, concerning eligibility for any form of early release authorized by law and further no promises have been made to me as to the actual amount of time that I will serve under the sentence to be imposed. Further, I understand that this plea may be used to enhance future criminal penalties in any court system, even if adjudication of guilt is withheld. [X]
- 9. DEFENDANT: I offer my plea freely and voluntarily and of my own accord, with full understanding of all matters set forth in the pleadings and this waiver. [X]
- 10. DEFENDANT: I have personally placed my initials in each bracket above, and I understand each and every one of the rights outlined above. I hereby waive and give up each of them in order to enter my plea to the within charge(s). I understand that even though the Court may approve the agreement of sentence, the Court is not bound by the agreement, the Court may withdraw its approval at any time before pronouncing judgment, in which case I shall be able to withdraw my plea should I desire to do so.

- 11. DEFENDANT: Choose one:
 If applicable, I choose a program which is or may be spiritually based. []
 If applicable, I choose a program which is NOT spiritually based. [X]
 If applicable, I have no preference if the program is or may be spiritually based. []

STATE OF FLORIDA - PALM BEACH COUNTY
 I hereby certify that the foregoing is a true copy of the record in my office.
 DATE 6/30/09

DEFENDANT'S ATTORNEY ONLY:
 SHARON R. BOCK
 CLERK & COMPTROLLER
 I am attorney of record. I have explained each of the above rights to the defendant and have explored the facts with him/her and studied his/her possible defenses to the charge(s). I concur with his/her decision to waive the rights and to enter this plea. I further stipulate that this document may be received by the Court as evidence of defendant's intelligent waiver of these rights and that it shall be filed by the Clerk as permanent record of that waiver.

Jack Goldberge
 ATTORNEY FOR THE DEFENDANT
 DATE 6/30/09

STATE OF FLORIDA
Plaintiff

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

-VS-

JEFFREY E. EPSTEIN
Defendant

CASE NUMBER 502008CF009381AXXXMB
DIVISION MCSORLEY "W"
DC NUMBER W35755
CIRCUIT NUMBER: 15-4/ JAIL SPLIT

ORDER OF COMMUNITY CONTROL I

This cause coming before the Court to be heard, and you, the defendant, being now present before the court, and you having

- entered a plea of guilty to
- entered a plea of nolo contendere to
- been found guilty by jury verdict of
- been found guilty by the court trying the case without a jury of

Count 1, PROCURE PERSON UNDER AGE OF 18 FOR PROSTITUTION

SECTION 1: JUDGMENT OF GUILT

- The court hereby adjudges you to be guilty of the above offense(s).

Now, therefore, it is ordered and adjudged that the imposition of sentence is hereby withheld and that you be placed on Probation I for a period of _____ under the supervision of the Department of Corrections, subject to Florida law.

SECTION 2: ORDER WITHHOLDING ADJUDICATION

- Now, therefore, it is ordered and adjudged that the adjudication of guilt is hereby withheld and that you be placed on Probation for a period of ___ under the supervision of the Department of Corrections, subject to Florida law.

SECTION 3: INCARCERATION DURING PORTION OF SUPERVISION SENTENCE

It is hereby ordered and adjudged that you be:

- committed to the Department of Corrections
or
- confined in the County Jail
for a term of _____ with credit for _____ jail time. After you have served _____ of the term, you shall be placed on **Probation** for a period of _____ under the supervision of the Department of Corrections, subject to Florida law.
or
- confined in the County Jail
for a term of SIX (6) MONTHS AS TO COUNT 1 FOLLOWED BY TWELVE (12) MONTHS COMMUNITY CONTROL I CONSECUTIVE TO THE (12) MONTH SENTENCE IN CASE# 2008CF00945AAMB with credit for ONE (1) DAY jail time, as a special condition of supervision.

SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL
2008 JUL 21 PM 4:55

FILED

JEFFREY EPSTEIN
CASE#502008CF009381AXXXMB

IT IS FURTHER ORDERED that you shall comply with the following standard conditions of supervision as provided by Florida law:

- (1) You will report to the probation office as directed. Not later than the fifth day of each month, unless otherwise directed, you will make a full and truthful report to your officer on the form provided for that purpose.
- (2) You will pay the State of Florida the amount of \$50.00 per month, as well as 4% surcharge, toward the cost of your supervision in accordance with s. 948.09, F.S., unless otherwise exempted in compliance with Florida Statutes.
- (3) You will remain in a specified place. You will not change your residence or employment or leave the county of your residence without first procuring the consent of your officer.
- (4) You will not possess, carry or own any firearm or weapon, unless authorized by the court.
- (5) You will live without violating the law. A conviction in a court of law shall not be necessary for such a violation to constitute a violation of your probation/community control.
- (6) You will not associate with any person engaged in any criminal activity.
- (7) You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician. Nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.
- (8) You will work diligently at a lawful occupation, advise your employer of your probation status, and support any dependents to the best of your ability, as directed by your officer.
- (9) You will promptly and truthfully answer all inquiries directed to you by the court or the officer, and allow your officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.
- (10) You will pay restitution, court costs, and/or fees in accordance with special conditions imposed or in accordance with the attached orders.
- (11) You will submit to random testing as directed by your officer or the professional staff of the treatment center where he/she is receiving treatment to determine the presence of alcohol or illegal drugs. You will be required to pay for the tests unless exempt by the court.
- (12) You will submit two biological specimens, as directed by your officer, for DNA analysis as prescribed in ss. 943.325 and 948.014, F.S.
- (13) You will report in person within 72 hours of your release from incarceration to the probation office in PALM BEACH County, Florida, unless otherwise instructed by the court or department. (This condition applies only if section 3 on the previous page is checked.) Otherwise, you must report immediately to the probation office located at 3444 SOUTH CONGRESS AVENUE, LAKE WORTH, FL 33461.

SPECIAL CONDITIONS

- 1. You must undergo a Drug and Alcohol evaluation and, if treatment is deemed necessary, you must successfully complete the treatment, and be responsible for the payment of any costs incurred while receiving said evaluation and treatment, unless waived by the court.
Additional instructions ordered: _____
- 2. You will make restitution to the following victim(s), as directed by the court, until the obligation is paid in full:
NAME: _____
TOTAL AMOUNT: \$ _____
Additional instructions ordered, including specific monthly amount, begin date, due date, or joint & several: _____

NAME: _____
TOTAL AMOUNT: \$ _____
Additional instructions ordered, including specific monthly amount, begin date, due date, or joint & several: _____

SPECIAL CONDITIONS – CONTINUED

- 3. You will enter the Department of Corrections Non-Secure Drug Treatment Program or other residential treatment program/Probation and Restitution Center for a period of successful completion as approved by your officer. You are to remain until you successfully complete said Program and Aftercare. You are to comply with all Rules and Regulations of the Program. You shall be confined in the county jail until placement in said program, and if you are confined in the jail, the Sheriff will transport you to said program.
- 4. You will abstain entirely from the use of alcohol and/or illegal drugs, and you will not associate with anyone who is illegally using drugs or consuming alcohol.
- 5. You will submit to urinalysis testing on a monthly basis to determine the presence of alcohol or illegal drugs. You will be required to pay for the tests unless exempt by the court.
- 6. You will not visit any establishment where the primary business is the sale and dispensing of alcoholic beverages.
- 7. You will successfully complete ___ hours of community service at a rate of _____, at a work site approved by your officer.
Additional instructions ordered: _____
- 8. You will remain at your residence between 10 p.m. and 6 a.m. due to a curfew imposed, unless otherwise directed by the court.
- 9. You will submit to electronic monitoring, follow the rules of electronic monitoring, and pay \$ _____ per month for the cost of the monitoring service, unless otherwise directed by the court.
- 10. You will not associate with _____ during the period of supervision.
- 11. You will have no contact (direct or indirect) with the victim or the victim's family during the period of supervision.
- 12. You will have no contact (direct or indirect) with _____ during the period of supervision.
- 13. You will maintain full time employment or attend school/vocational school full time or a combination of school/work during the term of your supervision.
- 14. You will make a good faith effort toward completing basic or functional literacy skills or a high school equivalency diploma.
- 15. You will successfully complete the Probation & Restitution Program, abiding by all rules and regulations.

- 16. You will attend Alcoholics Anonymous or Narcotics Anonymous meetings at least monthly, unless otherwise directed by the court.
- 17. You must successfully complete Anger Management, and be responsible for the payment of any costs incurred while receiving said treatment, unless waived. If convicted of a Domestic Violence offense, as defined in s. 741.28, F.S., you must attend and successfully complete a batterer's intervention program, unless otherwise directed by the court. Additional instructions ordered: _____
- 18. You will attend an HIV/AIDS Awareness Program consisting of a class of not less than two (2) hours or more than four (4) hours in length, the cost for which will be paid by you.
- 19. You shall submit your person, property, place of residence, vehicle or personal effects to a warrantless search at any time, by any probation or community control officer or any law enforcement officer.
- 20. **DEFENDANT MUST REGISTER AS A SEXUAL OFFENDER WITHIN 48 HOURS OF RELEASE**
- 21. **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**
- 22. **THE DEFENDANT IS DESIGNATED AS A SEXUAL OFFENDER PURSUANT TO FLORIDA STATUTE 943.05 AND MUST ABIDE BY ALL THE CORRESPONDING REQUIREMENTS OF THE STATUTE, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN**
- 23. **DEFENDANT MUST PROVIDE A DNA SAMPLE IN COURT AT THE TIME OF THIS PLEA.**
- 24. **SPECIFIED CONTACT WITH THE PAROLE AND PROBATION OFFICER**
- 25. **CONFINEMENT TO AN AGREED-UPON RESIDENCE DURING HOURS AWAY FROM EMPLOYMENT AND PUBLIC SERVICE ACTIVITIES**
- 25. **MANDATORY PUBLIC SERVICE**
- 26. **SUPERVISION BY THE DEPARTMENT OF CORRECTIONS BY MEANS OF AN ELECTRONIC MONITORING DEVICE OR SYSTEM**
- 27. **ELECTRONIC MONITORING 24 HOURS PER DAY**
- 28. **CONFINEMENT TO A DESIGNATED RESIDENCE DURING DESIGNATED HOURS**

AND, IF PLACED ON DRUG OFFENDER PROBATION, YOU WILL COMPLY WITH THE FOLLOWING CONDITION OF SUPERVISION IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:

- (14) You will participate in a specialized drug treatment program, either as an in-patient or out patient, as recommended by the treatment provider. You will attend all counseling sessions, submit to random urinalysis and, if an in-patient, you will comply with all operating rules, regulations and procedures of the treatment facility. You will pay for all costs associated with treatment and testing unless otherwise directed.
Additional instructions ordered: _____

-
- (15) You will remain at your residence between _____ p.m. and _____ a.m. due to a curfew imposed, unless otherwise directed by the court.

AND, IF PLACED ON COMMUNITY CONTROL, YOU WILL COMPLY WITH THE FOLLOWING CONDITIONS, IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:

JEFFREY EPSTEIN
CASE#502008CF009381AXXXMB

- (14) You will report to your officer as directed, at least one time a week, unless you have written consent otherwise.
- (15) You will remain confined to your approved residence except for one half hour before and after your approved employment, public service work, or any other special activities approved by your officer.
- (16) You will maintain an hourly accounting of all your activities on a daily log, which you will submit to your officer on request.
- (17) You will successfully complete ___ hours of community service at a rate of ____, at a work site approved by your officer.
Additional instructions ordered: _____
- (18) You will submit to electronic monitoring, follow the rules of electronic monitoring, and pay \$_____ per month for the cost of the monitoring service, unless otherwise directed by the court.

AND, IF PLACED ON PROBATION OR COMMUNITY CONTROL FOR A SEX OFFENSE PROVIDED IN CHAPTER 794, s. 800.04, s. 827.071, or s. 847.0145, COMMITTED ON OR AFTER OCTOBER 1, 1995 YOU WILL COMPLY WITH THE FOLLOWING STANDARD SEX OFFENDER CONDITIONS, IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:

- (14) A mandatory curfew from 10 p.m. to 6 a.m. The court may designate another 8-hour period if the offender's employment precludes the above specified time, and the alternative is recommended by the Department of Corrections. If the court determines that imposing a curfew would endanger the victim, the court may consider alternative sanctions.
- (15) If the victim was under the age of 18, a prohibition on living within 1,000 feet of a school, day care center, park, playground, or other place where children regularly congregate, as prescribed by the court. The 1,000-foot distance shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, day care center, park, playground, or other place where children congregate. The distance may not be measured by a pedestrian route or automobile route.
- (16) Active participation in and successful completion of a sex offender treatment program with qualified practitioners specifically trained to treat sex offenders, at the offender's own expense. If a qualified practitioner is not available within a 50-mile radius of the offender's residence, the offender shall participate in other appropriate therapy.
- (17) A prohibition on any contact with the victim, directly or indirectly, including through a third person, unless approved by the victim, the offender's therapist, and the sentencing court.
- (18) If the victim was under the age of 18, a prohibition on contact with a child under the age of 18 except as provided in this paragraph. The court may approve supervised contact with a child under the age of 18 if the approval is based upon a recommendation for contact issued by a qualified practitioner who is basing the recommendation on a risk assessment. Further, the sex offender must be currently enrolled in or have successfully completed a sex offender therapy program. The court may not grant supervised contact with a child if the contact is not recommended by a qualified practitioner and may deny supervised contact with a child at any time.
- (19) If the victim was under age 18, a prohibition on working for pay or as a volunteer at any place where children regularly congregate, including, but not limited to any school, day care center, park, playground, pet store, library, zoo, theme park, or mall.
- (20) Unless otherwise indicated in the treatment plan provided by the sexual offender treatment program, a prohibition on viewing, accessing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs, or computer services that are relevant to the offender's deviant behavior pattern.
- (21) A requirement that the offender submit two specimens of blood or other approved biological specimens to the Florida Department of Law Enforcement to be registered with the DNA data bank.
- (22) A requirement that the offender make restitution to the victim, as ordered by the court under s. 775.089, for all necessary medical and related professional services relating to physical, psychiatric, and psychological care.
- (23) Submission to a warrantless search by the community control or probation officer of the offender's person, residence, or vehicle.

EFFECTIVE FOR PROBATIONER OR COMMUNITY CONTROLLEE WHOSE CRIME WAS COMMITTED ON OR AFTER OCTOBER 1, 1997, AND WHO IS PLACED ON COMMUNITY CONTROL OR SEX OFFENDER PROBATION FOR A VIOLATION OF CHAPTER 794, s. 800.04, s. 827.071, or s. 847.0145, IN ADDITION TO ANY OTHER PROVISION OF THIS SECTION, YOU MUST COMPLY WITH THE FOLLOWING CONDITIONS OF SUPERVISION:

- (24) As part of a treatment program, participation at least annually in polygraph examinations to obtain information necessary for risk management and treatment and to reduce the sex offender's denial mechanisms. A polygraph examination must be conducted by a polygrapher trained specifically in the use of the polygraph for the monitoring of sex offenders, where available, and shall be paid by the sex offender.
- (25) Maintenance of a driving log and a prohibition against driving a motor vehicle alone without the prior approval of the supervising officer.
- (26) A prohibition against obtaining or using a post office box without the prior approval of the supervising officer.
- (27) If there was sexual contact, a submission to, at the offender's expense, an HIV test with the results to be released to the victim and/or the victim's parent or guardian.
- (28) Electronic monitoring when deemed necessary by the probation officer and supervisor, and ordered by the court at the recommendation of the Department of Corrections.
- (29) Effective for an offender whose crime was committed on or after July 1, 2005, and who are placed on supervision for violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, a prohibition on accessing the Internet or other computer services until the offender's sex offender treatment program, after a risk assessment is completed, approves and implements a safety plan for the offender's accessing or using the Internet or other computer services.
- (30) Effective for offenders whose crime was committed on or after September 1, 2005, there is hereby imposed, in addition to any other provision in this section, mandatory electronic monitoring as a condition of supervision for those who:
 - Are placed on supervision for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older; or
 - Are designated as a sexual predator pursuant to s. 775.21; or
 - Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older.

You are hereby placed on notice that should you violate your probation or community control, and the conditions set forth in s. 948.063(1) or (2) are satisfied, whether your probation or community control is revoked or not revoked, you shall be placed on electronic monitoring in accordance with F.S. 948.063.

YOU ARE HEREBY PLACED ON NOTICE that the court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of your probation, you may be arrested and the court may revoke your probation, adjudicate you guilty if adjudication of guilt was withheld, and impose any sentence that it might have imposed before placing you on probation or require you to serve the balance of the sentence.

JEFFREY EPSTEIN
CASE#502008CF009381AXXXMB

IT IS FURTHER ORDERED that when you have been instructed as to the conditions of probation, you shall be released from custody if you are in custody, and if you are at liberty on bond, the sureties thereon shall stand discharged from liability. (This paragraph applies only if section 1 or section 2 is checked.)

IT IS FURTHER ORDERED that the clerk of this court file this order in the clerk's office and provide certified copies of same to the officer for use in compliance with the requirements of law.

DONE AND ORDERED, on July 18, 2008

NUNC PRO TUNC 06-30-2008


Sandra K. McSorley, Circuit Judge

I acknowledge receipt of a copy of this order and that the conditions have been explained to me and I agree to abide by them.

Date: _____

Defendant

Instructed by: _____
Supervising Officer

ep/07-02-08

COURT ORDERED PAYMENTS

CHECK ALL THAT ARE ORDERED:

FINES

- \$ _____ Total of fines assessed in sentence, pursuant to s. 775.083 (1)(a) through (g) or Chapter 316, F.S.
- \$ _____ Statutorily mandated 5% surcharge/cost if fine assessed (on first line) pursuant to s. 938.04, F.S.
- \$ 20.00 Crime Stoppers Trust Fund pursuant to s. 938.06(1), F.S. Statutorily mandated if a fine is imposed

MANDATORY COSTS IN ALL CASES

- \$200.00 Additional court cost for felony offense, pursuant to s. 938.05(1)(a), F.S.
- \$ 50.00 Additional court cost for misdemeanor or criminal traffic offense, pursuant to s. 938.05(1)(b) or (c), F.S.
- \$ 50.00 Crimes Compensation Trust Fund pursuant to s. 938.03(1), F.S.
- \$ 50.00 County Crime Prevention Fund pursuant to s. 775.083(2), F.S.
- \$ 3.00 Additional Court Costs Clearing Trust Fund pursuant to s. 938.01(1), F.S.
- \$ 2.00 Per month for each month of supervision for Training Trust Fund Surcharge, pursuant to s. 948.09, F.S.

MANDATORY COSTS IN SPECIFIC TYPES OF CASES

- \$151.00 Rape Crisis Program Trust Fund, pursuant to s. 938.085, F.S. for any violations of ss. 784.011, 784.021, 784.03, 784.041, 784.045, 784.048, 784.07, 784.08, 784.081, 784.082, 784.083, 784.085, or 794.011, F.S.
- \$201.00 Domestic Violence Trust Fund, pursuant to s. 938.08, F.S. for any violations of ss. 784.011, 784.021, 784.03, 784.041, 784.045, 784.048, 784.07, 784.08, 784.081, 784.082, 784.083, 784.085, 794.011, or any offense of Domestic Violence described in s. 741.28, F.S.
- \$101.00 Certain Crimes Against Minors, pursuant to s. 938.10(1), F.S. for any violations of s. 784.085, chapter 787, chapter 794, s. 796.03, s. 800.04, chapter 827, s. 847.0145, or s. 985.701, F.S.
- \$135.00 DUI Court Costs, pursuant to s. 938.07, F.S. for any violations of ss. 316.193 or 327.35, F.S.
- \$ 3.00 State Agency Law Enforcement Radio System Trust Fund, pursuant to s. 318.18(17), F.S. for any violations of offenses listed in s. 318.17 including ss. 316.1935, 316.027, 316.061, 877.111, chapter 893, ss. 316.193, 316.192, 316.067, 316.072(3), 316.545(1), or any other offense in chapter 316 which is classified as a criminal violation.

MANDATORY COURT COSTS AUTHORIZED BY LOCAL GOVERNMENTAL ENTITIES

- \$ 2.00 Criminal Justice Education by Municipalities and Counties, pursuant to s. 938.15, F.S.
- \$65.00 Additional court costs for local requirements and other county funded programs pursuant to s. 939.185(1)(a), F.S.
- \$ 3.00 Teen Court pursuant to s. 938.19(2), F.S.

DISCRETIONARY

- \$ 1.00 Per month during the term of supervision to the following nonprofit organization established for the sole purpose of supplementing the rehabilitative efforts of the Department of Corrections, pursuant to s. 948.039(2), F.S.: _____
- \$ 40.00 Public Defender Application Fee, if not previously collected or waived, pursuant to s. 27.52 and s. 938.29, F.S.
- \$ _____ Public Defender Fees and Costs, pursuant to s. 938.29, F.S. as determined locally.
- \$50.00 Prosecution/Investigative Costs, pursuant to s. 938.27, F.S.

Other: _____

Other: _____

DISCRETIONARY COSTS FOR SPECIFIC TYPES OF CASES

- \$50.00 County Alcohol and Other Drug Abuse Trust Fund, pursuant to s. 938.21 and s. 938.23, F.S. for violations of s. 316.193, s.856.011, s. 856.015, or chapter 562, chapter 567, or chapter 568, F.S.
- \$100.00 Operating Trust Fund of the FDLE, pursuant to s. 938.25, F.S. for violations of s. 893.13 offenses

* TOTAL \$ 473.00

PAYMENT IS TO BE MADE THROUGH AND PAYABLE TO: Department of Corrections or Clerk of Court

(If collected by the Department of Corrections, a surcharge of 4% will be added to all payments ordered by the court, pursuant to s. 945.31, F.S.)

- Court Costs/Fines Waived
- Court Costs/Fines in the amount of _____ converted to _____ community service hours
- Court Costs/Fines in the amount of _____ reduced to civil judgment.

SPECIFIC INSTRUCTIONS FOR PAYMENT: _____



STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS NOV 20 2008 20

SHARON R. BOCK
CLERK & COMPTROLLER

By *[Signature]*
DEPUTY CLERK

Form Revised 03/18/08

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 6 mos. 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

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.

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

SENTENCE (continued)

(As to Count(s) 1)

Defendant Jeffrey Epstein

Case Number 2008CF9381A XX

SUSPENDED AND/OR SPLIT SENTENCES

By appropriate notation, the following provisions apply to the sentence imposed:

- Said SENTENCE SUSPENDED for a period of _____ subject to conditions set forth in a separate order entered herein.
- However, after serving a period of _____ imprisonment the balance of such sentence shall be suspended and the Defendant shall be placed on probation and/or community control for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation and/or community control as set forth in a separate order entered herein.
- Followed by a period of 12 MOS on probation and/or community control under the supervision of the Department of Corrections according to the terms and conditions of probation and/or community control as set forth in a separate order entered herein.

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

Debra Dole
CIRCUIT COURT JUDGE



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

NOV 20 2008

THIS DAY OF _____, 20

SHARON R. BOCK
CLERK & COMPTROLLER

RULE 3.992(4) CRIMINAL PUNISHMENT CODE SHEET

1. DATE OF SENTENCE 6/30/08	2. PREPARER'S NAME <input type="checkbox"/> DC <input checked="" type="checkbox"/> SAO Belohlavik	3. COUNTY Palm Beach	4. SENTENCING JUDGE Fucillo
5. NAME (LAST, FIRST, MI.) Epstein, Jeffrey E.	6. DOB 1/20/53	8. RACE <input type="checkbox"/> B <input checked="" type="checkbox"/> W <input type="checkbox"/> OTHER	10. PRIMARY OFF. DATE
	7. DC#	9. GENDER <input checked="" type="checkbox"/> M <input type="checkbox"/> F	11. PRIMARY DOCKET # 20 08-938/114
			12. PLEA <input checked="" type="checkbox"/> TRIAL <input type="checkbox"/>

I. PRIMARY OFFENSE: If Qualifier, please check A S C R (A=Attempt, S=Solicitation, C=Conspiracy, R=Reclassification)

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
2nd F	794.03	Procuring Person Under 18 for Prostitution	07	56

(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)
 Prior capital felony triples Primary Offense points

II. ADDITIONAL OFFENSE(S): Supplemental page attached

DOCKET#	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY	COUNTS	POINTS	TOTAL
06-9454	3rd F	796.07(2)(b)	07	A S C R	1 X	.7	07
Description	Felony Solicitation of Prostitution			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	X		
Description				<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	X		
Description				<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	X		

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=16, 7=28, 8=37, 9=46, 10=58)
 Prior capital felony triples Additional Offense points

Supplemental page points **56.7**

III. VICTIM INJURY:

	Number	Total		Number	Total
2 nd Degree Murder	240 X	=	Slight	4 X	=
Death	120 X	=	Sex Penetration	80 X	=
Severe	40 X	=	Sex Contact	40 X	=
Moderate	18 X	=			

III. _____

IV. PRIOR RECORD: Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY A S C R	DESCRIPTION	NUMBER	POINTS	TOTAL
____/____	____/____	____/____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	____/____	X	____	____
____/____	____/____	____/____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	____/____	X	____	____
____/____	____/____	____/____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	____/____	X	____	____
____/____	____/____	____/____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	____/____	X	____	____
____/____	____/____	____/____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	____/____	X	____	____
____/____	____/____	____/____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	____/____	X	____	____

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)
 Supplemental page points _____

JUN 22 Page 1 Subtotal: **56.7**

2008CF4381A
 Jeffrey Epstein

Page 1 Subtotal 56.7
 V. _____
 VI. _____

- Legal Status violation = 4 Points
- VI. Community Sanction violation before the court for sentencing 6 points x each successive violation OR New felony conviction = 12 points x each successive violation
- VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 Points
- VIII. Prior Serious Felony = 30 Points

VII. _____
 VIII. _____

Subtotal Sentence Points 56.7

IX. Enhancements (only if the primary offense qualifies for enhancement)

Law Enforcement Protection ___ x 1.5 ___ x 2.0 ___ x 2.5	Drug Trafficking ___ x 1.5	Grand Theft Motor Vehicle ___ x 1.5	Street Gang (offenses committed on or after 10-1-98) ___ x 1.5	Domestic Violence (offenses committed on or after 10-1-97) ___ x 1.5
---	-------------------------------	--	---	---

Enhanced Subtotal Sentence Points IX. 56.7
 TOTAL SENTENCE POINTS 56.7

SENTENCE COMPUTATION

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction.

If total sentence points are greater than 44:
56.7 total sentence points minus 28 = 28.7 x .75 = 21.5 lowest permissible prison sentence in months

The maximum sentence is up to the statutory maximum for the primary and any additional offenses as provided in s. 775.082, F.S., unless the lowest permissible sentence under the code, exceeds the statutory maximum. Such sentences may be imposed concurrently or consecutively. If total sentence points are greater than or equal to 363, a life sentence may be imposed.
 _____ maximum sentence in years

TOTAL SENTENCE IMPOSED

State Prison Life
 County Jail Time Served
 Community Control
 Probation

Years _____ Months 12 Days _____
18 months COMM. CONTROL 12 to months
 Please check if sentenced as habitual offender, habitual violent offender, violent career criminal, prison releasee
 reoffender, or a mandatory minimum applies.

Mitigated Departure Plea Bargain
 Other Reason _____



STATE OF FLORIDA - PALM BEACH COUNTY
 I hereby certify that the foregoing is a true copy of the record in my office.

JUDGE'S SIGNATURE [Signature] This NOV 20 2008 at 20
 SHARON R. BOCK
 CLERK & COMPTROLLER
 By [Signature]
 DEPUTY CLERK

L-60050-06

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 9581 - AAB~~ 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

Jeffrey E. Epstein, PROBATION VIOLATOR
DEFENDANT



STATE OF FLORIDA - PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.
THIS NOV 20 2008, 20
SHARON R. BOCK
CLERK & COMPTROLLER

1/20/53 W M 090 44 3342
DATE OF BIRTH RACE GENDER SOCIAL SECURITY NUMBER

Sharon R. Bock
DEPUTY CLERK

JUDGMENT

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

<input type="checkbox"/> Having been tried and found guilty of the following crime(s):	<input checked="" type="checkbox"/> Having entered a plea of guilty to the following crime(s):	<input type="checkbox"/> 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^oF</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. 812.135), 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

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 Dale Smith
CIRCUIT COURT JUDGE

Case No. 08-80736-CV-MARRA

P-008955

EFFECTIVE JULY 1, 2007

4050
IN THE COUNTY COURT OF THE FIFTEENTH
JUDICIAL CIRCUIT, CRIMINAL DIVISION,
IN AND FOR PALM BEACH COUNTY, FLORIDA.

CASE NO: 2008 CF 9381 XX

STATE OF FLORIDA
vs.
Defendants: Jeffrey Epstein
Social Security No.: _____
Date of Birth: 1-20-53



STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

NOV 20 2008

SHARON R. BOCK
CLERK & COMPTROLLER

[Signature]
DEPUTY CLERK

RECORDER'S SPACE

ORDER ASSESSING ADDITIONAL CHARGES, COSTS AND FINES AND ENTERING JUDGMENT (IF INDICATED)

The Defendant is hereby ordered to Pay and a judgment is hereby entered on behalf of Palm Beach County, Palm Beach County Administrative Complex, Palm Beach County, Florida 33401 and the State of Florida, Florida Department of Financial Services, Tallahassee, Florida 32399 in the following sums as indicated:

INITIAL
IF WAIVED

Fines

- 1. \$ _____ Total of fines assessed in sentence.
- 2. \$ _____ (Crimes Compensation Trust Fund) pursuant to Section 938.04, Florida Statutes (statutorily mandated 5% surcharge/cost on any fine entered in line 1).
- 3. \$ _____ (Crime Stoppers Trust Fund) \$20.00 pursuant to Section 938.06(1), Florida Statutes (statutorily mandated cost to be added if any fine imposed).
- 4. \$ 50.00 (County Crime Prevention Fund) pursuant to Section 775.083(2), Florida Statutes (statutorily mandated). Strike out if not a negotiated settlement and not imposed by the Court.
- 5. \$ 3.00 (Additional Court Cost Clearing Trust Fund) pursuant to section 938.01(1), Florida Statutes (statutorily mandated).
- 6. \$ 50.00 (Crimes Compensation Trust Fund) pursuant to Section 938.03(1), Florida Statutes (statutorily mandated).
- 7. \$ 2.00 (Criminal Justice Education by Municipalities and Counties) pursuant to Section 938.15, Florida Statutes to be paid to:
[] Palm Beach County, Florida. (statutorily mandated where locally authorized).
[] the City/Town/Village of _____, Florida. (Statutorily mandated where locally authorized).
- 8. \$ 200.00 (Additional Court Costs) pursuant to Section 938.05(1), Florida Statutes (statutorily mandated).
- 9. \$ 65.00 (Additional Court Costs for local requirements and other County funded programs) pursuant to Section 939.185(1)(a), Florida Statutes (statutorily mandated where locally authorized).
- 10. \$ 3.00 (Teen Court) pursuant to Section 938.19(2), Florida Statutes (statutorily mandated where locally authorized).
- 11. \$ ~~40.00~~ (Public Defender Application Fee) pursuant to Sections 27.52(2)(a) and 938.29, Florida Statutes (a \$40.00 fee shall be imposed if not previously collected or waived). Strike out if previously paid or represented by private counsel.
- 12. \$ 150.00 (Public Defender's Fees and Costs) pursuant to Section 938.29, Florida Statutes and Fla. R. Crim. P. 3.720(d)(1) and Local Administrative Order. (Minimum fee of \$150.00 is statutorily mandated following notice of imposition and right to contest amount, additional amount is discretionary). Strike out if represented by private counsel.
- 13. \$ _____ (Additional fees and costs of publicly appointed counsel) pursuant to Section 938.29, Florida Statutes and Fla. R. Crim. P. 3.720(d)(1) (notice of imposition and right to contest amount required).
- 14. \$ 50 (County Alcohol and Other Drug Abuse Trust Fund) pursuant to Sections 938.21 and 938.23, Florida Statutes (may be imposed for any criminal violation of s.316.193, s.856.011, s.856.015, or Chapters 562, 567, 568, or 893, but may not exceed the amount of any fine imposed for the offense).
- 15. \$ _____ (DUI Court Cost) \$135.00 pursuant to Section 938.07, Florida Statutes for any violation of Sections 316.193 or 327.35 (statutorily mandated).
- 16. \$ _____ (Child Advocacy Center) \$101.00 pursuant to Section 938.10, Florida Statutes for any violation of Sections 784.085, 796.03, 800.04, 847.0145, 985.4045, or Chapters 787, 794, or 827, Florida Statutes (statutorily mandated).
- 17. \$ _____ (Domestic Violence Surcharge) \$201.00 pursuant to Section 938.08, Florida Statutes for any violation of Sections 784.011, 784.021, 784.03, 784.041, 784.045, 784.048, 784.07, 784.08, 784.081, 784.082, 784.083, 784.085, 794.011, and any offense of Domestic Violence as described in Section 741.28, Florida Statutes (statutorily mandated).
- 18. \$ _____ (Rape Crisis Center Trust Fund) \$151.00 pursuant to Section 938.085, Florida Statutes for any violation of Sections 784.011, 784.021, 784.03, 784.041, 784.045, 784.048, 784.07, 784.08, 784.081, 784.082, 784.083, 784.085, or 794.011.
- 19. \$ _____ (Operating Trust Fund of the FDLE) \$100.00 pursuant to Section 938.25, Florida Statutes (may be imposed for any criminal violation of s. 893.13 if the court finds defendant has ability to pay and will not be prevented thereby from being rehabilitated or from making restitution).
- 20. \$ 50 (Prosecution/Investigative Costs) The Court having considered the financial resources of the Defendant, the financial needs and ability of the Defendant, and other factors which this Court has deemed appropriate, a sum pursuant to 938.27, Florida Statutes (may be imposed where agency entitled to costs of prosecution requests and documents specific costs).
- 21. \$ _____ (State Agency Law Enforcement Radio System Trust Fund) \$3.00 pursuant to Sections 318.18 (17), Florida Statutes (statutorily mandated for violations of: fleeing/eluding; leave scene of crash; DUI; reckless driving; making false crash reports; failure/refusal to comply with lawful order; refusal to weigh vehicle; racing on highway; refusal to submit to breath/blood/urine test).
- 22. \$ _____ Other: _____

Total: \$ 473

Payment of charges, costs, and fines are:

- [x] a condition of probation
- [] to be paid IN FULL TODAY: Defendant to proceed immediately to the Clerk and Comptroller's Office to pay the full amount due. If payment is not made today, then LET EXECUTION ISSUE and this Judgment shall bear interest at the rate prescribed by law until satisfied.
- [] due immediately; hence, FOR WHICH LET EXECUTION ISSUE. This Judgment shall bear interest at the rate prescribed by law until satisfied.
- [] due within _____ days/months/year and is to be paid through the Clerk and Comptroller's Office pursuant to a COLLECTIONS AGREEMENT established TODAY.
- [] \$ _____ will be paid today to the Clerk and Comptroller's Office as a down payment on the collections agreement. If the Collection Agreement is not established today, then LET EXECUTION ISSUE and this Judgment shall bear interest at the rate prescribed by law until satisfied.
- [] to be paid by the Defendant performing: (circle one) community service or AA/NA meetings, at a rate of \$ _____/per hour/meeting, due within _____ days/months/years in lieu of actual payment.

FAILURE TO PAY YOUR FINES AND COURT COSTS WILL RESULT IN YOUR DRIVER'S LICENSE BEING SUSPENDED AND/OR A JUDGMENT BEING ENTERED AGAINST YOU AND/OR YOUR DELINQUENT ACCOUNT BEING REFERRED TO A COLLECTION AGENCY AND/OR A WARRANT BEING ISSUED FOR YOUR ARREST.

DONE AND ORDERED in Open Court in Palm Beach County, Florida, this 30 day of JUNE, 2008
[Signature]

CIRCUIT JUDGE

cc: GOLD: State Attorney YELLOW: Probation BLUE: Administrative Office of the Court PINK: Defense Counsel GREEN: Defendant Form Circuit (Rev 7/2007)

Case No. 08-80736-CV-MARRA

P-008956
Form 004-D

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

CASE NO. 502008CF009381AXXMB DIV. W

OBTS NUMBER:

STATE OF FLORIDA

COMMUNITY
 CONTROL
 VIOLATOR

JEFFREY E EPSTEIN
 DEFENDANT

PROBATION
 VIOLATION



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the
 foregoing is a true copy
 of the record in my office.

THIS NOV 20 2008 DAY OF NOV, 2008

SHARON R. BOCK
 CLERK & COMPTROLLER

By [Signature]
 DEPUTY CLERK

20 - Jan - 1953 W H I T E M SOCIAL SECURITY NUMBER

DATE OF BIRTH RACE GENDER

The fingerprints below are those of said Defendant taken by Deputy Sheriff C. Phillips 6628

1. R. THUMB	2. R. INDEX	3. R. MIDDLE	4. R. RING	5. R. LITTLE
6. L. THUMB	7. L. INDEX	8. L. MIDDLE	9. L. RING	10. L. LITTLE

THE COURT CERTIFIES that the fingerprints shown below are those of the Defendant and were placed thereon by said Defendant in the Court's presence in Open Court at Palm Beach County, Florida, this 20 day of June, 2008.

[Signature]
 CIRCUIT COURT JUDGE

FILED
 JUN 30 2008

CRC_INT_FPRINT

Case No. 08-80736-CV-MARRA

P-008957 2-B

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
<u>20</u> 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

JUN 30

Case No. 08-80736-CV-MARRA ... P=008958

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, places 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 your were not at your schedules 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 F.S. 948.09.

(f) Defendant will be residing at 358 El Brillo 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.
- (h) 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.
- (i) 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 probation officer at a minimum one time a week. Community Control

(h) Defendant to work at Florida Science Foundation, Case No. 08-80736-FV-MARRA P-008959, 250 Australian Ave. N/PA FL.

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 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.
- (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 control'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)

Other: _____

THE COURT RESERVES THE RIGHT TO RESCIND, MODIFY, OR REVOKE SUPERVISION TO THE EXTENT PROVIDED BY LAW DONE AND ORDERED AT West Palm Beach, Palm Beach County, Florida, this 30 day of June 2005
Nunc 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

Case No. 08-80736-CV-MARRA

P-008960

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.



'943.0435 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. (I) 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 (I), 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 [redacted] 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 [redacted] 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. 943.04354, 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 reregister 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. Reregistration 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.



STATE OF FLORIDA - PALM BEACH COUNTY.

I hereby certify that the foregoing is a true copy of the record in my office.

THIS NOV 20 DAY OF 2008, 20

SHARON R. BOCK
CLERK & COMPTROLLER

By [Signature]
DEPUTY CLERK

[Handwritten mark]

EFFECTIVE JULY 1, 2007

4050
IN THE COUNTY COURT OF THE FIFTEENTH
JUDICIAL CIRCUIT, CRIMINAL DIVISION,
IN AND FOR PALM BEACH COUNTY, FLORIDA.

CASE NO: 2006CF 9454XY

STATE OF FLORIDA vs. Defendant: Jerry Epste
Social Security No.: 090-44-348
Date of Birth: 1/20/53



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the
recording is a true copy
of the record in this office.
JUL 2 2008

THIS DAY OF 20

SHARON R. BOCK
CLERK & COMPTROLLER

RECORDER'S SPACE
DEPUTY CLERK

ORDER ASSESSING ADDITIONAL CHARGES, COSTS AND FINES AND ENTERING JUDGMENT (IF INDICATED)

The Defendant is hereby ordered to Pay and a judgment is hereby entered on behalf of Palm Beach County, Palm Beach County Administrative Complex, Palm Beach County, Florida 33401 and the State of Florida, Florida Department of Financial Services, Tallahassee, Florida 32399 in the following sums as indicated:

INITIAL
IF WAIVED

Fines

- 1. Total of fines assessed in sentence.
2. (Crimes Compensation Trust Fund) pursuant to Section 938.04, Florida Statutes (statutorily mandated 5% surcharge/cost on any fine entered in line 1).
3. (Crime Stoppers Trust Fund) \$20.00 pursuant to Section 938.06(1), Florida Statutes (statutorily mandated cost to be added if any fine imposed).
4. (County Crime Prevention Fund) pursuant to Section 775.083(2), Florida Statutes (statutorily mandated). Strike out if not a negotiated settlement and not imposed by the Court.
5. (Additional Court Cost Clearing Trust Fund) pursuant to section 938.01(1), Florida Statutes (statutorily mandated).
6. (Crimes Compensation Trust Fund) pursuant to Section 938.03(1), Florida Statutes (statutorily mandated).
7. (Criminal Justice Education by Municipalities and Counties) pursuant to Section 938.15, Florida Statutes to be paid to:
8. (Additional Court Costs) pursuant to Section 938.05(1), Florida Statutes (statutorily mandated).
9. (Additional Court Costs for local requirements and other County funded programs) pursuant to Section 939.185(1)(a), Florida Statutes (statutorily mandated where locally authorized).
10. (Teen Court) pursuant to Section 938.19(2), Florida Statutes (statutorily mandated where locally authorized).
11. (Public Defender Application Fee) pursuant to Sections 27.52(2)(a) and 938.29, Florida Statutes (a \$40.00 fee shall be imposed if not previously collected or waived). Strike out if previously paid or represented by private counsel.
12. (Public Defender's Fees and Costs) pursuant to Section 938.29, Florida Statutes and Fla. R. Crim. P. 3.720(d)(1) and Local Administrative Order. (Minimum fee of \$150.00 is statutorily mandated following notice of imposition and right to contest amount, additional amount is discretionary). Strike out if represented by private counsel.
13. (Additional fees and costs of publicly appointed counsel) pursuant to Section 938.29, Florida Statutes and Fla. R. Crim. P. 3.720(d)(1) (notice of imposition and right to contest amount required).
14. (County Alcohol and Other Drug Abuse Trust Fund) pursuant to Sections 938.21 and 938.23, Florida Statutes (may be imposed for any criminal violation of s.316.193, s.856.011, s.856.015, or Chapters 562, 567, 568, or 893, but may not exceed the amount of any fine imposed for the offense).
15. (DUI Court Cost) \$135.00 pursuant to Section 938.07, Florida Statutes for any violation of Sections 316.193 or 327.35 (statutorily mandated).
16. (Child Advocacy Center) \$101.00 pursuant to Section 938.10, Florida Statutes for any violation of Sections 784.085, 796.03, 800.04, 847.0145, 985.4045, or Chapters 787, 794, or 827, Florida Statutes (statutorily mandated).
17. (Domestic Violence Surcharge) \$201.00 pursuant to Section 938.08, Florida Statutes for any violation of Sections 784.011, 784.021, 784.03, 784.041, 784.045, 784.048, 784.07, 784.08, 784.081, 784.082, 784.083, 784.085, 794.011, and any offense of Domestic Violence as described in Section 741.28, Florida Statutes (statutorily mandated).
18. (Rape Crisis Center Trust Fund) \$151.00 pursuant to Section 938.085, Florida Statutes for any violation of Sections 784.011, 784.021, 784.03, 784.041, 784.045, 784.048, 784.07, 784.08, 784.081, 784.082, 784.083, 784.085, or 794.011.
19. (Operating Trust Fund of the FDLE) \$100.00 pursuant to Section 938.25, Florida Statutes (may be imposed for any criminal violation of s. 893.13 if the court finds defendant has ability to pay and will not be prevented thereby from being rehabilitated or from making restitution).
20. (Prosecution/Investigative Costs) The Court having considered the financial resources of the Defendant, the financial needs and ability of the Defendant, and other factors which this Court has deemed appropriate, a sum pursuant to 938.27, Florida Statutes (may be imposed where agency entitled to costs of prosecution requests and documents specific costs).
21. (State Agency Law Enforcement Radio System Trust Fund) \$3.00 pursuant to Sections 318.18 (17), Florida Statutes (statutorily mandated for violations of: fleeing/eluding; leave scene of crash; DUI; reckless driving; making false crash reports; failure/refusal to comply with lawful order; refusal to weigh vehicle; racing on highway; refusal to submit to breath/blood/urine test).

Other Charges

22. \$473.00 Other: AWP

Total: \$473.00
Payment of charges, costs, and fines are:

- () a condition of probation
() to be paid IN FULL TODAY; Defendant to proceed immediately to the Clerk and Comptroller's Office to pay the full amount due. If payment is not made today, then LET EXECUTION ISSUE and this Judgment shall bear interest at the rate prescribed by law until satisfied.
() due immediately; hence, FOR WHICH LET EXECUTION ISSUE. This Judgment shall bear interest at the rate prescribed by law until satisfied.
() due within days/months/year and is to be paid through the Clerk and Comptroller's Office pursuant to a COLLECTIONS AGREEMENT established TODAY. \$ will be paid today to the Clerk and Comptroller's Office as a down payment on the collections agreement. If the Collection Agreement is not established today, then LET EXECUTION ISSUE and this Judgment shall bear interest at the rate prescribed by law until satisfied.
() to be paid by the Defendant performing: (circle one) community service or AA/NA meetings, at a rate of \$ /per hour/meeting, due within days/months/years in lieu of actual payment.

FAILURE TO PAY YOUR FINES AND COURT COSTS WILL RESULT IN YOUR DRIVER'S LICENSE BEING SUSPENDED AND/OR A JUDGMENT BEING ENTERED AGAINST YOU AND/OR YOUR DELINQUENT ACCOUNT BEING REFERRED TO A COLLECTION AGENCY AND/OR A WARRANT BEING ISSUED FOR YOUR ARREST.

DONE AND ORDERED in Open Court in Palm Beach County, Florida.

this day of July 2008
[Signature]

CIRCUIT JUDGE

cc: GOLD: State Attorney YELLOW: Probation BLUE: Administrative Office of the Court PINK: Defense Counsel GREEN: Defendant Form Circuit (Rev 7/2007)

***** CROSS REFERENCE INFORMATION ** 00**
 ** DEFENDANT'S NAME ARREST CASE **
 ** NUMBER NUMBER **
 ** EPSTEIN JEFFREY E 2006036744 06009454CF A99 **
 ** **CHARGE: FELONY SOLICITATION OF PROSTITUTION **

DEFENDANT ACTIVITY REPORT

BOOKING HISTORY :

ARREST NUMBER	CASE NUMBER	DIV	ARREST DATE
2006036744	06009454CF	A99 W	07/23/06
FELONY SOLICITATION PROSTITUTION			

CASE HISTORY :

ARREST NUMBER	CASE NUMBER	DIV	FILE DATE	OR	PURGE DATE
2006036744	06009454CF	A99 W			
CHARGE: FELONY SOLICITATION OF PROSTITUTION					
BOND : DATE:072306 RETURN:082506					
STATUS:ARREST WARRANT SERVED- NO RETURN OR RECALL					
					TYPE:CB AMOUNT: \$3000.00



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS DAY OF JUL 22 2008, 20

SHARON R. BOCK
CLERK & COMPTROLLER

By *[Signature]*
DEPUTY CLERK

NAME: EPSTEIN, JEFFREY

JACKET #: 0338617

BOOK #: 2008039317

ALIAS NAMES: OVER 8 NAMES:

EPSTEIN, JEFFREY - EPSTEIN, JEFFREY EDWARD -

Monday, June 30, 2008
11:33:12 AM

PALM BEACH SHERIFFS OFFICE
BOOKING CARD



INCARCERATION DATE/TIME 06/30/2008 11:13
PRISONER TYPE: LOCAL CHARGES
DOB: 01/20/1953 R/S: W/M
AGE: 55 HEIGHT: 6 ft 0 in
SSN: 090-44-3348 WEIGHT: 200

BKG.LOC: MOBILE BOOKING
BKG.ID #: 8548
HAIR COLOR: GRY
EYE COLOR: BLU

CITIZEN
COUNTRY: USA

ADDRESS: 358 EL BRILLO WY CITY: PALM BEACH STATE: FL ZIP: 33480

ID #: 20080630061 POUCH: 3050 NCIC:
SID #: 06587245 AFIS: 2006036744 DOC #:
ALIEN #: U.S. MARSHAL #: INCIDENT #:
FBI #: 787075K6 OBTS #:

ARREST ADDRESS: 205 N DIXIE HWY (MAIN CT HOUSE) CITY: WPB STATE: FL ZIP:
ARREST DATE: 06/30/2008 ARREST TIME: 10:15
BKG. DATE: 06/30/2008 BKG. TIME: 11:13 CURRENT BOND: \$0.00
WARRANT/CASE#: COURT DIVISION:
ARREST OFFICER: D/S DELPLATO ARREST AGENCY: 01 - PBSO
TRANS. OFFICER: D/S MCINTOSH TRANS. AGENCY: 01 - PBSO

CASE TYPE: RECOMMIT-FELONY
NOTE:

STATUTE:	CT:	DESCRIPTION:	CASE FLAG:	NO	VOFC: B TYPE:	CUR. BOND:
9999.0004 (NN)	1	-RE-COMMIT	NO BOND			\$0.00
()	0	FELONY OFFER TO COMMIT PROSTITUTION // CASE: 2006CF009454AXXX // BK#2006036744				\$0.00



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

HOLDS: HOLD DATE/TIME: HOLD BY: HOLD DEPT: REM DATE: HOLD REM. BY: HOLD REM. DEPT:
1
2
3

ALERT DESCRIPTION: ALERT NARRATIVE:
1 31 DNA NOT ON FILE/FELONY CONVICTION

OVER 3 ALERTS:

KEEP SEPARATE FROM:

NONE

OVER 6 NAMES:

ASSIGNED HOUSING: NTA DATE/TIME: NTA LOC:

NCIC INTAKE: NCIC RELEASE: F.P. ENTERED: F.P. CLEAR:

PALMS REL.: PHOTO ID: CLASSIFICATION: MED. CLEAR IN:

MED. CLEAR REL: RELEASE MOVE:

RELEASE DATE/TIME: RELEASE INFORMATION:

COURT DATE/TIME: COURT LOCATION:

CLERK WARRANTS STATE ATTY CENTRAL RCDS CLASS

NAME: EPSTEIN, JEFFREY

JACKET #: 0338617

BOOK #: 2006036744

ALIAS NAMES: OVER 8 NAMES:

NONE

Sunday, July 23, 2006
2:02:43 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: 01/20/1953

R/S: W/M

HAIR COLOR: GRY

AGE: 53

HEIGHT: 6 ft 0 in

EYE COLOR: BLU

SSN: 090-44-3348

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.:
1					
2					
3					

ALERT DESCRIPTION:	ALERT NARRATIVE:
1	
2	
3	

OVER 3 ALERTS:

KEEP SEPARATE FROM:

NONE

OVER 6 NAMES:



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

JUL 22 2008

THIS DAY OF _____, 20

SHARON R. BOCK, CLERK & COMPTROLLER

By: *[Signature]* DEPUTY CLERK

ASSIGNED HOUSING: _____ NTA DATE/TIME: _____ NTA LOC: _____

NCIC INTAKE: _____ NCIC RELEASE: _____ F.P. ENTERED: _____ F.P. CLEAR: _____

PALMS REL.: _____ PHOTO ID: _____ CLASSIFICATION: _____ MED. CLEAR IN: _____

MED. CLEAR REL: _____ RELEASE MOVE: _____

RELEASE DATE/TIME: _____ RELEASE INFORMATION: _____

COURT DATE/TIME: _____ COURT LOCATION: _____

CLERK WARRANTS STATE ATTY CENTRAL RCDS CLASS

EPSTEIN, JEFFREY

JACKET #: 0338617

BOOK #: 2008039317

ALIAS NAMES: OVER 8 NAMES:

EPSTEIN, JEFFREY - EPSTEIN, JEFFREY EDWARD -

Monday, June 30, 2008
11:33:12 AM

PALM BEACH SHERIFFS OFFICE
BOOKING CARD



INCARCERATION DATE/TIME 06/30/2008 11:13
PRISONER TYPE: LOCAL CHARGES

BKG.LOC: MOBILE BOOKING

BKG.ID #: 8548

DOB: 01/20/1953 R/S: W/M

HAIR COLOR: GRY

AGE: 55 HEIGHT: 6 ft 0 in

EYE COLOR: BLU

SSN: 090-44-3348 WEIGHT: 200

CITIZEN
COUNTRY: USA

ADDRESS: 358 EL BRILLO WY CITY: PALM BEACH STATE: FL ZIP: 33480

ID #: 20080630061 POUCH: 3050 NCIC:

SID #: 06587245 AFIS: 2006036744 DOC #:

ALIEN #: U.S. MARSHAL #: INCIDENT #:

FBI #: 787075K6 OBTS #:

ARREST ADDRESS: 205 N DIXIE HWY (MAIN CT HOUSE) CITY: WPB STATE: FL ZIP:

ARREST DATE: 06/30/2008 ARREST TIME: 10:15

BKG. DATE: 06/30/2008 BKG. TIME: 11:13

CURRENT BOND: \$0.00

WARRANT/CASE#: COURT DIVISION:

ARREST OFFICER: D/S DELPLATO ARREST AGENCY: 01 - PBSO

TRANS. OFFICER: D/S MCINTOSH TRANS. AGENCY: 01 - PBSO



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

CASE TYPE: RECOMMIT-FELONY

NOTE:

STATUTE: CT: DESCRIPTION: CASE FLAG: NO BOND

STATUTE	CT	DESCRIPTION	CASE FLAG	CUR BOND
9999.0004 (NN)	1	-RE-COMMIT	NO BOND	\$0.00
0	0	FELONY OFFER TO COMMIT PROSTITUTION // CASE: 2006CF009454AXXX // BKG#2006036744		\$0.00

THIS JUL 2 2008 SHARON A. BOCK B-TYPE: CLERK & COMPTROLLER

DEPUTY CLERK

DEPUTY CLERK

HOLDS:

HOLD DATE/TIME	HOLD BY	HOLD DEPT.	HOLD REM.DATE/TIME	HOLD REM. BY	HOLD REM. DEPT.
1					
2					
3					

ALERT DESCRIPTION:

ALERT NARRATIVE:

ALERT DESCRIPTION	ALERT NARRATIVE
1 31	DNA NOT ON FILE/FELONY CONVICTION
2	
3	

OVER 3 ALERTS:

KEEP SEPARATE FROM:

NONE

OVER 6 NAMES:

ASSIGNED HOUSING: NTA DATE/TIME: NTA LOC:

NCIC INTAKE: NCIC RELEASE: F.P. ENTERED: F.P. CLEAR:

LMS REL.: PHOTO ID: CLASSIFICATION: MED.CLEAR IN:

D. CLEAR REL.: RELEASE MOVE:

EASE DATE/TIME: RELEASE INFORMATION:

HEAR DATE/TIME: COURT LOCATION:

CLERK WARRANTS STATE ATTY CENTRAL RCDS CLASS

INDICTMENT

A TRUE BILL

06-9454CF
A2

SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FLORIDA

06 JUL 19 PM 2:43

FILED

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.



I hereby certify that the foregoing is a true copy of the record in my office.
THIS DAY OF JULY 22 2006
SHARON R. BOCK
CLERK & COMPTROLLER

[Signature]
Assistant State Attorney of the
Fifteenth Judicial Circuit of the State
of Florida, prosecuting for the said
State

[Signature]
GRAND JURY FOREPERSON

July 19, 2006
DATE

Jeffrey E. Epstein, Race: White, Sex: Male, DOB: January 20, 1953, SS#: 090-44-3348; Issue Warrant

DIV. AW

CASE NO. 06009454CF A02 ST. OF FL. VS. JEFFREY E EPSTEIN
CHARGES: #1. FELONY SOLICITATION OF PROSTITUTION

ARREST# 2006036744 BOND# 00073147 TYPE CB \$3,000.00 A/C
Date 08/25/06 Judge *McDougle Swartz* Cr. Rep. *Phames*
ASA *D. Shull* DC *McDougle Swartz* Int _____
Deft---Pres / (Not) Pres. W / W/O Def. Co. _____ Esq / PD---Pres / Not Pres.

ARRAIGNMENT
Before the Court for:
 Granted Denied With / Without Prejudice Withdrawn Court Reserves Ruling Written Order to Follow

Warrant Ordered Recalled Bond Set at \$ _____ See Below Also Covers Sp Cond
 Bond Forf OR: Disch / Revoked / Reinstated Bond: Disch / Revoked SOR: Disch / Revoked / Reinstated
 Bond Forf Vacated Previous Bond Reinstated, if Bondsman agrees State failed to file charges Released O.R. / S.O.R.

Deft ___ Indigent PD Appt Hrg only PD Pres _____ Court Appts _____
Evaluation for: Drug Farm DOC Non-Secure Bed by _____
 Pre-Plea PSI ordered by/within _____ days w/input from DJJ / Staffing
 Referred to: PTI / SAAP / PADD Case placed on the absentee docket

DEFT ENTERED A PLEA OF: NOT GUILTY GUILTY NO CONTEST BEST INTEREST TO THE COURT
As Charged-Cts _____ Lesser Cts _____ Lesser Charge _____
 Sw & Test Adv of Rts Waived PSI Lesser Cts _____ Lesser Charge _____

ADJ GUILTY as Charged as to Cts _____ Lesser Cts _____
 FOUND GUILTY as Charged as to Cts _____ Lesser Cts _____
 ADJ W/HELD as to Cts _____ SENT W/HELD as to Cts _____
 FOUND AND ADJUDICATED DELINQUENT as to Cts _____ Dispo Order to follow / Filed
 FOUND & ADJ NOT GUILTY as to Cts _____ Dismiss Nolle Prose Cts _____

Prob / Comm Control: Revoked Reinstated Modified Term. Successfully / Unsuccessfully
 Deft. to pay fine or complete _____ hrs. Community Service or Serve _____ days PBCJ.

Stip/Found: (violent) Habitual Off. 775.084 Stip/Found: Sexual Offender / Sexual Predator Stip/Found: P.R.R.
SENTENCE: PBCJ: _____ Cts: _____ / DOC: _____ Cts: _____
PBCJ: _____ Cts: _____ / DOC: _____ Cts: _____
 W/Credit for _____ Days / Mos. / Yrs. Deft Remanded _____
Conc / Consec / Co-Term w/cases / cts: _____



STATE OF FLORIDA
PALM BEACH COUNTY
I hereby certify that the
Deft remains on same status pending sent.
of the record in my office.

Execution of Sentence Stayed Sentence Suspended Time served as to Cts _____
 Youthful Off Habitual Off Min / Mand: _____ as to Cts _____
 ABOVE SENTENCE TO BE FOLLOWED BY: Probation Drug Off Prob Copying Control I II See Page 2
DEPUTY CLERK

*Precept for appearance & waived filed on 8/22/06
Send file to Judge for det*

_____ Set / Remains Set / Reset _____ Div _____ Rm _____ at _____ AM/PM
_____ Set / Remains Set / Reset _____ Div _____ Rm _____ at _____ AM/PM

Deft sign _____
 Def Co _____ ASA _____ Bondsman _____
 Prob Jail DJJ GAL Notified by mail by: _____ on _____ / _____ / _____
 County Courthouse 205 N. Dixie, West Palm Beach Courtroom, Criminal Justice Bldg. 38844 State Road 80, Belle Glade Courtroom, Criminal Justice Complex 3228 Gun Club Rd., West Palm Beach

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT ROBIN SHEPETH, ADA COORDINATOR IN THE ADMINISTRATIVE OFFICE OF THE COURT, PALM BEACH COUNTY COURTHOUSE, 205 N. DIXIE HWY, RM 5.2500, WEST PALM BEACH, FL 33401; TELEPHONE (561) 355-4380, WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE. IF YOU ARE HEARING OR VOICE IMPAIRED, CALL 1-800-352-8333.

DIV : W CASE NO : 502006CF009454AXXX ST OF FL VS. JEFFREY E. EPSTEIN 241

Charges : FELONY OFFER TO COMMIT PROSTITUTION

ARREST # 2006034744 BOND# 00073142 TYPE CB 3,000.00
Date 3/10/08 Judge P. C. ...
ASA J. Beldarwerk DC ...
Deft--Pres / Not Pres. W / W/O Def. Co. ...
Before the Court for: STATUS CHECK Status checked
Warrant, Bond Forf, etc.
DEFT ENTERED A PLEA OF: GUILTY
ADJ GUILTY as Charged as to Cts
SENTENCE: PBCJ: 2 MOS
W/Credit for 1 Days / Mos. / Yrs.
Execution of Sentence Stayed, etc.

DNA SWAB



STATE OF FLORIDA - PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.
THIS 22 DAY OF JULY 2008
SHARON R. BOCK
CLERK & COMPTROLLER
DEPUTY CLERK

Deft sign, Def Co, Prob, Jail, DJJ, GAL, County Courthouse, Courtroom, Criminal Justice Bldg., Courtroom, Criminal Justice Complex

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT MARY JAFFE, ADA COORDINATOR IN THE ADMINISTRATIVE OFFICE OF THE COURT, PALM BEACH COUNTY COURTHOUSE, 205 N. DIXIE HWY, RM 5.2500, WEST PALM BEACH, FL 33401; TELEPHONE (561) 355-4380, WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE. IF YOU ARE HEARING OR VOICE IMPAIRED, CALL 1-800-955-0771.

2006CF445484
Jeffrey Epstein

Page 1 Subtotal 56.7

- Legal Status violation = 4 Points I. _____
- VI. Community Sanction violation before the court for sentencing
6 points x each successive violation OR
New felony conviction = 12 points x each successive violation VI. _____
- VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 Points VII. _____
- VIII. Prior Serious Felony = 30 Points VIII. _____

Subtotal Sentence Points 56.7

IX. Enhancements (only if the primary offense qualifies for enhancement)

Law Enforcement Protection ____ x 1.5 ____ x 2.0 ____ x 2.5	Drug Trafficking ____ x 1.5	Grand Theft Motor Vehicle ____ x 1.5	Street Gang (offenses committed on or after 10-1-90) ____ x 1.5	Domestic Violence (offenses committed on or after 10-1-97) ____ x 1.5
--	--------------------------------	---	---	---

Enhanced Subtotal Sentence Points IX. 56.7
TOTAL SENTENCE POINTS 56.7

SENTENCE COMPUTATION

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction.

If total sentence points are greater than 44:

$$\frac{56.7}{\text{total sentence points}} \text{ minus } 28 = 28.7 \text{ x } .75 = \frac{21.5}{\text{lowest permissible prison sentence in months}}$$

The maximum sentence is up to the statutory maximum for the primary and any additional offenses as provided in s. 775.082, F.S., unless the lowest permissible sentence under the code, exceeds the statutory maximum. Such sentences may be imposed concurrently or consecutively. If total sentence points are greater than or equal to 363, a life sentence may be imposed.

 maximum sentence in years

TOTAL SENTENCE IMPOSED

- State Prison
- County Jail
- Community Control
- Probation
- Life
- Time Served

Years _____ Months 12 Days _____
18 months COMM. CONTROL 10 to 12 months
 PBCJ

Please check if sentenced as habitual offender, habitual violent offender, violent career criminal, prison releasee, reoffender, or a mandatory minimum applies.

- Mitigated Departure
- Plea Bargain
- Other Reason _____

JUDGE'S SIGNATURE David ...

RULE 3.992(a) CRIMINAL PUNISHMENT CODE SCORESHEET

1. DATE OF SENTENCE 6/30/08	2. PREPARER'S NAME <input type="checkbox"/> DC <input checked="" type="checkbox"/> SAO Belohlavek	3. COUNTY Palm Beach	4. SENTENCING JUDGE Pucillo
5. NAME (LAST, FIRST, MI.) Epstein, Jeffrey E.		6. DOB 1/20/53	8. RACE <input type="checkbox"/> B <input checked="" type="checkbox"/> W <input type="checkbox"/> OTHER
		7. DC#	9. GENDER <input checked="" type="checkbox"/> M <input type="checkbox"/> F
		10. PRIMARY OFF. DATE	
		11. PRIMARY DOCKET # 08-9581 2006-9454	
		12. PLEA <input checked="" type="checkbox"/> TRIAL <input type="checkbox"/>	

I. PRIMARY OFFENSE: If Qualifier, please check A S C R (A=Attempt, S=Solicitation, C=Conspiracy, R=Reclassification)

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
2nd F	794.03	Procuring Person Under 18 for Prostitution	07	56

(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony triples Primary Offense points

II. ADDITIONAL OFFENSE(S): Supplemental page attached

DOCKET#	FEL/MM DEGREE	F.S.#	OFFENSE	QUALIFY	COUNTS	POINTS	TOTAL
06-9454	3rd F	796.07	Felony Solicitation of Prostitution	A S C R	1 X	.7	.7

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

Prior capital felony triples Additional Offense points

Supplemental page points **56.7**

III. VICTIM INJURY:

	Number	Total		Number	Total
2 nd Degree Murder	240 X	=	Slight	4 X	=
Death	120 X	=	Sex Penetration	80 X	=
Severe	40 X	=	Sex Contact	40 X	=
Moderate	18 X	=			

IV. PRIOR RECORD: Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY A S C R	DESCRIPTION	NUMBER	POINTS	TOTAL
____/____	____/____	____/____	____	____	____ X	____	____
____/____	____/____	____/____	____	____	____ X	____	____
____/____	____/____	____/____	____	____	____ X	____	____
____/____	____/____	____/____	____	____	____ X	____	____
____/____	____/____	____/____	____	____	____ X	____	____
____/____	____/____	____/____	____	____	____ X	____	____

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

Supplemental page points _____

Page 1 Subtotal: **56.7**

vs.

Jeffrey Epstein

CASE NUMBER 20 06-CF-009454-AM
05-CF-00938-AM

PLEA IN THE CIRCUIT COURT

- 1. DEFENDANT: I am the defendant in the above-mentioned matter(s), and I am represented by the attorney indicated below. I understand I have the right to be represented by an attorney at all stages of the proceeding until the case is terminated, and if I cannot afford an attorney, one will be appointed free of charge. []
- 2. DEFENDANT: I understand I have the right to a speedy and public trial either by jury or by court. I hereby waive and give up this right. []
- 3. DEFENDANT: I understand I have the right to be confronted by the witnesses against me and to cross examine them by myself or through my attorney. I hereby give up these rights. []
- 4. DEFENDANT: I understand I have the right to testify on my own behalf, but I cannot be compelled to be a witness against myself and may remain silent if I so choose. I hereby give up these rights. []
- 5. DEFENDANT: I understand I have the right to call witnesses to testify in my behalf and to invoke the compulsory process of the Court to subpoena those witnesses. I hereby give up these rights. []
- 6. DEFENDANT: I understand I have the right to appeal all matters relating to the charge(s) and, unless I plea Guilty or No Contest, specifically reserving my right to appeal, I will give up such right of appeal. []
- 7. DEFENDANT: I understand that if I am not a United States Citizen, my plea may subject me to deportation pursuant to the laws and regulations governing the United States Immigration and Naturalization Service; and, this Court has no jurisdiction (authority) in such matters. []
- 8. DEFENDANT: I have not received any promises from anyone, including my attorney, concerning eligibility for any form of early release authorized by law and further no promises have been made to me as to the actual amount of time that I will serve under the sentence to be imposed. Further, I understand that this plea may be used to enhance future criminal penalties in any court system, even if adjudication of guilt is withheld. []
- 9. DEFENDANT: I offer my plea freely and voluntarily and of my own accord, with full understanding of all matters set forth in the pleadings and this waiver. []
- 10. DEFENDANT: I have personally placed my initials in each bracket above, and I understand each and every one of the rights outlined above. I hereby waive and give up each of them in order to enter my plea to the within charge(s). I understand that even though the Court may approve the agreement of sentence, the Court is not bound by the agreement, the Court may withdraw its approval at any time before pronouncing judgment, in which case I shall be able to withdraw my plea should I desire to do so.
- 11. DEFENDANT: Choose one:
 If applicable, I choose a program which is or may be spiritually based. []
 If applicable, I choose a program which is NOT spiritually based. [X]
 If applicable, I have no preference if the program is or may be spiritually based. []

[Signature]
DEFENDANT

6/30/09
DATE

DEFENDANT'S ATTORNEY ONLY:

I am attorney of record. I have explained each of the above rights to the defendant and have explored the facts with him/her and studied his/her possible defenses to the charge(s). I concur with his/her decision to waive the rights and to enter this plea. I further stipulate that this document may be received by the Court as evidence of defendant's intelligent waiver of these rights and that it shall be filed by the Clerk as permanent record of that waiver.

[Signature] Jack Goldberge
ATTORNEY FOR THE DEFENDANT

6/30/09
DATE

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

SENTENCE



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS DAY JUN 22 2008 20

SHARON R. BOCK
CLERK & COMPTROLLER

By [Signature]
DEPUTY CLERK

(As to Count(s) 1)

Defendant Jeffrey E. Epstein

Case Number 20 06 CF 454 - CF A

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 \$ 0 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 12 months. 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: _____

JUN 23 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

[Signature]
CIRCUIT COURT JUDGE

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

CASE NO. 20-06-9454CF AD2 DIV. W

OBTS NUMBER _____

STATE OF FLORIDA

COMMUNITY CONTROL VIOLATOR

PROBATION VIOLATOR

JEFFERY EPSTEIN
 DEFENDANT



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

JUL 22 2008

THIS DAY OF _____, 20__

SHARON R. BOCK
 CLERK & COMPTROLLER

By [Signature]
 DEPUTY CLERK

1/20/1953 DATE OF BIRTH W RACE M GENDER

SOCIAL SECURITY NUMBER _____

The fingerprints below are those of said Defendant taken by Deputy Sheriff C. Phillips #6628

1. R. THUMB	2. R. INDEX	3. R. MIDDLE	4. R. RING	5. R. LITTLE

THE COURT CERTIFIES that the fingerprints shown below are those of the Defendant and were placed thereon by said Defendant in the Court's presence in Open Court at Palm Beach County, Florida, this 30 day of June, 2008.

[Signature]
 CIRCUIT COURT JUDGE

Form Circuit 3B (rev 10/2000)

JUN 30

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

STATE OF FLORIDA

CASE NO.: 2006CF009454AXX

DIVISON: "W"

vs.

JEFFREY EPSTEIN,

Defendant.

FILED
2008 JUL - 2 PM 3:40
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FLORIDA

AGREED ORDER SEALING DOCUMENT IN COURT FILE

THIS MATTER came before the Honorable Judge Deborah Dale Pucillo on June 30, 2008 during a plea conference in the above-referenced case number. The Court being fully apprised in the circumstances, it is hereby:

attached DP

ORDERED AND ADJUDGED that the document filed by the Defendant on July 2, 2008 be sealed by the Clerk in the court file.

DONE AND ORDERED in chambers, West Palm Beach, Palm Beach County, Florida this 2 day of July, 2008.

Deborah Dale Pucillo
DEBORAH DALE PUCILLO
Circuit Court Judge



STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

JUL 22 2008

THIS DAY OF JULY 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By *[Signature]*

Copies forwarded to:

Jack A. Goldberger, Esq.
Counsel for the Defendant
250 Australian Avenue South, Ste. 1400
West Palm Beach, Florida 33401

Lanna Belohlavek, Esq.
Assistant State Attorney
(interoffice)

AB JUL 03 2008

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

CASE NO. 2006 CF 009454AX

STATE OF FLORIDA

DIVISION W

VS.

Jeffrey Epstein

ON July 2, 2008



STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS JUL 22 2008 20

SHARON R. BOCK
CLERK & COMPTROLLER

By [Signature]
DEPUTY CLERK

FILED
2008 JUL -2 PM 3:44
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FLORIDA

Psychiatric (Medical, etc.) Report dated _____
from _____

Presentence Investigation Report dated _____
from _____

Other Non-Prosecution Agreement

**SEALED IN COURT FILE, NOT TO BE
OPENED WITHOUT ORDER OF COURT**

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

6

TO: [REDACTED]
12247 72ND COURT NORTH
ROYAL PALM BEACH, FL 33411

CASE NO. 2006CF009454AMB
Police Case No. 76-05-0368
ME. No.

ONE WEEK DOCKET - REMAIN ON CALL

STATE OF FLORIDA
vs.
JEFFREY E EPSTEIN

You are commanded to appear at the Palm Beach County Courthouse, 205 North Dixie Highway, COURTROOM 11P, West Palm Beach, Florida, beginning at 9:30 a.m., on 07/08/2008. Please call (561) 355-7376 (or 1-(800) 353-3859 ext.7376 if out of the area) when you receive this subpoena AND the working day before trial after 2:00 p.m. to verify time of trial. You may also contact this office via email at COMBATU@SA15.STATE.FL.US.

Failure to appear will subject you to contempt of Court. This subpoena is binding day to day and week to week until the case is closed.

[Signature]
LANNA BELOHLAVEK
Assistant State Attorney
Fla. Bar No.0776726



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS JUL 22 2008 OF 20
SHARON R. BOCK
CLERK & COMPTROLLER

By *[Signature]*
DEPUTY CLERK

March 12, 2008

I received this subpoena on the 12 day of March, 2008, and executed the same on the 8 day of July, 2008, in Palm Beach County, Florida.

SHERIFF, PALM BEACH COUNTY

By: *[Signature]*
Deputy Sheriff

P.B.S.O.

2008 MAR 21, PM 4:30

SHARON R. BOCK, CLERK & COMPTROLLER
PALM BEACH COUNTY, FLORIDA
CIRCUIT CRIMINAL

2008 APR 10 PM 5:33

FILED

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator in the Administrative Office of the Court, Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida, 33401; telephone number (561) 355-4380 within two (2) working days of your receipt of this notice; if you are hearing or voice impaired, call 1-800-955-8771.

3/13 10:17A
4/17 11:08AM
4/8 7:58AM

50

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

2

Try Road
N north

TO: S. G.
12248 76TH PL N
WEST PALM BEACH, FL 33412

CASE NO. 2006CP009454AMB
Police Case No. 76-05-0368
ME. No.

STATE OF FLORIDA
vs.
JEFFREY E EPSTEIN

ONE WEEK DOCKET - REMAIN ON CALL

You are commanded to appear at the Palm Beach County Courthouse, 205 North Dixie Highway, COURTROOM 11F, West Palm Beach, Florida, beginning at 9:30 a.m., on 07/08/2008 . **Please call (561) 355-7376 (or 1-(800) 353-3859 ext.7376 if out of the area) when you receive this subpoena AND the working day before trial after 2:00 p.m. to verify time of trial. You may also contact this office via email at COMBATU@SA15.STATE.FL.US.**

Failure to appear will subject you to contempt of Court. This subpoena is binding day to day and week to week until the case is closed.

[Signature]
IANNA BELOBLAVEK
Assistant State Attorney
Fla. Bar No.0776726



STATE OF FLORIDA - PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.
THIS 22 DAY OF March, 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By: *[Signature]*
DEPUTY CLERK

P.B.S.D.

2008 MAR 24 PM 4:30

March 12, 2008

I received this subpoena on the 24 day of March, 2008, and executed the same on the 8 day of Feb, 2008, in Palm Beach County, Florida.

SHERIFF, PALM BEACH COUNTY

By: *[Signature]*
Deputy Sheriff

8:15 AM
2008 APR 10 PM 12:30
SHARON R. BOCK
CLERK & COMPTROLLER
PALM BEACH COUNTY
CIRCUIT CRIMINAL DIVISION
FILED

3/31 10:2 AM
4/8 5:15 AM
If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator in the Administrative Office of the Court, Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2000 West Palm Beach, Florida, 33401; telephone number (561) 355-4300 within two (2) working days of your receipt of this notice; if you are hearing or voice impaired, call 1-800-955-8771.

49

3

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

TO: A.D.
6267 GRAPEVIEW BLVD.
LOXAHATCHEE, FL 33470

CASE NO. 2006-009454AMB
Police Case No. 76-05-0368
ME. No.

STATE OF FLORIDA
vs.
JEFFREY E EPSTEIN

ONE WEEK DOCKET - REMAIN ON CALL

You are commanded to appear at the Palm Beach County Courthouse, 205 North Dixie Highway, COURTROOM 11F, West Palm Beach, Florida, beginning at 9:30 a.m., on 07/08/2008. **Please call (561) 355-7376 (or 1-(800) 353-3859 ext.7376 if out of the area) when you receive this subpoena AND the working day before trial after 2:00 p.m. to verify time of trial. You may also contact this office via email at COMBATU@SA15.STATE.FL.US.**

Failure to appear will subject you to contempt of Court. This subpoena is binding day to day and week to week until the case is closed.

Lanna Belohlavik
LANNA BELOHLAVIK
Assistant State Attorney
Fla. Bar No. 0776726



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS JUL 22 2008 DAY OF JULY, 2008
SHARON R. BOCK
CLERK & COMPTROLLER

March 12, 2008

I received this subpoena on the 21 day of April, 2008, in Palm Beach County, Florida.

SHERIFF, PALM BEACH COUNTY

By: *[Signature]*
Deputy Sheriff

3/31 1041A

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator in the Administrative Office of the Court, Palm Beach County Courthouse, 205 North Dixie Highway, Room 2.2500, West Palm Beach, Florida, 33401; telephone number (561) 355-4280 within two (2) working days of your receipt of this notice; if you are hearing or voice impaired, call 1-800-955-2771.

2008 MAR 24 PM 4:30
P.D.S.O.
2008 APR 10 PM 4:30
FILED
SHARON R. BOCK, CLERK
PALM BEACH COUNTY
CIRCUIT CRIMINAL

45

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT, IN AND FOR PALM
BEACH COUNTY, FLORIDA

Case No.: 502006CF009454A XXXMB

3
FILED
2008 APR -4 AM 10:27
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

STATE OF FLORIDA

JEFFREY EPSTEIN,

Defendant

NOTICE OF WITHDRAWAL OF MOTION FOR PROTECTIVE ORDER

COMES NOW, Witness Y. Doe, by and through undersigned counsel, upon the representation of counsel for Defendant, Jeffrey Epstein, that he agrees to cancel the deposition of Y. Doe, hereby withdraws her Motion for Protective Order.

Dated: April 2, 2008

Respectfully submitted,

HERMAN & MERMELSTEIN, P.A.
Attorneys for Witness Y. Doe
18205 Biscayne Blvd.
Suite 2218
Miami, Florida 33160
Tel: 305-931-2200
Fax: 305-931-0877

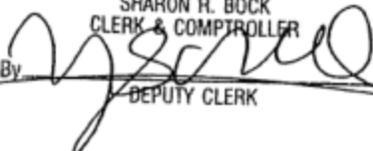


STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 22 DAY OF JULY, 2008

SHARON R. BOCK
CLERK & COMPTROLLER

By: 
DEPUTY CLERK

By: 
Jeffrey M. Herman
jherman@hermanlaw.com
Florida Bar No. 521647
Stuart S. Mermelstein
ssm@hermanlaw.com
Florida Bar No. 947245
Adam D. Horowitz
Florida Bar No. 376980
ahorowitz@hermanlaw.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by facsimile and U.S. mail on this the 2 day of April, 2008 to: Jack A. Goldberger, Esq., 250 Australian Avenue South, Suite 1400, West Palm Beach, FL 33401; Lanna [REDACTED] Belohlavek, Esq., State Attorney's Office, 401 N. Dixie Hwy., West Palm Beach, FL 33401-4209.



A handwritten signature in black ink, appearing to be 'JAG', is written over a horizontal line.

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT, IN AND FOR PALM BEACH COUNTY, FLORIDA

Case No.: 502006CF009454AXXXMB W

STATE OF FLORIDA

JEFFREY EPSTEIN,

Defendant

NOTICE OF WITHDRAWAL OF MOTION FOR PROTECTIVE ORDER

COMES NOW, Witness Y. Doe, by and through undersigned counsel, upon representation of counsel for Defendant, Jeffrey Epstein, that he agrees to cancel the deposition of Y. Doe, hereby withdraws her Motion for Protective Order.

Dated: April 2, 2008

Respectfully submitted,

HERMAN & MERMELSTEIN, P.A.
Attorneys for Witness Y. Doe
18205 Biscayne Blvd.
Suite 2218
Miami, Florida 33160
Tel: 305-931-2200
Fax: 305-931-0877

By: 
Jeffrey M. Herman
jherman@hermanlaw.com
Florida Bar No. 521647
Stuart S. Mermelstein
ssm@hermanlaw.com
Florida Bar No. 947245
Adam D. Horowitz
Florida Bar No. 376980
ahorowitz@hermanlaw.com

SHARON R. BOCK, CLERK
PALM BEACH COUNTY
CIRCUIT CRIMINAL

2008 APR -3 AM 9:56

FILED



CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by facsimile and U.S. mail on this the 2 day of April, 2008 to: Jack A. Goldberger, Esq., 250 Australian Avenue South, Suite 1400, West Palm Beach, FL 33401; Lanna [REDACTED] Belohlavek, Esq., State Attorney's Office, 401 N. Dixie Hwy., West Palm Beach, FL 33401-4209.





STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS **JUL 22 2008**, 20

SHARON R. BOCK
CLERK & COMPTROLLER

By 
DEPUTY CLERK

HERMAN & MERMELSTEIN PA

ATTORNEYS AT LAW

Stuart S. Mermelstein
Tel 305-931-2200
Fax 305-931-0877
ssm@hermanlaw.com

18205 Biscayne Boulevard
Suite 2218
Miami, Florida 33160
www.hermanlaw.com

March 31, 2008

Via Federal Express

Honorable Sandra McSorley
Palm Beach County Courthouse
205 North Dixie Highway
Courtroom 11F
West Palm Beach, Florida 33401

Re: *State of Florida v. Jeffrey Epstein*
Case No.: 502006CF009454AXXXMB

*Wife/Drawn orally
4/01/08
supported to for
witness 4/02/08*

Dear Judge McSorley:

We represent a witness in the above-referenced matter. It is kindly requested that a fifteen (15) minute or less special set hearing be scheduled on the enclosed Motion for Protective Order. Please have your judicial assistant contact my office to schedule said hearing.

Thank you for your attention to this matter.

Very truly yours,


Stuart S. Mermelstein

SSM/lr

cc: Jack Goldberger, Esq.
Lanna [REDACTED] Belohlavek, Esq.

RECEIVED

APR 01 2008

Chambers of Judge
Sandra K. McSorley

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT, IN AND FOR PALM
BEACH COUNTY, FLORIDA

Case No.: 502006CF009454AXXXMB

STATE OF FLORIDA

█
JEFFREY EPSTEIN,

Defendant
_____ /

FILED
2008 APR -3 AM 9:56
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

MOTION FOR PROTECTIVE ORDER

COMES NOW, Witness Y. Doe,¹ by and through undersigned counsel, respectfully moves for a protective order pursuant to Florida Rule Criminal Procedure 3.220(l)(1), requiring that the deposition of Y. Doe be taken in this matter in conjunction with and at the same time with the deposition of Y. Doe in the civil case captioned Jane Doe No. 3 █. Jeffrey Epstein, case no. 08-CV-80232-Marra/Johnson, United States District Court for the Southern District of Florida. As grounds therefore, Witness Y. Doe states as follows:

1. Y. Doe has been subpoenaed for deposition in this case by the Defendant Jeffrey Epstein. The subpoena schedules the deposition for April 2, 2008.
2. Y. Doe is a victim in this matter who alleges that she was sexually assaulted by Defendant Jeffrey Epstein when she was 16 years old. Y. Doe has brought a civil case against Defendant Epstein captioned Jane Doe No. 3 █. Jeffrey Epstein, case

¹ The witness is named here anonymously as "Y. Doe" because of the sensitive allegations of sex abuse upon a minor involved in this case.

no. 08-CV-80232-Marra/Johnson, United States District Court for the Southern District of Florida. This civil case alleges sexual assault against Defendant Epstein.

3. It is anticipated that Y. Doe will be questioned on the same facts and issues regarding her encounter with Jeffrey Epstein in both the civil and criminal cases.

4. It would protect the victim from harassment, as well as undue and necessary emotional stress and trauma, to have her deposition taken only once by Defendant Epstein, rather than requiring that she unnecessarily revisit the emotional and traumatic facts in separate depositions for each case.

5. It would not prejudice the defense in its investigation or preparation of this case if the depositions in the civil case and the criminal case were conducted at the same time.

6. Florida Rule of Criminal Procedure 3.220(l)(1) provides that the Court may issue a protective order "as is appropriate to protect the witness from harassment, unnecessary inconvenience, or invasion of privacy, including prohibiting the taking of the deposition." Further Fla.R.Crim.P. 3.220(h)(1) contemplates that a witness in Y. Doe's circumstances will only be subject to one deposition: "In any case, no person shall be deposed more than once except by consent of the parties or by order of the court issued on good cause shown."

7. This Court has the inherent authority to protect witnesses in a criminal case from potential emotional harm. State v. Ford, 626 So.2d 1338 (Fla. 1993); State v. Tarrago, 800 So.2d 300 (Fla. 3d DCA 2001). A requirement that a single deposition be taken by Defendant Epstein for both the civil and criminal cases will avoid unnecessary emotional harm to Y. Doe. Finally, the taking of two separate depositions of Y. Doe by

Defendant Epstein would be harassment. A protective order under rule 3.220(1)(1) would prevent this harassment.

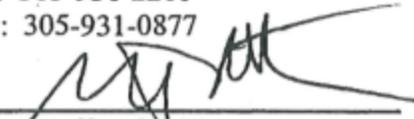
8. Counsel for Witness Y. Doe has contacted both the attorneys for the State and for Defendant Epstein regarding this request, and neither has responded.

WHEREFORE, Witness Y. Doe respectfully requests a protective order requiring that the deposition in the criminal case and the civil case captioned Jane Doe No. 3, Jeffrey Epstein, case no. 08-CV-80232-Marra/Johnson, United States District Court for the Southern District of Florida, be taken at the same time, and for such further relief as this Court deems just and proper.

Dated: March 31, 2008

Respectfully submitted,

HERMAN & MERMELSTEIN, P.A.
Attorneys for Witness Y. Doe
18205 Biscayne Blvd.
Suite 2218
Miami, Florida 33160
Tel: 305-931-2200
Fax: 305-931-0877

By: 

Jeffrey M. Herman
jherman@hermanlaw.com
Florida Bar No. 521647
Stuart S. Mermelstein
ssm@hermanlaw.com
Florida Bar No. 947245
Adam D. Horowitz
Florida Bar No. 376980
ahorowitz@hermanlaw.com

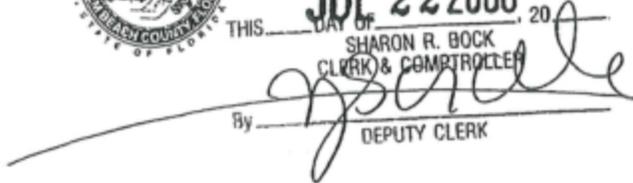


STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS JUL 22 2008 DAY OF JULY, 2008

SHARON R. BOCK
CLERK & CONTROLLER

By: 
DEPUTY CLERK

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by facsimile and U.S. mail on this the 31 day of March, 2008 to: Jack A. Goldberger, Esq., 250 Australian Avenue South, Suite 1400, West Palm Beach, FL 33401; Lanna [REDACTED] Belohlavek, Esq., State Attorney's Office, 401 N. Dixie Hwy., West Palm Beach, FL 33401-4209.



IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT, IN AND FOR PALM
BEACH COUNTY, FLORIDA

Case No.: 502006CF009454A XXXMB

STATE OF FLORIDA

JEFFREY EPSTEIN,

Defendant

3
FILED
2008 APR -4 AM 10:27
HARRON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

NOTICE OF WITHDRAWAL OF MOTION FOR PROTECTIVE ORDER

COMES NOW, Witness Y. Doe, by and through undersigned counsel, upon the representation of counsel for Defendant, Jeffrey Epstein, that he agrees to cancel the deposition of Y. Doe, hereby withdraws her Motion for Protective Order.

Dated: April 2, 2008

Respectfully submitted,

HERMAN & MERMELSTEIN, P.A.
Attorneys for Witness Y. Doe
18205 Biscayne Blvd.
Suite 2218
Miami, Florida 33160
Tel: 305-931-2200
Fax: 305-931-0877

By: 
Jeffrey M. Herman
jherman@hermanlaw.com
Florida Bar No. 521647
Stuart S. Mermelstein
ssm@hermanlaw.com
Florida Bar No. 947245
Adam D. Horowitz
Florida Bar No. 376980
ahorowitz@hermanlaw.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by facsimile and U.S. mail on this the 2 day of April, 2008 to: Jack A. Goldberger, Esq., 250 Australian Avenue South, Suite 1400, West Palm Beach, FL 33401; Lanna [REDACTED] Belohlavek, Esq., State Attorney's Office, 401 N. Dixie Hwy., West Palm Beach, FL 33401-4209.





STATE OF FLORIDA • PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.

THIS DAY OF JULY 22 2008
BY Sharon R. [Signature]
CLERK & COMPTROLLER
DEPUTY CLERK

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT, IN AND FOR PALM BEACH COUNTY, FLORIDA

Case No.: 502006CF009454AXXXMB W

STATE OF FLORIDA

JEFFREY EPSTEIN,

Defendant

_____ /

NOTICE OF WITHDRAWAL OF MOTION FOR PROTECTIVE ORDER

COMES NOW, Witness Y. Doe, by and through undersigned counsel, upon representation of counsel for Defendant, Jeffrey Epstein, that he agrees to cancel the deposition of Y. Doe, hereby withdraws her Motion for Protective Order.

Dated: April 2, 2008

Respectfully submitted,

HERMAN & MERMELSTEIN, P.A.
Attorneys for Witness Y. Doe
18205 Biscayne Blvd.
Suite 2218
Miami, Florida 33160
Tel: 305-931-2200
Fax: 305-931-0877

By: _____



Jeffrey M. Herman
jherman@hermanlaw.com
Florida Bar No. 521647
Stuart S. Mermelstein
ssm@hermanlaw.com
Florida Bar No. 947245
Adam D. Horowitz
Florida Bar No. 376980
ahorowitz@hermanlaw.com

SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

2008 APR -3 AM 9:56

FILED



CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by facsimile and U.S. mail on this the 2 day of April, 2008 to: Jack A. Goldberger, Esq., 250 Australian Avenue South, Suite 1400, West Palm Beach, FL 33401; Lanna [REDACTED] Belohlavek, Esq., State Attorney's Office, 401 N. Dixie Hwy., West Palm Beach, FL 33401-4209.



HERMAN & MERMELSTEIN PA

ATTORNEYS AT LAW

Stuart S. Mermelstein
Tel 305-931-2200
Fax 305-931-0877
ssm@hermanlaw.com

18205 Biscayne Boulevard
Suite 2218
Miami, Florida 33160
www.hermanlaw.com

March 31, 2008

Via Federal Express

Honorable Sandra McSorley
Palm Beach County Courthouse
205 North Dixie Highway
Courtroom 11F
West Palm Beach, Florida 33401

Re: *State of Florida* ■ *Jeffrey Epstein*
Case No.: 502006CF009454AXXXMB

*withdrawn orally
4/01/08
supported to for
witness 4/02/08*

Dear Judge McSorley:

We represent a witness in the above-referenced matter. It is kindly requested that a fifteen (15) minute or less special set hearing be scheduled on the enclosed Motion for Protective Order. Please have your judicial assistant contact my office to schedule said hearing.

Thank you for your attention to this matter.

Very truly yours,


Stuart S. Mermelstein

SSM/lr
cc: Jack Goldberger, Esq.
Lanna ■ Belohlavek, Esq.

RECEIVED

APR 01 2008

Chambers of Judge
Sandra K. McSorley

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT, IN AND FOR PALM
BEACH COUNTY, FLORIDA

Case No.: 502006CF009454AXXXMB ³

STATE OF FLORIDA

JEFFREY EPSTEIN,

Defendant

MOTION FOR PROTECTIVE ORDER

COMES NOW, Witness Y. Doe,¹ by and through undersigned counsel, respectfully moves for a protective order pursuant to Florida Rule Criminal Procedure 3.220(1)(1), requiring that the deposition of Y. Doe be taken in this matter in conjunction with and at the same time with the deposition of Y. Doe in the civil case captioned Jane Doe No. 3 **J. Jeffrey Epstein**, case no. 08-CV-80232-Marra/Johnson, United States District Court for the Southern District of Florida. As grounds therefore, Witness Y. Doe states as follows:

1. Y. Doe has been subpoenaed for deposition in this case by the Defendant Jeffrey Epstein. The subpoena schedules the deposition for April 2, 2008.
2. Y. Doe is a victim in this matter who alleges that she was sexually assaulted by Defendant Jeffrey Epstein when she was 16 years old. Y. Doe has brought a civil case against Defendant Epstein captioned Jane Doe No. 3 **J. Jeffrey Epstein**, case

¹ The witness is named here anonymously as "Y. Doe" because of the sensitive allegations of sex abuse upon a minor involved in this case.

FILED

2008 APR - 1 PM 3:31
SHARON L. ROCK, CLERK
PALM BEACH COUNTY
CIRCUIT CLERK
2008 APR - 1 PM 3:55
OFFICE OF THE CLERK
CIRCUIT CLERK

APR 02 2008
45
AB

no. 08-CV-80232-Marra/Johnson, United States District Court for the Southern District of Florida. This civil case alleges sexual assault against Defendant Epstein.

3. It is anticipated that Y. Doe will be questioned on the same facts and issues regarding her encounter with Jeffrey Epstein in both the civil and criminal cases.

4. It would protect the victim from harassment, as well as undue and necessary emotional stress and trauma, to have her deposition taken only once by Defendant Epstein, rather than requiring that she unnecessarily revisit the emotional and traumatic facts in separate depositions for each case.

5. It would not prejudice the defense in its investigation or preparation of this case if the depositions in the civil case and the criminal case were conducted at the same time.

6. Florida Rule of Criminal Procedure 3.220(l)(1) provides that the Court may issue a protective order "as is appropriate to protect the witness from harassment, unnecessary inconvenience, or invasion of privacy, including prohibiting the taking of the deposition." Further Fla.R.Crim.P. 3.220(h)(1) contemplates that a witness in Y. Doe's circumstances will only be subject to one deposition: "In any case, no person shall be deposed more than once except by consent of the parties or by order of the court issued on good cause shown."

7. This Court has the inherent authority to protect witnesses in a criminal case from potential emotional harm. State v. Ford, 626 So.2d 1338 (Fla. 1993); State v. Tarrago, 800 So.2d 300 (Fla. 3d DCA 2001). A requirement that a single deposition be taken by Defendant Epstein for both the civil and criminal cases will avoid unnecessary emotional harm to Y. Doe. Finally, the taking of two separate depositions of Y. Doe by

Defendant Epstein would be harassment. A protective order under rule 3.220(l)(1) would prevent this harassment.

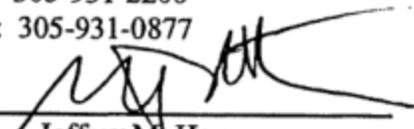
8. Counsel for Witness Y. Doe has contacted both the attorneys for the State and for Defendant Epstein regarding this request, and neither has responded.

WHEREFORE, Witness Y. Doe respectfully requests a protective order requiring that the deposition in the criminal case and the civil case captioned Jane Doe No. 3 Jeffrey Epstein, case no. 08-CV-80232-Marra/Johnson, United States District Court for the Southern District of Florida, be taken at the same time, and for such further relief as this Court deems just and proper.

Dated: March 31, 2008

Respectfully submitted,

HERMAN & MERMELSTEIN, P.A.
Attorneys for Witness Y. Doe
18205 Biscayne Blvd.
Suite 2218
Miami, Florida 33160
Tel: 305-931-2200
Fax: 305-931-0877

By: 

Jeffrey M. Herman
jherman@hermanlaw.com
Florida Bar No. 521647
Stuart S. Mermelstein
ssm@hermanlaw.com
Florida Bar No. 947245
Adam D. Horowitz
Florida Bar No. 376980
ahorowitz@hermanlaw.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by facsimile and U.S. mail on this the 31 day of March, 2008 to: Jack A. Goldberger, Esq., 250 Australian Avenue South, Suite 1400, West Palm Beach, FL 33401; Lanna [REDACTED] Belohlavek, Esq., State Attorney's Office, 401 N. Dixie Hwy., West Palm Beach, FL 33401-4209.



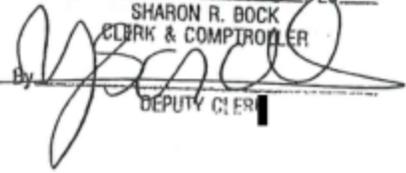


STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS JUL 22 2008 DAY OF _____ 20

SHARON R. BOCK
CLERK & COMPTROLLER

By 
DEPUTY CLERK

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

5

TO: JANUSZ BANASIAK
358 EL BRILLO WAY
PALM BEACH, FL 33480

C

CASE NO. 2006CF009454AMB
Police Case No. 76-05-0368
ME. No.

STATE OF FLORIDA
vs.
JEFFREY E EPSTEIN

ONE WEEK DOCKET - REMAIN ON CALL

You are commanded to appear at the Palm Beach County Courthouse, 205 North Dixie Highway, COURTROOM 11F, West Palm Beach, Florida, beginning at 9:30 a.m., on 07/08/2008. **Please call (561) 355-7376 (or 1-(800) 353-3859 ext.7376 if out of the area) when you receive this subpoena AND the working day before trial after 2:00 p.m. to verify time of trial. You may also contact this office via email at COMBATU@SA15.STATE.FL.US.**

Failure to appear will subject you to contempt of Court. This subpoena is binding day to day and week to week until the case is closed.

[Signature]
ANNA BIELOSLAWEK
Assistant State Attorney
Fla. Bar No. 0776726



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER

By: *[Signature]*
DEPUTY CLERK

P.B.S.O.

2008 MAR 24 PM 4:30

March 12, 2008

I received this subpoena on the 25th day of March, 2008, and executed the same on the 26th day of March, 2008, in Palm Beach County, Florida.
7:15AM

SHERIFF, PALM BEACH COUNTY

By: *[Signature]* 3491
Deputy Sheriff

FILED
SHARON R. BOCK, CLERK
PALM BEACH COUNTY
CIRCUIT CRIMINAL

2008 MAR 28 AM 10:23

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator in the Administrative Office of the Court, Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida, 33401; telephone number (561) 355-4380 within two (2) working days of your receipt of this notice; if you are hearing or voice impaired, call 1-800-955-8771.

44

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

4

TO: A.H.
124 SEMINOLE LAKES DRIVE
ROYAL PALM BEACH, FL 33411

CASE NO. 2006CF009454AMB
Police Case No. 76-05-0368
ME. No.

C

STATE OF FLORIDA
vs.
JEFFREY E EPSTEIN

ONE WEEK DOCKET - REMAIN ON CALL

You are commanded to appear at the Palm Beach County Courthouse, 205 North Dixie Highway, COURTROOM 11F, West Palm Beach, Florida, beginning at 9:30 a.m., on 07/08/2008 . Please call (561) 355-7376 (or 1-(800) 353-3859 ext.7376 if out of the area) when you receive this subpoena AND the working day before trial after 2:00 p.m. to verify time of trial. You may also contact this office via email at COMBATU@SA15.STATE.FL.US.

Failure to appear will subject you to contempt of Court. This subpoena is binding day to day and week to week until the case is closed.

[Signature]
LANNA BELOHLAVER
Assistant State Attorney
Fla. Bar No. 0776726

N/F Mrs Hall mother
She doesn't live. She is away
to collect 3/26/08 8:15am

2008 MAR 24 PM 4:00

March 12, 2008

I received this subpoena on the 24 day of Mar, 2008, and executed the same on the ___ day of ___, 2008, in Palm Beach County, Florida.

SHERIFF, PALM BEACH COUNTY

By: *[Signature]* 2741
Deputy Sheriff

2008 MAR 29 AM 10:00
P. B. BOCK, CLERK
PALM BEACH COUNTY
CIRCUIT CRIMINAL

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator in the Administrative Office of the Court, Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida, 33401; telephone number (561) 355-4380 within two (2) working days of your receipt of this notice; if you are hearing or voice impaired, call 1-800-955-8771.



STATE OF FLORIDA - PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.
THIS 24 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By: *[Signature]*
DEPUTY CLERK

43

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

TO: MS. CAROLINE BROWN
ROYAL PALM BEACH HIGH SCHOOL
10600 OKEECHOBEE BLVD
ROYAL PALM BEACH, FL 33411

CASE NO. 2006CF009454AMB
Police Case No. 76-05-0368
ME. No.

ROYAL PALM BEACH HIGH SCHOOL
10600 OKEECHOBEE BLVD
ROYAL PALM BEACH, FL 33411

2008 MAR 24 PM 4:30
P.B.S.O.

ONE WEEK DOCKET - REMAIN ON CALL

STATE OF FLORIDA
vs.
JEFFREY E EPSTEIN

You are commanded to appear at the Palm Beach County Courthouse, 205 North Dixie Highway, COURTROOM 11F, West Palm Beach, Florida, beginning at 9:30 a.m., on 07/08/2008 . **Please call (561) 355-7376 (or 1-(800) 353-3859 ext.7376 if out of the area) when you receive this subpoena AND the working day before trial after 2:00 p.m. to verify time of trial. You may also contact this office via email at COMBATU@SA15.STATE.FL.US.**

Failure to appear will subject you to contempt of Court. This subpoena is binding day to day and week to week until the case is closed.


LAINA BELCHAVER
Assistant State Attorney
Fla. Bar No. 0776726

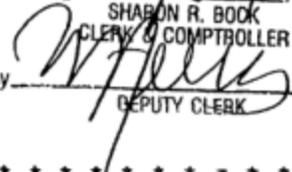


STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 22 DAY OF July, 2008

SHARON R. BOCK
CLERK & COMPTROLLER

By 
DEPUTY CLERK

STATE OF FLORIDA
PALM BEACH COUNTY
CRIMINAL DIVISION

March 12, 2008

I received this subpoena on the 29 day of Mar, 2008, and executed the same on the 26 day of Mar, 2008, in Palm Beach County, Florida.

Personally 10:20am

SHERIFF, PALM BEACH COUNTY

By:  2791
Deputy Sheriff

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator in the Administrative Office of the Court, Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida, 33401; telephone number (561) 355-4380 within two (2) working days of your receipt of this notice; if you are hearing or voice impaired, call 1-800-955-8771.

47

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

CASE NO.: 2006CF009454AXX W

STATE OF FLORIDA

vs.

NOTICE OF DEPOSITION

JEFFREY EPSTEIN,
Defendant.



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the
foregoing is a true copy
of the record in my office.

THIS 22 DAY OF July, 2008

SHARON R. BOCK
CLERK & COMPTROLLER

By *[Signature]*
DEPUTY CLERK

SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

2008 MAR 26 AM 10:44

FILED

TO: Lanna Belohlavek, Esquire
Office of the State Attorney
401 N. Dixie Hwy
West Palm Beach, Florida 33401

PLEASE TAKE NOTICE that pursuant to the Florida Rules of Criminal Procedure that on **April 2, 2008** beginning at the hour of **1:30 P.M.**, at the **Palm Beach County Courthouse, 4th Floor, 205 North Dixie Highway, West Palm Beach, Florida 33401**:

before Consor & Associates who is authorized by law to take depositions in the State of Florida, the Plaintiffs will, upon oral examination, take the deposition of the following named via telephone, to wit:

[REDACTED], [REDACTED], [REDACTED]
WILDE & DANIEL [REDACTED]

Such oral examination will continue from day to day until completed. You are hereby notified to phone in and take part in said examination as you may be advised, and as shall be fit and proper.

This deposition is being taken for the purposes of discovery, for use as primary evidence or for such other purposes as are permitted under the applicable Statutes or Rules of Court.

I HEREBY CERTIFY that a copy of the foregoing Notice of Taking Deposition has been furnished to the above named addressee and Michael R. Tein, Esquire, 3059 Grand Avenue, Suite 340, Coconut Grove, Florida 33133 by via fax & mail this 25th day of March, 2008.

ATTERBURY, GOLDBERGER, & WEISS, P.A.
250 Australian Avenue South, Suite 1400
West Palm Beach, Florida 33401
(561) 659-8300
fax: (561) 835-8691

[Signature]
JACK A. GOLDBERGER, ESQUIRE
Florida Bar No. 262013

[Handwritten initials]

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

CASE NO.: 2006CF009454AXX W

STATE OF FLORIDA

vs.

NOTICE OF DEPOSITION

JEFFREY EPSTEIN,
Defendant.

TO: Lanna Belohlavek, Esquire
Office of the State Attorney
401 N. Dixie Hwy
West Palm Beach, Florida 33401



STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 22 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER

By [Signature]
DEPUTY CLERK

2008 MAR 25 PM 1:30
SHARON R. BOCK, CLERK
PALM BEACH COUNTY
CRIMINAL DIVISION

PLEASE TAKE NOTICE that pursuant to the Florida Rules of Criminal Procedure that on March 24, 2008 beginning at the hour of 1:30 P.M., at the Palm Beach County Courthouse, 4th Floor, 205 North Dixie Highway, West Palm Beach, Florida 33401:

before Consor & Associates who is authorized by law to take depositions in the State of Florida, the Plaintiffs will, upon oral examination, take the deposition of the following named via telephone, to wit:

**[REDACTED], [REDACTED] WILDE,
& BRITANNY [REDACTED]**

Such oral examination will continue from day to day until completed. You are hereby notified to phone in and take part in said examination as you may be advised, and as shall be fit and proper.

This deposition is being taken for the purposes of discovery, for use as primary evidence or for such other purposes as are permitted under the applicable Statutes or Rules of Court.

I HEREBY CERTIFY that a copy of the foregoing Notice of Taking Deposition has been furnished to the above named addressee and Michael R. Tein, Esquire, 3059 Grand Avenue, Suite 340, Coconut Grove, Florida 33133 by via fax & mail this 17th day of March, 2008.

ATTERBURY, GOLDBERGER, & WEISS, P.A.
250 Australian Avenue South, Suite 1400
West Palm Beach, Florida 33401
(561) 659-8300
fax: (561) 835-8691

[Signature]
JACK A. GOLDBERGER, ESQUIRE
Florida Bar No. 262013

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

CASE NO.: 2006CF009454AXX *N*

STATE OF FLORIDA

vs.

NOTICE OF DEPOSITION

JEFFREY EPSTEIN,
Defendant.

TO: Lanna Belohlavek, Esquire
Office of the State Attorney
401 N. Dixie Hwy
West Palm Beach, Florida 33401



STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 20 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By [Signature]
DEPUTY CLERK

PLEASE TAKE NOTICE that pursuant to the Florida Rules of Criminal Procedure that on **April 11, 2008** beginning at the hour of **10:00 A.M.**, at the **Palm Beach County Courthouse, 4th Floor, 205 North Dixie Highway, West Palm Beach, Florida 33401:**

before Consor & Associates who is authorized by law to take depositions in the State of Florida, the Plaintiffs will, upon oral examination, take the deposition of the following named via telephone, to wit:

██████████ ██████████

Such oral examination will continue from day to day until completed. You are hereby notified to phone in and take part in said examination as you may be advised, and as shall be fit and proper.

This deposition is being taken for the purposes of discovery, for use as primary evidence or for such other purposes as are permitted under the applicable Statutes or Rules of Court.

I HEREBY CERTIFY that a copy of the foregoing Notice of Taking Deposition has been furnished to the above named addressee and Michael R. Tein, Esquire, 3059 Grand Avenue, Suite 340, Coconut Grove, Florida 33133 and Jeffrey M. Herman, Esquire, 18205 Biscayne Boulevard, Suite 2218, Miami, Florida, 33160 by via fax & mail this 20th day of March, 2008.

ATTERBURY, GOLDBERGER & WEISS, P.A.
250 Australian Avenue South, Suite 1400
West Palm Beach, Florida 33401
(561) 659-8300
fax: (561) 835-8691

JACK A. GOLDBERGER, ESQUIRE
Florida Bar No. 262013

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

STATE OF FLORIDA

Case No: 502006CF009454AXXMB

-VS-

JEFFREY E EPSTEIN

JEFFREY E EPSTEIN
358 EL BRILLO WAY
PALM BEACH GARDENS, FL 33480



STATE OF FLORIDA • Clerk & Comptroller

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 22 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER

By: *[Signature]*
DEPUTY CLERK

NOTICE OF HEARING

THE DEFENDANT MUST BE PRESENT AT THIS HEARING

Failure to appear will result in a Bond Forfeiture or revocation of own recognizance (O.R.) and a Capias being issued for your arrest.

YOU ARE HEREBY NOTIFIED that this case is scheduled for:

JURY TRIAL

On JULY 08, 2008 DIVISION: W in: COURTROOM 11F at: 08:30:00 AM

At the COUNTY COURTHOUSE, 205 N. DIXIE HWY, WEST PALM BEACH, FL 33401

****BE PREPARED TO PAY COURT COSTS AND FINES ASSESSED BY THE COURT AT THIS HEARING****

SHARON R. BOCK, CLERK & COMPTROLLER
VBUCKLEY

DATED: MARCH 10, 2008

BY: _____
Deputy Clerk

cc: STATE ATTORNEY DIV W
JACK A GOLDBERGER, ESQ.
CB: (ATTY DEPOSITOR)
JEFFREY E EPSTEIN

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Mary Jaffe, ADA Coordinator in the Administrative Office of the Court., Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida, 33401, telephone number (561) 355-4380 within two (2) working days of your receipt of this notice of hearing; if you are hearing or voice impaired, call 1-800-955-8771.

39

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

CASE NO. 2006CF009454A

STATE OF FLORIDA

vs.

JEFFREY EPSTEIN,

Defendant.

FILED
2008 MAR -6 PM 3:43
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

AGREED ORDER SCHEDULING CASE FOR TRIAL

This cause came on to be heard upon the agreement of the parties Jack A. Goldberger representing the Defendant, Jeffrey Epstein, and Lanna Belohlavek representing the State, and the Court being advised that the parties are proceeding in good faith to resolve this matter. However, the case will not be resolved before the March 10, 2008 status conference, and as such, the parties agree that the matter should be rescheduled. Accordingly, it is hereby

ORDERED AND ADJUDGED that the case is set for a final trial date on July 8, 2008. ^{at 9:30 AM} The parties are free to schedule this matter for a plea conference prior to that date if an agreement is reached in this matter.

Jury Trial

DONE AND ORDERED in West Palm Beach, Palm Beach County, Florida, this 6th day of March, 2008.

Sandra M. Sorley
SANDRA McSORLEY
Circuit Court Judge

Copies:
Jack A. Goldberger, Esquire
Lanna Belohlavek, ASA (interoffice mail)

STATE OF FLORIDA - PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.
THIS 27 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By *[Signature]*
DEPUTY CLERK



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

CASE NO. 2006CF009454AMB DIVISION "W"

STATE OF FLORIDA

vs.

JEFFREY E EPSTEIN,
Defendant.

FILED
FEB 19 PM 3:35
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

NOTICE OF UNAVAILABILITY

NOTICE IS HEREBY GIVEN that the undersigned Assistant State Attorney will be unavailable for deposition, court hearings or trial on the following dates:

APRIL 7, 2008 THROUGH APRIL 10, 2008

CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY THAT a true and correct copy of the foregoing Notice of Unavailability has been furnished by mail to JACK A. GOLDBERGER, ESQUIRE, 250 AUSTRALIAN AVENUE SOUTH, SUITE 1400, WEST PALM BEACH, FL 33401 this the 14 day of February, 2008.

Greg Krider

LANNA BELOHLAVEK
Assistant State Attorney
Florida Bar No. 0776726

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Robin Shepett, ADA Coordinator in the Administrative Office of the Court, Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida, 33401; telephone number (561) 355-4380 within two (2) working days of your receipt of this notice; if you are hearing or voice impaired, call 1-800-955-8771.



I hereby certify that the foregoing is a true copy of the record in my office.
THIS 22 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By *[Signature]*
DEPUTY CLERK

3/10/08

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

CRIMINAL DIVISION "W"

CASE NO.: 06-CF009454AXX

STATE OF FLORIDA,

vs.

JEFFREY EPSTEIN,
Defendant.

FILED
2008 FEB 12 PM 3:31
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

ORDER DENYING "MOTION FOR PROTECTIVE ORDER"

THIS CAUSE came before the Court, in chambers, upon receipt of "Response to the Motion for Protective Order" dated February 8, 2008, filed by Jack A. Goldberger, Esquire, received in undersigned chambers on February 11, 2008 (not docketed). The Court has reviewed the "Motion for Protective Order" and said Response. Based upon the Court's review of the foregoing, it is hereby

ORDERED AND ADJUDGED that the "Motion for Protective Order" dated February 5, 2008, is hereby, **DENIED** as being moot. There is no need for a hearing on this matter.

DONE AND ORDERED in Chambers, at West Palm Beach, Palm Beach County, Florida, this the 12th day of February, 2008.



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 22 DAY OF July, 2008

SHARON R. BOCK
CLERK & COMPTROLLER

By [Signature]
DEPUTY CLERK

[Signature]
SANDRA K. MCSORLEY
Circuit Judge

copies furnished:
Lana Belohlavek, Assistant State Attorney, 401 N. Dixie Highway, West Palm Beach, FL 33401
Jack A. Goldberger, Esquire, 250 S. Australian Ave., Ste. 1400, West Palm Beach, FL 33401
Theodore J. Leopold, Esquire, 2925 PGA Blvd., Ste. 200, Palm Beach Gardens, FL 33410

ker/020708

FEB 13 2008
36
10

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

CASE NO. 2006CF009454A

STATE OF FLORIDA

vs.

JEFFREY EPSTEIN,

Defendant.

_____ /

RESPONSE TO MOTION FOR PROTECTIVE ORDER

FILED
2008 FEB 12 PM 3:31
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

COMES NOW the Defendant, JEFFREY EPSTEIN, by and through his attorney and files his response to the Motion For Protective Order filed by counsel for State's witness Jane Doe No. 1.

1. In summary fashion, counsel for Jane Doe No. 1 complains that serving a witness for deposition by the use of a process server and the service of the witness' parents for the deposition to ensure service, amounts to "continuous and systematic harassment".¹

2. The Motion For Protective Order was filed by one of the attorneys purporting to represent Jane Doe No. 1 in a separate civil proceeding.² While disagreeing with the

¹ Undersigned counsel for the Defendant responds only to the issues in the Motion for Protective Order concerning service of a subpoena for deposition and the date for that deposition. Defendant and undersigned counsel have no knowledge of any agent of the Defendant going to the witness' place of employment representing "himself as an attorney who needed to contract (sp) her" as alleged "on information and belief" in paragraph 8 of the Motion for Protective Order.

² The Motion for Protective Order was filed by attorney Theodore Leopold. While he purports to represent Jane Doe No.1, attorney Jeffrey Herman also claims to represent the interests of Jane Doe No. 1. In that separate civil proceeding, the two law firms are presently litigating who represents the interests of Jane Doe No. 1.

FEB 13 2008
35
AB

assertion in the Motion For Protective Order that Mr. Leopold and the undersigned agreed that Mr. Leopold would accept service on behalf of Jane Doe No. 1, and that the undersigned had agreed not to take the disposition on February 6, 2008, the matter has been rendered moot.

3. Prior to filing of a Motion For Protective Order, Mr. Leopold and the undersigned conferred and agreed in writing with the consent of the State Attorney's Office to the taking of Jane Doe No.1's deposition on February 20, 2008. The parties have also agreed that Mr. Leopold will accept service for Jane Doe's No.1's appearance on that date eliminating the need to use a process server to serve Jane Doe No.1. See Exhibit "A" attached. (Jane Doe No. 1's real name has been redacted from the exhibit.)

WHEREFORE, given the fact that the parties have agreed to a procedure for the taking of Jane Doe's No.1's deposition, it is respectfully requested that this Court deny Jane Doe No.1's Motion for Protective Order as moot.

I HEREBY CERTIFY that a copy of the foregoing has been furnished by mail to Lanna Belohlavek, Esquire, The Office of the State Attorney, 401 North Dixie Highway, West Palm Beach, Florida 33401, Theodore J. Leopold, Esquire, 2925 PGA Boulevard, Suite 200, Palm Beach Gardens, Florida, 33410 and Jeffrey Herman, Esquire, 18205 Biscayne Boulevard, Suite 2218, Miami, Florida, 33160, on this 7th day of February, 2008.



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 20 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By [Signature]
DEPUTY CLERK

ATTERBURY, GOLDBERGER & WEISS, P.A.
250 Australian Avenue South
Suite 1400
West Palm Beach, Florida 33401
(561) 659-8300

[Signature]
JACK A. GOLDBERGER, ESQ.
Florida Bar No.: 262013

* JOSEPH R. ATTERBURY
* † JACK A. GOLDBERGER
JASON S. WEISS

February 5, 2008

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

VIA FACSIMILE & U.S. MAIL
(561)697-2383

Theodore J. Leopold, Esquire
Ricci-Leopold
2925 PGA Boulevard, Suite 200
Palm Beach Gardens, Florida 33410

Re: State of Florida vs. Jeffrey Epstein
Case No.: 2006CF009454AXX

Dear Ted,

Based on your availability on February 20, 2008, we have scheduled the deposition of [REDACTED] on that date beginning at 9:30 a.m. Assistant State Attorney, Lanna Belohlavek, has also committed to that date.

You have indicated to me that you will accept service on behalf of [REDACTED] for that date. Accordingly, I am enclosing the notice of deposition and a subpoena for deposition for [REDACTED] for February 20, 2008 beginning at 9:30 a.m.

If you are unwilling or unable to produce Ms. [REDACTED] for deposition, please advise me immediately, so I may have her served with a subpoena.

Very truly yours,

Jack A. Goldberger

JAG/na
Enclosure



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 22 DAY OF July, 2008

SHARON R. BOCK
CLERK & COMPTROLLER

By [Signature]
DEPUTY CLERK

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

CASE NO. 2006CF009454AXX

STATE OF FLORIDA

SUBPOENA FOR DEPOSITION

vs.

JEFFREY EPSTEIN,

Defendant.

TO: [REDACTED], a minor
c/o Theodore J. Lepold, Esquire
2925 PGA Boulevard, Suite 200
Palm Beach Gardens, Florida 33410

YOU ARE COMMANDED to appear before a person authorized by law to take depositions on the 4th floor (Rooms 4.2004-4.2010), of the Palm Beach County Courthouse, 205 North Dixie Highway, West Palm Beach, Florida on February 20, 2008 beginning at 9:30 a.m. for the taking of your deposition in this action. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorneys and unless excused from this subpoena by these attorneys or the Court, you shall respond to this subpoena as directed.

WITNESS my hand and seal of said Court on this 5th day of February, 2008.



Jack A. Goldberger, ESQ.
For the Court
250 Australian Avenue South, Suite 1400
West Palm Beach, Florida 33401
(561) 659-8300

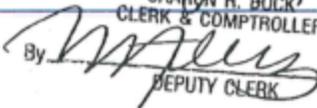


STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 22nd DAY OF July, 2008

SHARON R. BOCK
CLERK & COMPTROLLER

By 
DEPUTY CLERK

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

CASE NO.: 2006CF009454AXX

STATE OF FLORIDA

vs.

NOTICE OF DEPOSITION

JEFFREY EPSTEIN,
Defendant.

TO: Lanna Belohlavek, Esquire
Office of the State Attorney
401 N. Dixie Hwy
West Palm Beach, Florida 33401



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the
foregoing is a true copy
of the record in my office.

THIS 22 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By *[Signature]*
DEPUTY CLERK

PLEASE TAKE NOTICE that pursuant to the Florida Rules of Criminal Procedure that on February 20, 2008 beginning at the hour of 9:30 A.M., at the Palm Beach County Courthouse, 4th Floor, 205 North Dixie Highway, West Palm Beach, Florida 33401:

before Consor & Associates who is authorized by law to take depositions in the State of Florida, the Plaintiffs will, upon oral examination, take the deposition of the following named via telephone, to wit:

9:30 A.M. [REDACTED]

Such oral examination will continue from day to day until completed. You are hereby notified to phone in and take part in said examination as you may be advised, and as shall be fit and proper.

This deposition is being taken for the purposes of discovery, for use as primary evidence or for such other purposes as are permitted under the applicable Statutes or Rules of Court.

I HEREBY CERTIFY that a copy of the foregoing Notice of Taking Deposition has been furnished to the above named addressee and Theodore J. Leopold, Esquire, 2925 PGA Boulevard, Suite 200, Palm Beach Gardens, Florida 33410 by via fax & mail this 5th day of February, 2008.

ATTERBURY, GOLDBERGER, & WEISS, P.A.
250 Australian Avenue South, Suite 1400
West Palm Beach, Florida 33401
(561) 659-8300
fax: (561) 835-8691

[Signature]

JACK A. GOLDBERGER, ESQUIRE
Florida Bar No. 262013



JOSEPH R. ATTERBURY
; JACK A. GOLDBERGER
JASON S. WEISS

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

February 8, 2008

The Honorable Sandra McSorley
Circuit Court Judge
Palm Beach County Courthouse
205 North Dixie Highway
West Palm Beach, Florida 33401

RE: State of Florida v. Jeffrey Epstein
Case No. 2006CF009454A



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 20 DAY OF July, 2008

SHARON R. BOCK
CLERK & COMPTROLLER

By *[Signature]*
DEPUTY CLERK

Dear Judge McSorley:

Enclosed please find a courtesy copy of the Defendant's Response to the Motion for Protective Order filed by Theodore Leopold.

Very truly yours,

[Signature]
Jack A. Goldberger

JAG/slm
Enclosure

cc: Lanna Belohlavek, ASA
Theodore Leopold

*Do order
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renewing my
Protective
Order to
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repaired*

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

CASE NO.: 2006CF009454AXX W

STATE OF FLORIDA

vs.

NOTICE OF DEPOSITION

(Time change only pursuant to the request of Theodore J. Leopold, Esquire)

JEFFREY EPSTEIN,
Defendant.

TO: Lanna Belohlavek, Esquire
Office of the State Attorney
401 N. Dixie Hwy
West Palm Beach, Florida 33401

FILED
2008 FEB 11 PM 2:00
SHARON R. BOCK, CLERK
PALM BEACH COUNTY
CIRCUIT CRIMINAL

PLEASE TAKE NOTICE that pursuant to the Florida Rules of Criminal Procedure that on **February 20, 2008** beginning at the hour of **2:00 P.M.**, at the **Palm Beach County Courthouse, 4th Floor, 205 North Dixie Highway, West Palm Beach, Florida 33401**:

before Consor & Associates who is authorized by law to take depositions in the State of Florida, the Plaintiffs will, upon oral examination, take the deposition of the following named via telephone, to wit:

2:00 P.M. [REDACTED]

Such oral examination will continue from day to day until completed. You are hereby notified to phone in and take part in said examination as you may be advised, and as shall be fit and proper.

This deposition is being taken for the purposes of discovery, for use as primary evidence or for such other purposes as are permitted under the applicable Statutes or Rules of Court.

I HEREBY CERTIFY that a copy of the foregoing Notice of Taking Deposition has been furnished to the above named addressee, Theodore J. Leopold, Esquire, 2925 PGA Boulevard, Suite 200, Palm Beach Gardens, Florida 33410 and Jeffrey Herman, Esquire, 18205 Biscayne Boulevard, Suite 2218, Miami, Florida, 33160 by via fax & mail this 8th day of February, 2008.



STATE OF FLORIDA - PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.
THIS 22 DAY OF July 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By [Signature]
DEPUTY CLERK

ATTERBURY, GOLDBERGER, & WEISS, P.A.
250 Australian Avenue South, Suite 1400
West Palm Beach, Florida 33401
(561) 659-8300
fax (561) 835-8691

[Signature]
JACK A. GOLDBERGER, ESQUIRE
Florida Bar No. 262013

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

CASE NO.: 2006CF009454AXX

STATE OF FLORIDA

vs.

NOTICE OF DEPOSITION

JEFFREY EPSTEIN,
Defendant.

TO: Lanna Belohlavek, Esquire
Office of the State Attorney
401 N. Dixie Hwy
West Palm Beach, Florida 33401

PLEASE TAKE NOTICE that pursuant to the Florida Rules of Criminal Procedure that on February 20, 2008 beginning at the hour of 9:30 A.M., at the Palm Beach County Courthouse, 4th Floor, 205 North Dixie Highway, West Palm Beach, Florida 33401:

before Consor & Associates who is authorized by law to take depositions in the State of Florida, the Plaintiffs will, upon oral examination, take the deposition of the following named via telephone, to wit:

9:30 A.M. [REDACTED]

Such oral examination will continue from day to day until completed. You are hereby notified to phone in and take part in said examination as you may be advised, and as shall be fit and proper.

This deposition is being taken for the purposes of discovery, for use as primary evidence or for such other purposes as are permitted under the applicable Statutes or Rules of Court.

I HEREBY CERTIFY that a copy of the foregoing Notice of Taking Deposition has been furnished to the above named addressee and Theodore J. Leopold, Esquire, 2925 PGA Boulevard, Suite 200, Palm Beach Gardens, Florida 33410 by via fax & mail this 5th day of February, 2008.

FILED
2008 FEB - 8 AM 9:49
SHARON R. BOOK, CLERK
PALM BEACH COUNTY JUDICIAL
CIRCUIT CRIMINAL



STATE OF FLORIDA - PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.

THIS 22 DAY OF July, 2008
SHARON R. BOOK
CLERK & COMPTROLLER
By [Signature]
DEPUTY CLERK

ATTERBURY, GOLDBERGER, & WEISS, P.A.
250 Australian Avenue South, Suite 1400
West Palm Beach, Florida 33401
(561) 659-8300
fax: (561) 835-8691

JACK A. GOLDBERGER, ESQUIRE
Florida Bar No. 262013

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

CASE NO. 2006CF009454A

STATE OF FLORIDA

vs.

JEFFREY EPSTEIN,

Defendant.

SHARON R. BUCKLEY
PALM BEACH COUNTY
CIRCUIT CRIMINAL

2008 FEB - 8 PM 3: 26

FILED

RESPONSE TO MOTION FOR PROTECTIVE ORDER

COMES NOW the Defendant, JEFFREY EPSTEIN, by and through his attorney and files his response to the Motion For Protective Order filed by counsel for State's witness Jane Doe No. 1.

1. In summary fashion, counsel for Jane Doe No. 1 complains that serving a witness for deposition by the use of a process server and the service of the witness' parents for the deposition to ensure service, amounts to "continuous and systematic harassment".¹

2. The Motion For Protective Order was filed by one of the attorneys purporting to represent Jane Doe No. 1 in a separate civil proceeding.² While disagreeing with the

¹ Undersigned counsel for the Defendant responds only to the issues in the Motion for Protective Order concerning service of a subpoena for deposition and the date for that deposition. Defendant and undersigned counsel have no knowledge of any agent of the Defendant going to the witness' place of employment representing "himself as an attorney who needed to contract (sp) her" as alleged "on information and belief" in paragraph 8 of the Motion for Protective Order.

² The Motion for Protective Order was filed by attorney Theodore Leopold. While he purports to represent Jane Doe No.1, attorney Jeffrey Herman also claims to represent the interests of Jane Doe No. 1. In that separate civil proceeding, the two law firms are presently litigating who represents the interests of Jane Doe No. 1.

assertion in the Motion For Protective Order that Mr. Leopold and the undersigned agreed that Mr. Leopold would accept service on behalf of Jane Doe No. 1, and that the undersigned had agreed not to take the disposition on February 6, 2008, the matter has been rendered moot.

3. Prior to filing of a Motion For Protective Order, Mr. Leopold and the undersigned conferred and agreed in writing with the consent of the State Attorney's Office to the taking of Jane Doe No.1's deposition on February 20, 2008. The parties have also agreed that Mr. Leopold will accept service for Jane Doe's No.1's appearance on that date eliminating the need to use a process server to serve Jane Doe No.1. See Exhibit "A" attached. (Jane Doe No. 1's real name has been redacted from the exhibit.)

WHEREFORE, given the fact that the parties have agreed to a procedure for the taking of Jane Doe's No.1's deposition, it is respectfully requested that this Court deny Jane Doe No.1's Motion for Protective Order as moot.

I HEREBY CERTIFY that a copy of the foregoing has been furnished by mail to Lanna Belohlavek, Esquire, The Office of the State Attorney, 401 North Dixie Highway, West Palm Beach, Florida 33401, Theodore J. Leopold, Esquire, 2925 PGA Boulevard, Suite 200, Palm Beach Gardens, Florida, 33410 and Jeffrey Herman, Esquire, 18205 Biscayne Boulevard, Suite 2218, Miami, Florida, 33160, on this 7th day of February, 2008.

ATTERBURY, GOLDBERGER & WEISS, P.A.
250 Australian Avenue South
Suite 1400
West Palm Beach, Florida 33401
(561) 659-8300



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS DAY OF July 20 08

SHARON R. BOCK
CLERK & COMPTROLLER

By *[Signature]*
DEPUTY CLERK

[Signature]
JACK A. GOLDBERGER, ESQ.
Florida Bar No.: 262013

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

CASE NO. 2006CF009454AXX

STATE OF FLORIDA

SUBPOENA FOR DEPOSITION

vs.

JEFFREY EPSTEIN,

Defendant.

TO: [REDACTED], a minor
c/o Theodore J. Lepold, Esquire
2925 PGA Boulevard, Suite 200
Palm Beach Gardens, Florida 33410

YOU ARE COMMANDED to appear before a person authorized by law to take depositions on the 4th floor (Rooms 4.2004-4.2010), of the Palm Beach County Courthouse, 205 North Dixie Highway, West Palm Beach, Florida on **February 20, 2008 beginning at 9:30 a.m.** for the taking of your deposition in this action. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorneys and unless excused from this subpoena by these attorneys or the Court, you shall respond to this subpoena as directed.

WITNESS my hand and seal of said Court on this 5th day of February, 2008.



Jack A. Goldberger, ESQ.
For the Court
250 Australian Avenue South, Suite 1400
West Palm Beach, Florida 33401
(561) 659-8300

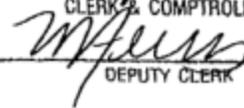


STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 22 DAY OF July, 2008

SHARON R. BOCK
CLERK & COMPTROLLER

By 
DEPUTY CLERK

* JOSEPH R. ATTERBURY

*† JACK A. GOLDBERGER

JASON S. WEISS

* Board Certified Criminal Trial Attorney

† Member of New Jersey & Florida Bars

February 5, 2008

VIA FACSIMILE & U.S. MAIL

(561)697-2383

Theodore J. Leopold, Esquire
Ricci-Leopold
2925 PGA Boulevard, Suite 200
Palm Beach Gardens, Florida 33410

Re: State of Florida vs. Jeffrey Epstein
Case No.: 2006CF009454AXX

Dear Ted,

Based on your availability on February 20, 2008, we have scheduled the deposition of [REDACTED] on that date beginning at 9:30 a.m. Assistant State Attorney, Lanna Belohlavek, has also committed to that date.

You have indicated to me that you will accept service on behalf of [REDACTED] for that date. Accordingly, I am enclosing the notice of deposition and a subpoena for deposition for [REDACTED] for February 20, 2008 beginning at 9:30 a.m.

If you are unwilling or unable to produce Ms. [REDACTED] for deposition, please advise me immediately, so I may have her served with a subpoena.

Very truly yours,

Jack A. Goldberger

JAG/na
Enclosure



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 22 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER

by [Signature] DEPUTY CLERK

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

CASE NO.: 2006CF009454AXX

STATE OF FLORIDA

vs.

NOTICE OF DEPOSITION

JEFFREY EPSTEIN,
Defendant.

TO: Lanna Belohlavek, Esquire
Office of the State Attorney
401 N. Dixie Hwy
West Palm Beach, Florida 33401

PLEASE TAKE NOTICE that pursuant to the Florida Rules of Criminal Procedure that on February 20, 2008 beginning at the hour of 9:30 A.M., at the Palm Beach County Courthouse, 4th Floor, 205 North Dixie Highway, West Palm Beach, Florida 33401:

before Consor & Associates who is authorized by law to take depositions in the State of Florida, the Plaintiffs will, upon oral examination, take the deposition of the following named via telephone, to wit:

9:30 A.M. [REDACTED]

Such oral examination will continue from day to day until completed. You are hereby notified to phone in and take part in said examination as you may be advised, and as shall be fit and proper.

This deposition is being taken for the purposes of discovery, for use as primary evidence or for such other purposes as are permitted under the applicable Statutes or Rules of Court.

I HEREBY CERTIFY that a copy of the foregoing Notice of Taking Deposition has been furnished to the above named addressee and Theodore J. Leopold, Esquire, 2925 PGA Boulevard, Suite 200, Palm Beach Gardens, Florida 33410 by via fax & mail this 5th day of February, 2008.



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 22 DAY OF July, 2008

SHARON R. BOCK
CLERK & COMPTROLLER

BY [Signature]
DEPUTY CLERK

ATTERBURY, GOLDBERGER, & WEISS, P.A.
250 Australian Avenue South, Suite 1400
West Palm Beach, Florida 33401
(561) 659-8300
fax: (561) 835-8691

[Signature]
JACK A. GOLDBERGER, ESQUIRE
Florida Bar No. 262013

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

CRIMINAL DIVISION "W"

CASE NO.: 06-CF009454AXX

STATE OF FLORIDA,

vs.

JEFFREY EPSTEIN,
Defendant.

FILED
2008 FEB - 7 PM 12:04
SHARON R. BOCK, CLERK
PALM BEACH COUNTY
CIRCUIT CLERK
RIMINA

ORDER DIRECTING ATTORNEY FOR DEFENDANT TO RESPOND TO
"MOTION FOR PROTECTIVE ORDER"

THIS CAUSE came before the Court, in chambers, upon the submission of a "Motion for Protective Order" dated February 5, 2008, but received in undersigned chambers on February 06, 2008. Said Motion was filed by Theodore Leopold, attorney for a non-party. Based upon the Court's review of the foregoing Motion, it is hereby

ORDERED AND ADJUDGED that Jack A. Goldberger, Esquire, attorney for the Defendant in the above-captioned case, shall respond in writing to said Motion within five (5) days from the date of this Order. It is further

ORDERED AND ADJUDGED that upon filing of said response, a courtesy copy of same shall be submitted to the undersigned's chambers.

DONE AND ORDERED in Chambers, at West Palm Beach, Palm Beach County, Florida, this the 7th day of February, 2008.

Sandra K. McSorley
SANDRA K. MCSORLEY
Circuit Judge

copies furnished:

Lana Belohloavek, Assistant State Attorney, 401 N. Dixie Highway, West Palm Beach, FL 33401
Jack A. Goldberger, Esquire, 250 S. Australian Ave., Ste. 1400, West Palm Beach, FL 33401
Theodore J. Leopold, Esquire, 2925 PGA Blvd., Ste. 200, Palm Beach Gardens, FL 33410

ker/020708



I hereby certify that the foregoing is a true copy of the record in my office.
THIS 22 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By *[Signature]*
DEPUTY CLERK

34

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

STATE OF FLORIDA

CASE NO: 2006 CF 009454 A

Plaintiff,

vs.

JEFFREY EPSTEIN

Defendant.

FILED
2008 FEB - 7 PM 12: 34
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

MOTION FOR PROTECTIVE ORDER

Jane Doe No. 1 ("Jane Doe"), by and through her mother and natural guardian, hereby files this Motion for Protective Order. As grounds for said motion, Jane Doe states as follows:

1. On July 19, 2006 the State of Florida filed a criminal Indictment against Jeffrey Epstein ("Epstein").
2. Jane Doe, a victim of Epstein's actions, recently filed a civil lawsuit against Epstein. The complaint alleges among other things that Epstein has a sexual preference and obsession for underage minor girls. That he engaged in a scheme in which he gained access to minor girls in his home, sexually assaulted these girls, and then gave them money. Jane Doe was one of Epstein's victims. She was lured into Epstein's Palm Beach home under false pretenses and was sexually assaulted by Epstein. As a result, Jane Doe suffered injuries, including intentional infliction of emotional distress damages.

3. After the filing of the civil lawsuit and during the week of January 25, 2008, Epstein's criminal attorney, Jack Goldberger, Esq., contacted the undersigned to advise that he wished to take the deposition, in the criminal matter, of Jane Doe on February 6, 2008. The undersigned informed Mr. Goldberger that he would accept service on behalf of Jane Doe, but was not available on February 6, 2008. Counsel agreed to use best efforts to schedule the deposition at a mutually convenient date and time.

4. Despite these assurances and understanding, on Friday evening, February 1, 2008, Epstein's process server served Jane Doe at her place of work for a deposition scheduled to take place on February 6, 2008.¹ See Subpoena attached as Exhibit "A" (Jane Doe's real name has been redacted from the exhibit).

5. The undersigned was forced to call Mr. Goldberger on Friday evening and remind him of our earlier conversation and agreement and to insist that the deposition be re-noticed.²

6. After the conversation of Friday evening and with the expressed assurances that the undersigned would accept service for Jane Doe, two days later on Monday morning February 4, 2008, Mr. Goldberger had a process server serve Jane Doe's mother who resides out of state in Waleska, Georgia. See Subpoena attached as Exhibit "B" (Jane Doe's mother's name has been redacted from the exhibit).

7. The service of process on Jane Doe's mother was defective as an Out of State Commissioner was never appointed and no order was issued by this court authorizing such service. Additionally, Mr. Goldberger had been told not once, but twice that the undersign would accept service on behalf of Jane Doe, yet despite this Epstein and/or his attorney has insisted on

¹ Mr. Goldberger unilaterally set Jane Doe's deposition for February 6, 2008 despite knowing that the undersigned was not available on that date.

² Mr. Goldberger has now agreed to postpone the deposition.

having the victim's privacy repeatedly intruded upon by process servers seeking her out at her employment and then again, intruding upon her mother.

8. Additionally, during this same time period yet another adult male came to Jane Does' employment and represented himself as an "attorney" who needed to contract her. Upon information and belief that person was also an agent of Mr. Epstein's.

9. It can only be concluded that Epstein and/or his counsel are purposefully attempting to harass Jane Doe and her mother. These actions are nothing more than a continuous insult to injury upon a young girl who has already been emotionally scarred for life.

WHEREFORE, Jane Doe, by and through Jane Doe's mother and natural guardian, hereby move the Court for a Protective Order prohibiting Jeffrey Epstein and/or his counsel from continuous and systematic harassment.

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by Facsimile and U. S. Mail, postage prepaid, this 5 day of February 2008 to all counsel on the attached service list.

Respectfully submitted,

RICCI-LEOPOLD, P.A.
2925 PGA Blvd.
Suite 200
Palm Beach Gardens, FL 33410
Phone: 561-684-6500
Fax: 561-697-2383



STATE OF FLORIDA - PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.

THIS 22 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By: [Signature]
DEPUTY CLERK

By: [Signature]
THEODOR E. LEOPOLD, Esq.
Florida Bar No.: 705608

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

CASE NO. 2008CF009454AXX

STATE OF FLORIDA

SUBPOENA FOR DEPOSITION

vs.

JEFFREY EPSTEIN,

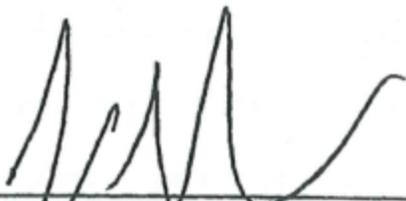
Defendant.

TO:

YOU ARE COMMANDED to appear before a person authorized by law to take depositions on the 4th floor (Rooms 4.2004-4.2010), of the Palm Beach County Courthouse, 205 North Dixie Highway, West Palm Beach, Florida on **February 6, 2008, starting at 9:30 a.m.** for the taking of your deposition in this action. **If you fail to appear, you may be in contempt of court.**

You are subpoenaed to appear by the following attorneys and unless excused from this subpoena by these attorneys or the Court, you shall respond to this subpoena as directed.

WITNESS my hand and seal of said Court on this 1st day of February, 2008.



Jack A. Goldberger, ESQ.
For the Court
250 Australian Avenue South, Suite 1400
West Palm Beach, Florida 33401
(561) 659-8300



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

STATE OF FLORIDA

CASE NO: 2006 CF 009454 A W

Plaintiff,

vs.

JEFFREY EPSTEIN

Defendant.

_____ /

MOTION FOR PROTECTIVE ORDER

FILED
08 FEB - 5 PM 3:49
PALM BEACH COUNTY, FL
CIRCUIT CIVIL 4

Jane Doe No. 1 ("Jane Doe"), by and through her mother and natural guardian, hereby files this Motion for Protective Order. As grounds for said motion, Jane Doe states as follows:

1. On July 19, 2006 the State of Florida filed a criminal Indictment against Jeffrey Epstein ("Epstein").

2. Jane Doe, a victim of Epstein's actions, recently filed a civil suit against Epstein. The complaint alleges among other things that Epstein has a sexual preference and obsession for underage minor girls. That he engaged in a scheme in which he gained access to minor girls in his home, sexually assaulted these girls, and then gave them money. Jane Doe was one of Epstein's victims. She was lured into Epstein's Palm Beach home under false pretenses and was sexually assaulted by Epstein. As a result, Jane Doe suffered injuries, including intentional infliction of emotional distress damages.

FILED
2006 FEB - 6 PM 3:03
SHARON R. BOOK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

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320

3. After the filing of the civil lawsuit and during the week of January 25, 2008, Epstein's criminal attorney, Jack Goldberger, Esq., contacted the undersigned to advise that he wished to take the deposition, in the criminal matter, of Jane Doe on February 6, 2008. The undersigned informed Mr. Goldberger that he would accept service on behalf of Jane Doe, but was not available on February 6, 2008. Counsel agreed to use best efforts to schedule the deposition at a mutually convenient date and time.

4. Despite these assurances and understanding, on Friday evening, February 1, 2008, Epstein's process server served Jane Doe at her place of work for a deposition scheduled to take place on February 6, 2008. ¹ See Subpoena attached as Exhibit "A" (Jane Doe's real name has been redacted from the exhibit).

5. The undersigned was forced to call Mr. Goldberger on Friday evening and remind him of our earlier conversation and agreement and to insist that the deposition be re-noticed.²

6. After the conversation of Friday evening and with the expressed assurances that the undersigned would accept service for Jane Doe, two days later on Monday morning February 4, 2008, Mr. Goldberger had a process server serve Jane Doe's mother who resides out of state in Waleska, Georgia. See Subpoena attached as Exhibit "B" (Jane Doe's mother's name has been redacted from the exhibit).

7. The service of process on Jane Doe's mother was defective as an Out of State Commissioner was never appointed and no order was issued by this court authorizing such service. Additionally, Mr. Goldberger had been told not once, but twice that the undersign would accept service on behalf of Jane Doe, yet despite this Epstein and/or his attorney has insisted on

¹ Mr. Goldberger unilaterally set Jane Doe's deposition for February 6, 2008 despite knowing that the undersigned was not available on that date.

² Mr. Goldberger has now agreed to postpone the deposition.

having the victim's privacy repeatedly intruded upon by process servers seeking her out at her employment and then again, intruding upon her mother.

8. Additionally, during this same time period yet another adult male came to Jane Does' employment and represented himself as an "attorney" who needed to contract her. Upon information and belief that person was also an agent of Mr. Epstein's.

9. It can only be concluded that Epstein and/or his counsel are purposefully attempting to harass Jane Doe and her mother. These actions are nothing more than a continuous insult to injury upon a young girl who has already been emotionally scarred for life.

WHEREFORE, Jane Doe, by and through Jane Doe's mother and natural guardian, hereby move the Court for a Protective Order prohibiting Jeffrey Epstein and/or his counsel from continuous and systematic harassment.

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by Facsimile and U. S. Mail, postage prepaid, this 5 day of February 2008 to all counsel on the attached service list.

Respectfully submitted,

RICCI-LEOPOLD, P.A.
2925 PGA Blvd.
Suite 200
Palm Beach Gardens, FL 33410
Phone: 561-684-6500
Fax: 561-697-2383



STATE OF FLORIDA - PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.
THIS 22 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By: [Signature]
DEPUTY CLERK

By: [Signature]
THEODORE J. LEOPOLD, Esq.
Florida Bar No.: 705608

State of Florida ■ Jeffrey Epstein
Case No: 2006CF009454A

SERVICE LIST

Lanna Belohlavek, Esq.
Attorney For: Party
401 N. Dixie Highway
West Palm Beach, FL 33401
Phone: (561) 355-7100
Fax: (561) 355-7379

Jack A. Goldberger, Esq.
Attorney For: Jeffrey Epstein
250 S Australian Avenue
Suite 1400
West Palm Beach, FL 33401
Phone: (561) 659-8300
Fax: (561) 835-8691

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

CASE NO. 2008CF009454AXX

STATE OF FLORIDA

SUBPOENA FOR DEPOSITION

vs.

JEFFREY EPSTEIN,

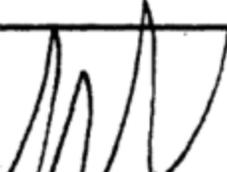
Defendant.

TO:

YOU ARE COMMANDED to appear before a person authorized by law to take depositions on the 4th floor (Rooms 4.2004-4.2010), of the Palm Beach County Courthouse, 205 North Dixie Highway, West Palm Beach, Florida on **February 6, 2008 at 9:30 a.m.** for the taking of your deposition in this action. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorneys and unless excused from this subpoena by these attorneys or the Court, you shall respond to this subpoena as directed.

WITNESS my hand and seal of said Court on this 29th day of January, 2008.


Jack A. Goldberger, ESQ.
For the Court
250 Australian Avenue South, Suite 1400
West Palm Beach, Florida 33401
(561) 659-8300

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

CASE NO. 2006CF009454AXX

STATE OF FLORIDA

SUBPOENA FOR DEPOSITION

vs.

JEFFREY EPSTEIN,

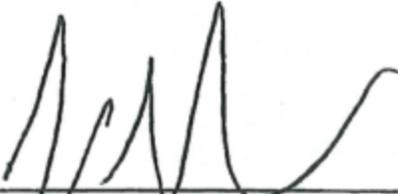
Defendant.

TO:

YOU ARE COMMANDED to appear before a person authorized by law to take depositions on the 4th floor (Rooms 4.2004-4.2010), of the Palm Beach County Courthouse, 205 North Dixie Highway, West Palm Beach, Florida on February 6, 2008, starting at 9:30 a.m. for the taking of your deposition in this action. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorneys and unless excused from this subpoena by these attorneys or the Court, you shall respond to this subpoena as directed.

WITNESS my hand and seal of said Court on this 1st day of February, 2008.



Jack A. Goldberger, ESQ.
For the Court
250 Australian Avenue South, Suite 1400
West Palm Beach, Florida 33401
(561) 659-8300

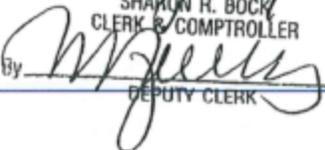


STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 22 DAY OF July, 2008

SHARON R. BOCK
CLERK & COMPTROLLER

By 
DEPUTY CLERK



3/10/08

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

CASE NO.: 2006CF009454AXX

STATE OF FLORIDA

vs.

NOTICE OF DEPOSITION

JEFFREY EPSTEIN,
Defendant.

TO: Lanna Belohlavek, Esquire
Office of the State Attorney
401 N. Dixie Hwy
West Palm Beach, Florida 33401

2008 JAN 31 AM 8:45
SHARON R. BOCK
PALM BEACH COUNTY, FL
CIRCUIT CLERK
FILED

PLEASE TAKE NOTICE that pursuant to the Florida Rules of Criminal Procedure that on February 6, 2008 beginning at the hour of 9:30 A.M., at the Palm Beach County Courthouse, 4th Floor, 205 North Dixie Highway, West Palm Beach, Florida 33401:

before Consor & Associates who is authorized by law to take depositions in the State of Florida, the Plaintiffs will, upon oral examination, take the deposition of the following named via telephone, to wit:

9:30 A.M. [REDACTED]

Such oral examination will continue from day to day until completed. You are hereby notified to phone in and take part in said examination as you may be advised, and as shall be fit and proper.

This deposition is being taken for the purposes of discovery, for use as primary evidence or for such other purposes as are permitted under the applicable Statutes or Rules of Court.

I HEREBY CERTIFY that a copy of the foregoing Notice of Taking Deposition has been furnished to the above named addressee(s) by mail this 29th day of January, 2008.

ATTERBURY, GOLDBERGER, & WEISS, P.A.
250 Australian Avenue South, Suite 1400
West Palm Beach, Florida 33401
(561) 659-8300
fax: (561) 835-8691



STATE OF FLORIDA - PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.
THIS DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By [Signature]
DEPUTY CLERK

JACK A. GOLDBERGER, ESQUIRE
Florida Bar No. 262013

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

STATE OF FLORIDA

Case No: 502006CF009454AXXXMB

-VS-

JEFFREY E EPSTEIN

JEFFREY E EPSTEIN
358 EL BRILLO WAY
PALM BEACH GARDENS, FL 33480



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the
foregoing is a true copy
of the record in my office.

THIS DAY OF July 2008

SHARON R. BOCK
CLERK & COMPTROLLER

DEPUTY CLERK

NOTICE OF HEARING

THE DEFENDANT MUST BE PRESENT AT THIS HEARING

Failure to appear will result in a Bond Forfeiture or revocation of own recognizance (O.R.) and a Capias being issued for your arrest.

YOU ARE HEREBY NOTIFIED that this case is scheduled for:

STATUS CHECK

On MARCH 10, 2008 DIVISION: W in: COURTROOM 11F at: 08:30:00 AM

At the COUNTY COURTHOUSE, 205 N. DIXIE HWY, WEST PALM BEACH, FL 33401

****BE PREPARED TO PAY COURT COSTS AND FINES ASSESSED BY THE COURT AT THIS HEARING****

SHARON R. BOCK, CLERK & COMPTROLLER
VBUCKLEY

DATED: JANUARY 28, 2008

BY: _____
Deputy Clerk

cc: STATE ATTORNEY

JACK A GOLDBERGER, ESQ.

CB / ATTY DEPOSITOR: J GOLDBERGER

JEFFREY E EPSTEIN

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Mary Jaffe, ADA Coordinator in the Administrative Office of the Court., Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida, 33401, telephone number (561) 355-4380 within two (2) working days of your receipt of this notice of hearing; if you are hearing or voice impaired, call 1-800-955-8771.

CRC_CAL_NOH

Case No. 08-80736-CV-MARRA

P-009042

EFTA00190976

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

CASE NO. 2006CF009454A

STATE OF FLORIDA

VS.

JEFFREY EPSTEIN,

Defendant.



STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 12 DAY OF July, 2008

SHARON R. BOCK
CLERK & COMPTROLLER

By *[Signature]*

**AGREED ORDER CONTINUING TRIAL,
CANCELING PLEA CONFERENCE AND
SETTING CASE FOR A PLEA CONFERENCE**

2008 JAN -3 PM 12:00
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

FILED

This cause came on to be heard upon the joint motion of the parties requesting that the Defendant's trial date be continued because of new information that needs to be investigated and the Court being fully advised, it is hereby

ORDERED AND ADJUDGED that the Defendant's case scheduled for trial on January 7, 2008 is continued, that the plea conference scheduled for January 4, 2008 is canceled, and the case is scheduled for a ~~plea~~^{status} conference on March 10, 2008 at 8:30 a.m.

DONE AND ORDERED in West Palm Beach, Palm Beach County, Florida, this 12th day of January, 2008.

[Signature]
SANDRA McSORLEY
Circuit Court Judge

Copies:

Jack A. Goldberger, Esquire One Clearlake Contr, STE 1400, 250 Australian Ave So.
Lanna Belohlavek, ASA (interoffice mail) WPBch, FL, 33401
401 N. Dixie Hwy
West Palm Bch, FL 33401

JAN 08 2008

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

CASE NO. 2006CF009454A

STATE OF FLORIDA

vs.

JEFFREY EPSTEIN,

Defendant.

2008 JAN -3 PM 12:00
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

FILED

AGREED MOTION TO CONTINUE TRIAL

COMES NOW the Defendant, JEFFREY EPSTEIN, by and through his attorney, Jack A. Goldberger, and the State of Florida by and through Assistant State Attorney Lanna Belohlavek, and jointly move to continue the Defendant's trial presently scheduled for January 7, 2008. In support thereof the parties would state as follows:

1. The Defendant's trial is presently scheduled for January 7, 2008 and a plea conference is scheduled for January 4, 2008.
2. Through no fault of either party, new information has just recently become available to both parties that must be reviewed and investigated by both parties before this case can go forward.
3. The parties request that the case be continued from the trial docket on January 7, 2008, that the Defendant's plea conference be deleted from its January 4, 2008 date and that case be scheduled for a plea conference on March 10, 2008.

WHEREFORE the parties respectfully request the Court to grant the foregoing motion.

I HEREBY CERTIFY that a copy of the foregoing has been furnished by mail to

BOH JAN 03 2008



W

JOSEPH R. ATTERBURY
JACK A. GOLDBERGER
JASON S. WEISS

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

December 21, 2007

The Honorable Sandra McSorley
Circuit Court Judge
Palm Beach County Courthouse
205 North Dixie Highway
West Palm Beach, Florida 33401

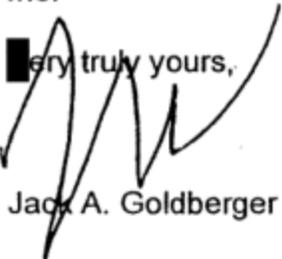
FILED
2008 JAN -3 PM 12:00
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

RE: State of Florida v. Jeffrey Epstein
Case No. 2006CF009454A

Dear Judge McSorley:

Enclosed you will find an Agreed Motion to Continue Trial and a proposed Agreed Order Continuing Trial, Canceling Plea Conference, and Setting Case for a Status Conference. If this Order meets with your approval, please sign the same and forward conformed copies in the envelopes provided.

If you should have any questions in regard to this matter, please do not hesitate to contact me.

Very truly yours,


Jack A. Goldberg
JAG/slm
Enclosure
cc: Lanna Belohlavek, ASA

RECEIVED

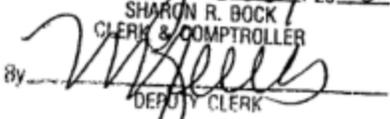
JAN 02 2008

Chambers of Judge
Sandra K. McSorley



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS DAY OF July 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By 
DEPUTY CLERK

One Clearlake Centre, Suite 1400 250 Australian Avenue South West Palm Beach, FL 33401

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

CASE NO. 2006CF009454AXX W

STATE OF FLORIDA

vs.

JEFFREY EPSTEIN,

Defendant.

AGREED MOTION TO CONTINUE TRIAL

COMES NOW the Defendant, JEFFREY EPSTEIN, by and through his attorney,
Jack A. Goldberger, and the State of Florida by and through Assistant State Attorney
Lanna Belohlavek, and jointly move to continue the Defendant's trial presently scheduled
for January 7, 2008. In support thereof the parties would state as follows:

1. The Defendant's trial is presently scheduled for January 7, 2008 and a plea conference is scheduled for January 4, 2008.
2. Through no fault of either party, new information has just recently become available to both parties that must be reviewed and investigated by both parties before this case can go forward.
3. The parties request that the case be continued from the trial docket on January 7, 2008, that the Defendant's plea conference be deleted from its January 4, 2008 date and that case be scheduled for a plea conference on March 10, 2008.

WHEREFORE the parties respectfully request the Court to grant the foregoing
motion.

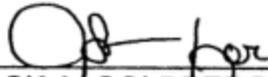
I HEREBY CERTIFY that a copy of the foregoing has been furnished by mail to

FILED
2008 JAN -2 PM 12:24
SARON R. BOCK, CLERK
PALM BEACH COUNTY
CIRCUIT CRIMINAL

JAN 02 2008
27
42

Lanna Belohlavek, State Attorney's Office, 401 North Dixie Highway, West Palm Beach,
Florida 33401, this 2nd day of January, 2008.

ATTERBURY, GOLDBERGER & WEISS, P.A.
250 Australian Avenue South, Suite 1400
West Palm Beach, Florida 33401
(561)659-8300



JACK A. GOLDBERGER, ESQ.
Florida Bar No.: 262013



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the
foregoing is a true copy
of the record in my office.

THIS 22 DAY OF July, 2008

SHARON R. BORK
CLERK & COMPTROLLER

By [Signature]
DEPUTY CLERK

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

CASE NO.: 2006CF009454AXX

STATE OF FLORIDA

vs.

JEFFREY EPSTEIN,

Defendant.

FILED
2007 DEC 10 AM 10:31
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

NOTICE OF HEARING

PLEASE TAKE NOTICE that the undersigned has called up for hearing the following:

JUDGE: Sandra McSorley
DATE: January 4, 2008
TIME: 8:30 a.m.
PLACE: Room 11F, Palm Beach County Courthouse
MATTER: Plea Conference

I HEREBY CERTIFY that a copy of the foregoing has been furnished by mail to Lanna Belohlavek, Esquire, State Attorney's Office, 401 North Dixie Highway, West Palm Beach, Florida 33401 this 7th day of December, 2007.

ATTERBURY, GOLDBERGER & WEISS, P.A.
250 Australian Avenue South
Suite 1400
West Palm Beach, Florida 33401
(561) 659-8300

JACK A. GOLDBERGER, ESQUIRE
Florida Bar No. 262013

cc: The Honorable Sandra McSorley



I hereby certify that the foregoing is a true copy of the record in my office.
THIS 22 DAY OF July 2007
SHARON R. BOCK
CLERK & COMPTROLLER
By: [Signature] DEPUTY CLERK

DEC 11 2007
26
AB

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

STATE OF FLORIDA

Case No: 502006CF009454AXXMB

-vs-

JEFFREY E EPSTEIN

JEFFREY E EPSTEIN
358 EL BRILLO WAY
PALM BEACH GARDENS, FL 33480

NOTICE OF HEARING

THE DEFENDANT MUST BE PRESENT AT THIS HEARING

Failure to appear will result in a Bond Forfeiture or revocation of own recognizance (O.R.) and a Capias being issued for your arrest.

YOU ARE HEREBY NOTIFIED that this case is scheduled for:

JURY TRIAL

On JANUARY 07, 2008 DIVISION: W in: COURTROOM 11F at: 09:00:00 AM

At the COUNTY COURTHOUSE, 205 N. DIXIE HWY, WEST PALM BEACH, FL 33401

****BE PREPARED TO PAY COURT COSTS AND FINES ASSESSED BY THE COURT AT THIS HEARING****

SHARON R. BOCK, CLERK & COMPTROLLER
DFELDER

DATED: NOVEMBER 06, 2007

BY: _____

Deputy Clerk

cc: ASST ST ATTY - DIV W
JACK A GOLDBERGER, ESQ.
CB/DEP. J. GOLDBERGER
JEFFREY E EPSTEIN



STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the
foregoing is a true copy
of the record in my office.

THIS 07 DAY OF July 2008

SHARON R. BOCK
CLERK & COMPTROLLER

By _____

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Mary Jaffe, ADA Coordinator in the Administrative Office of the Court., Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida, 33401, telephone number (561) 355-4380 within two (2) working days of your receipt of this notice of hearing; if you are hearing or voice impaired, call 1-800-955-8771.

CRC_CAL_NOH

Case No. 08-80736-CV-MARRA

P-009049

EFTA00190983

CIRCUIT COURT - CRIMINAL DIVISION

FILED
OCT 30 PM 12:25
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

Case Number: 2006CF009454 A Div: W

STATE OF FLORIDA vs. Jeffrey Epstein

Cancel from the following calendar: Case Dispo And Plea Conf.
DATE: (11/16/07) AND (11/20/07) TIME: 8:30 AM Both

Add to the following calendar:
DATE: _____

Change
FROM: _____ TO: _____



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.
THIS 22 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By [Signature]
DEPUTY CLERK

COMMENTS: _____
Case is being set for trial
abreed order to follow

Requested by: [Signature]

Date: 10/30/2007

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

CASE NO. 2006CF009454A

STATE OF FLORIDA

vs.

JEFFREY EPSTEIN,

Defendant.

FILED
OCT 30 PM 12:25
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

AGREED ORDER SCHEDULING CASE FOR TRIAL

This cause came on to be heard upon the agreement of the parties, Jack A. Goldberger, representing the Defendant, JEFFREY EPSTEIN, and Assistant State Attorney Lanna Belohlavek, representing the State of Florida, and the parties having agreed to set this case for trial, it is hereby

ORDERED AND ADJUDGED that the case disposition conference scheduled for November 16, 2007 is canceled and the case is set for trial on January 7, 2008 at 9:00 a.m.

DONE AND ORDERED in West Palm Beach, Palm Beach County, Florida, this 30th day of October, 2007.

Sandra McSorley
SANDRA MCSORLEY
Circuit Court Judge

Copies:

Jack A. Goldberger, Esquire
Lanna Belohlavek, ASA (interoffice mail)



STATE OF FLORIDA - PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.
THIS 22 DAY OF July, 2007
SHARON R. BOCK
CLERK & COMPTROLLER
By *[Signature]*
DEPUTY CLERK

OCT 30 2007
23
AB
P-009051



JOSEPH R. ATTERBURY

JACK A. GOLDBERGER

JASON S. WEISS

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

May 2, 2007

The Honorable Sandra McSorley
Circuit Court Judge
Palm Beach County Courthouse
205 North Dixie Highway
West Palm Beach, Florida 33401

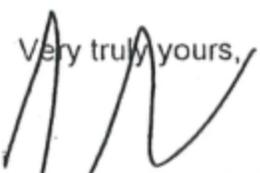
RE: State of Florida v. Jeffrey Epstein
Case No. 2006CF009454A

Dear Judge McSorley:

Enclosed you will find an Agreed Order Rescheduling Case for Trial in regard to the above referenced matter. If this Order meets with your approval, please sign the same and forward conformed copies in the envelopes provided.

If you should have any questions in regard to this matter, please do not hesitate to contact me.

Very truly yours,


Jack A. Goldberg

JAG/slm

Enclosure

cc: Lanna Belohlavek, ASA

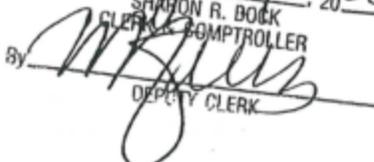


STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 12 DAY OF July, 2008

SHARON R. BOCK
CLERK & COMPTROLLER

By 
DEPUTY CLERK

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

CASE NO. 06CF009454AMB DIVISION "W"

STATE OF FLORIDA

vs.

JEFFREY E EPSTEIN,
Defendant.

NOTICE OF UNAVAILABILITY

NOTICE IS HEREBY GIVEN that the undersigned Assistant State Attorney will be unavailable for deposition, court hearings or trial on the following dates:

October 9, 2007 THROUGH October 12, 2007

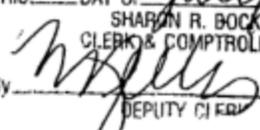
CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY THAT a true and correct copy of the foregoing Notice of Unavailability has been furnished by mail to JACK A. GOLDBERGER, ESQUIRE, 250 AUSTRALIAN AVENUE SOUTH, SUITE 1400, WEST PALM BEACH, FL 33401 this the 28th day of September, 2007.


LANINA BELOHLAVEK
Assistant State Attorney
Florida Bar No. 0776726

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Robin Shepett, ADA Coordinator in the Administrative Office of the Court, Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida, 33401; telephone number (561) 355-4380 within two (2) working days of your receipt of this notice; if you are hearing or voice impaired, call 1-800-956-8771.



STATE OF FLORIDA - PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.
THIS 22 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By  DEPUTY CLERK

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

CASE NO. 06CF009454AMB DIVISION "W"

STATE OF FLORIDA

vs.

JEFFREY E EPSTEIN,
Defendant.

FILED
SEP 12 AM 11:20
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

NOTICE OF UNAVAILABILITY

NOTICE IS HEREBY GIVEN that the undersigned Assistant State Attorney will be unavailable for deposition, court hearings or trial on the following dates:

September 18th THROUGH September 20th, 2007

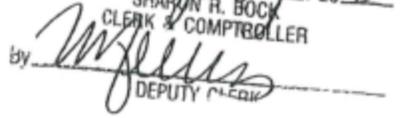
CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY THAT a true and correct copy of the foregoing Notice of Unavailability has been furnished by mail to JACK A. GOLDBERGER, ESQUIRE, 250 AUSTRALIAN AVENUE SOUTH, SUITE 1400, WEST PALM BEACH, FL 33401 this the 10th day of September, 2007.


LANNA BELOHLAVEK
Assistant State Attorney
Florida Bar No. 0776726

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Robin Shepett, ADA Coordinator in the Administrative Office of the Court, Palm Beach County Courthouse, 205 North Dixie Highway, Room 5-2500, West Palm Beach, Florida, 33401; telephone number (561) 355-4380 within two (2) working days of your receipt of this notice; if you are hearing or voice impaired, call 1-800-955-8271.



STATE OF FLORIDA - PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.
THIS 22 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER
by 
DEPUTY CLERK

21

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

CASE NO. 06CF009454AMB DIVISION "W"

STATE OF FLORIDA

vs.

JEFFREY E EPSTEIN,
Defendant.

FILED
2001 AUG - 8 PM 3:50
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

NOTICE OF UNAVAILABILITY

NOTICE IS HEREBY GIVEN that the undersigned Assistant State Attorney will be unavailable for deposition, court hearings or trial on the following dates:

October 4th & 5th 2007

CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY THAT a true and correct copy of the foregoing Notice of Unavailability has been furnished by mail to JACK A. GOLDBERGER, ESQUIRE, 250 AUSTRALIAN AVENUE SOUTH, SUITE 1400, WEST PALM BEACH, FL 33401 this the 6th day of August, 2007.



LANNA BELOHLAVEK
Assistant State Attorney
Florida Bar No. 0776726

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Robin Shepett, ADA Coordinator in the Administrative Office of the Court, Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida, 33401; telephone number (561) 355-4380 within two (2) working days of your receipt of this notice; if you are hearing or voice impaired, call (800) 352-7771.



I hereby certify that the foregoing is a true copy of the record in my office.

THIS 22 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER

By [Signature]
DEPUTY CLERK

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

CASE NO. 06CF009454AMB DIVISION "W"

STATE OF FLORIDA

vs.

JEFFREY E EPSTEIN,
Defendant.

FILED
2007 JUL 25 PM 3:21
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

NOTICE OF UNAVAILABILITY

NOTICE IS HEREBY GIVEN that the undersigned Assistant State Attorney will be unavailable for deposition, court hearings or trial on the following dates:

August 22, 2007 THROUGH August 24, 2007

CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY THAT a true and correct copy of the foregoing Notice of Unavailability has been furnished by mail to JACK A. GOLDBERGER, ESQUIRE, 250 AUSTRALIAN AVENUE SOUTH, SUITE 1400, WEST PALM BEACH, FL 33401 this the 28th day of July, 2007.



LANNA BELOHLAVEK
Assistant State Attorney
Florida Bar No. 0776726

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Robin Shepett, ADA Coordinator in the Administrative Office of the Court, Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida, 33401; telephone number (561) 355-4380 within two (2) working days of your receipt of this notice; if you are hearing or voice impaired, call 1-800-955-8771.



STATE OF FLORIDA - PALM BEACH

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 27 DAY OF July, 2007

SHARON R. BOCK
CLERK & COMPTROLLER

By [Signature]

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

STATE OF FLORIDA

Case No: 502006CF009454AXXMB

-vs-

JEFFREY E EPSTEIN

JEFFREY E EPSTEIN
358 EL BRILLO WAY
PALM BEACH GARDENS, FL 33480

NOTICE OF HEARING

THE DEFENDANT MUST BE PRESENT AT THIS HEARING

Failure to appear will result in a Bond Forfeiture or revocation of own recognizance (O.R.) and a Capias being issued for your arrest.

YOU ARE HEREBY NOTIFIED that this case is scheduled for:

CASE DISPOSITION

On **NOVEMBER 16, 2007** DIVISION: **W** in: **COURTROOM 11F** at: **08:30:00 AM**

At the **COUNTY COURTHOUSE, 205 N. DIXIE HWY, WEST PALM BEACH, FL 33401**

****BE PREPARED TO PAY COURT COSTS AND FINES ASSESSED BY THE COURT AT THIS HEARING****

**SHARON R. BOCK, CLERK & COMPTROLLER
DFELDER**

DATED: **MAY 16, 2007**

BY: _____

cc: STATE ATTORNEY - DIV. W
JACK A GOLDBERGER, ESQ.
CB - DEP. J. GOLDBERGER
JEFFREY E EPSTEIN

Deputy Clerk
STATE OF FLORIDA - PALM BEACH COUNTY
I hereby certify that the
foregoing is a true copy
of the record in my office.
THIS 22 DAY OF July, 2007
SHARON R. BOCK
CLERK & COMPTROLLER
By: [Signature]
DEPUTY CLERK

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Mary Jaffe, ADA Coordinator in the Administrative Office of the Court., Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida, 33401, telephone number (561) 355-4380 within two (2) working days of your receipt of this notice of hearing; if you are hearing or voice impaired, call 1-800-955-8771.

CIRCUIT COURT - CRIMINAL DIVISION

C + W
~~XXXXXXXXXX~~

CASE NUMBER: 2006cf009454A XX

DIV.

STATE OF FLORIDA vs. Jeffrey Epstein

Cancel from the following calendar:

DATE: 5/16/07

TIME: 8:30 AM

Add to the following calendar:

DATE: 11/16/07

TIME: 8:30 AM

Change:

FROM:

TIME:

2011 MAY 15 PM 4:32

COMMENTS: Case disposition

"NOTICE ALL PARTIES"

Requested by: B. Werner

Date: 5/16/07



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 22 DAY OF July, 2008

SHARON R. BOCK
CLERK & COMPTROLLER

By [Signature]

DEPUTY CLERK

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

CASE NO.: 502006CF009454AXXMB *W*

STATE OF FLORIDA

JEFFREY E. EPSTEIN,
Defendant.

FILED
2007 MAY 11 PM 4:4
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FLORIDA
CIRCUIT CRIMINAL

AGREED ORDER CONTINUING CASE DISPOSITION

Based upon the agreement of the parties, Jack A. Goldberger, Esquire representing the Defendant, JEFFREY E. EPSTEIN, and Lanna Belohlavek, Esquire, representing the State of Florida, and the Court being advised that the parties are actively involved in the investigation and preparation of the case, and the Court being further advised that the case presents complicated factual and legal issues, it is hereby

ORDERED AND ADJUDGED that the case disposition presently scheduled for May 16, 2007 at 8:30 a.m. is hereby continued and the Clerk of Court is directed to reschedule this matter for case disposition in six (6) months on November 16, 2007 @ 9:30 am

DONE AND ORDERED in chambers, West Palm Beach, Palm Beach County, Florida
this 11 day of May, 2007.

[Signature]
SANDRA K. MCSORLEY
Circuit Court Judge

[Signature]
Jack A. Goldberger, Esquire
Lanna Belohalavek, Esquire



STATE OF FLORIDA • PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.
THIS 22 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By *[Signature]*
DEPUTY CLERK

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

CASE NO. 06CF009454AMB DIVISION "W"

STATE OF FLORIDA

vs.

JEFFREY E EPSTEIN,
Defendant.

FILED
2007 APR 12 PM 3:29
MARCO R. BOGGS, CLERK
PALM BEACH COUNTY
CIRCUIT CRIMINAL

NOTICE OF UNAVAILABILITY

NOTICE IS HEREBY GIVEN that the undersigned Assistant State Attorney will be unavailable for deposition, court hearings or trial on the following dates:

APRIL 30, 2007 THROUGH MAY 4, 2007

CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY THAT a true and correct copy of the foregoing Notice of Unavailability has been furnished by mail to JACK A. GOLDBERGER, ESQUIRE, 250 AUSTRALIAN AVENUE SOUTH, SUITE 1400, WEST PALM BEACH, FL 33401 this the 12th day of April, 2007.


LANINA BELOHLAVEK
Assistant State Attorney
Florida Bar No. 0776726

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Robin Shepett, ADA Coordinator in the Administrative Office of the Court, Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida, 33401; telephone number (561) 835-8711 within two (2) working days of your receipt of this notice; if you are hearing or voice impaired, call 1-800-835-8711.



I hereby certify that the foregoing is a true copy of the record in my office.
THIS 22 DAY OF July 2008
SHARON R. DOCK
CLERK & COMPTROLLER

DEPUTY CLERK

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

STATE OF FLORIDA

Case No: 502006CF009454AXXXMB

-vs-

JEFFREY E EPSTEIN

JEFFREY E EPSTEIN
358 EL BRILLO WAY
PALM BEACH, FL 33480

NOTICE OF HEARING

THE DEFENDANT MUST BE PRESENT AT THIS HEARING

Failure to appear will result in a Bond Forfeiture or revocation of own recognizance (O.R.) and a Capias being issued for your arrest.

YOU ARE HEREBY NOTIFIED that this case is scheduled for:

CASE DISPOSITION

On MAY 16, 2007 DIVISION: W in: COURTROOM 11F at: 08:30:00 AM

At the COUNTY COURTHOUSE, 205 N. DIXIE HWY, WEST PALM BEACH, FL 33401

****BE PREPARED TO PAY COURT COSTS AND FINES ASSESSED BY THE COURT AT THIS HEARING****

SHARON R. BOCK, CLERK & COMPTROLLER
D. FELDER

DATED: MARCH 07, 2007

BY: _____

Deputy Clerk

cc: ASST ST ATTY - DIV. W
JACK A GOLDBERGER, ESQ.
CB/DEP - J. GOLDBERGER
JEFFREY E EPSTEIN



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the
foregoing is a true copy
of the record in my office.

THIS 22 DAY OF July 2008
SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
DEPUTY CLERK

*****If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Mary Jaffe, ADA Coordinator in the Administrative Office of the Court., Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida, 33401, telephone number (561) 355-4380 within two (2) working days of your receipt of this notice of hearing; if you are hearing or voice impaired, call 1-800-955-8771.*****

CRC_CAL_NOH

14

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

CASE NO. 06CF009454AMB DIVISION "W"

STATE OF FLORIDA

vs.

JEFFREY E EPSTEIN,
Defendant.

FILED
FEB 21 PM 12:03
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

NOTICE OF UNAVAILABILITY

NOTICE IS HEREBY GIVEN that the undersigned Assistant State Attorney will be unavailable for deposition, court hearings or trial on the following dates:

JULY 18, 2007 (AFTERNOON) THROUGH JULY 20, 2007

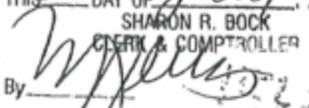
CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY THAT a true and correct copy of the foregoing Notice of Unavailability has been furnished by mail to JACK A. GOLDBERGER, ESQUIRE, 250 AUSTRALIAN AVENUE SOUTH, SUITE 1400, WEST PALM BEACH, FL 33401 this the 21 day of February, 2007.


LANNA BELOHLAVEK
Assistant State Attorney
Florida Bar No. 0776726

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Robin Shepett, ADA Coordinator in the Administrative Office of the Court, Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida, 33401; telephone number (561) 355-4380 within two (2) working days of your receipt of this notice; if you are hearing or voice impaired, call 1-800-955-8771.



I hereby certify that the foregoing is a true copy of the record in my office.
THIS 22 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By 

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

CASE NO.: 502006CF009454AXXMB

STATE OF FLORIDA

JEFFREY E. EPSTEIN,
Defendant.

FILED
MAR -5 PM 4:02
SHARON R. BOOK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

AGREED ORDER CONTINUING CASE DISPOSITION

Based upon the agreement of the parties, Jack A. Goldberger, Esquire representing the Defendant, JEFFREY E. EPSTEIN, and Lanna Belohlavek, Esquire, representing the State of Florida, and the Court being advised it is hereby

ORDERED AND ADJUDGED that the case disposition presently scheduled for March 8, 2007 at 8:30 a.m. is hereby continued and the Clerk of Court is directed to reschedule this matter for case disposition in sixty (60) days on May 16, 2007 @ 8:30 am.

DONE AND ORDERED in chambers, West Palm Beach, Palm Beach County, Florida this 5th day of March, 2007.

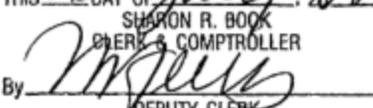

SANDRA K. MCSRLEY
Circuit Court Judge


Jack A. Goldberger, Esquire
Lanna Belohalavek, Esquire



STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 22 DAY OF July, 2008
SHARON R. BOOK
CLERK & COMPTROLLER
By 
DEPUTY CLERK

13

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

STATE OF FLORIDA

Case No: 502006CF009454AXXMBW

-vs-

JEFFREY E EPSTEIN

JEFFREY E EPSTEIN
PALM BEACH, FL 33480

NOTICE OF HEARING

THE DEFENDANT MUST BE PRESENT AT THIS HEARING

Failure to appear will result in a Bond Forfeiture or revocation of own recognizance (O.R.) and a Capias being issued for your arrest.

YOU ARE HEREBY NOTIFIED that this case is scheduled for:

CASE DISPOSITION

On DECEMBER 08, 2006 DIVISION: W in: COURTROOM 11F at: 08:30:00 AM

At the COUNTY COURTHOUSE, 205 N. DIXIE HWY, WEST PALM BEACH, FL 33401

****BE PREPARED TO PAY COURT COSTS AND FINES ASSESSED BY THE COURT AT THIS HEARING****

SHARON R. BOCK, CLERK & COMPTROLLER
LLAGUER

DATED: DECEMBER 04, 2006

BY: _____

cc: STATE ATTORNEY

JACK A GOLDBERGER, ESQ.

CB/JACK GOLDBERGER

JEFFREY E EPSTEIN

Deputy Clerk
STATE OF FLORIDA • PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.
THIS DAY OF July, 2006
SHARON R. BOCK
CLERK & COMPTROLLER
By _____
DEPUTY CLERK

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Mary Jaffe, ADA Coordinator in the Administrative Office of the Court., Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida, 33401, telephone number (561) 355-4380 within two (2) working days of your receipt of this notice of hearing; if you are hearing or voice impaired, call 1-800-955-8771.

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

CASE NO.: 502006CF009454AXXMB

FILED
2006 DEC -7 PM 3:33
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

STATE OF FLORIDA

JEFFREY E. EPSTEIN,
Defendant.

AGREED ORDER CONTINUING CASE DISPOSITION

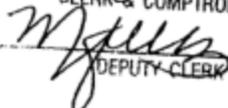
Based upon the agreement of the parties, Jack A.. Goldberger, Esquire representing the Defendant, JEFFREY E. EPSTEIN, and Lanna Belohlavek, Esquire, representing the State of Florida, and the Court being advised it is hereby

ORDERED AND ADJUDGED that the case disposition presently scheduled for December 8, 2006 at 8:30 a.m. is hereby continued and the Clerk of Court is directed to reschedule this matter for case disposition in ninety (90) days on March 8, 2007 at 8:30am

DONE AND ORDERED in chambers, West Palm Beach, Palm Beach County, Florida this 7th day of December, 2006.


SANDRA K. MCSORLEY
Circuit Court Judge



STATE OF FLORIDA - PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.
THIS 27 DAY OF July, 2008
SHARON R. BOCK
CLERK & COMPTROLLER
by 
DEPUTY CLERK

cc:  Jack A. Goldberger, Esquire
Lanna Belohalavek, Esquire

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

12/8

CASE NO.: 502006CF009454AXXXMB W

STATE OF FLORIDA

vs.

JEFFREY E. EPSTEIN,
Defendant.

2006 DEC -7 AM 9:45
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

FILED

WAIVER OF SPEEDY TRIAL

The above named Defendant, by and through the undersigned attorney, waives a speedy trial in the above captioned case.

I HEREBY CERTIFY that a copy of the foregoing has been furnished by mail to Lanna Belohlavek, Esquire, State Attorney's Office, 401 North Dixie Highway, West Palm Beach, Florida 33401, and to the Defendant this 6th day of December, 2006.

ATTERBURY GOLDBERGER
RICHARDSON & WEISS, P.A.
250 Australian Avenue South, Suite 1400
West Palm Beach, Florida 33401
(561) 659-8300
Fax: (561)835-8691

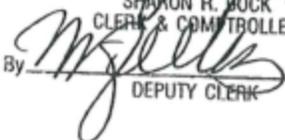


JACK A. GOLDBERGER, ESQUIRE
Florida Bar No. 262013



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 27 DAY OF July 2008
SHARON R. BOCK
CLERK & COMPTROLLER
By 
DEPUTY CLERK

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

STATE OF FLORIDA

Case No: 502006CF009454AXXXMB

-vs-

JEFFREY E EPSTEIN

JEFFREY E EPSTEIN
PALM BEACH, FL 33480

NOTICE OF HEARING

THE DEFENDANT MUST BE PRESENT AT THIS HEARING

Failure to appear will result in a Bond Forfeiture or revocation of own recognizance (O.R.) and a Capias being issued for your arrest.

YOU ARE HEREBY NOTIFIED that this case is scheduled for:

CASE DISPOSITION

On DECEMBER 08, 2006 DIVISION: W in: COURTROOM 11F at: 08:30:00 AM

At the COUNTY COURTHOUSE, 205 N. DIXIE HWY, WEST PALM BEACH, FL 33401

****BE PREPARED TO PAY COURT COSTS AND FINES ASSESSED BY THE COURT AT THIS HEARING****

SHARON R. BOCK, CLERK & COMPTROLLER
LLAGUER

DATED: DECEMBER 04, 2006

BY: _____

Deputy Clerk

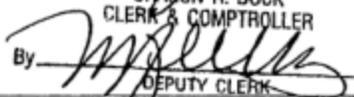


STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 27 DAY OF July, 2008

SHARON R. BOCK
CLERK & COMPTROLLER

By: 
DEPUTY CLERK

cc: STATE ATTORNEY

JACK A GOLDBERGER, ESQ.

CB/JACK GOLDBERGER

JEFFREY E EPSTEIN

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Mary Jaffe, ADA Coordinator in the Administrative Office of the Court., Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida, 33401, telephone number (561) 355-4380 within two (2) working days of your receipt of this notice of hearing; if you are hearing or voice impaired, call 1-800-955-8771.

CRC_CAL_NOH

REQUEST TO SET HEARING

Case # 06-9454CF A02 Div. W

Defendant: Jeffrey E. Epstein

- Praecipe and Waiver of Arraignment/Notice of Appearance
- Out-of-Court: plea of not guilty / "to be set" (from "KK")
- Demand for Speedy Trial (speedy trial deadline: / /)
- Out-of-Court: "to be reset"
- appointment of Conflict Team counsel (*see First Appearance slip*)
- Failure to Appear for on / /
- Amended Information:



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 27 DAY OF July, 2008

SHARON R. BOCK
CLERK & COMPTROLLER

By [Signature]

Other:

directions to clerk from Judicial Assistant/Judge:

Set for Case Disposition/Status Check re:

Calendar/Call/other:

on 12/8/06 at 8:30 a.m./p.m. in

Division W and notice all parties.

comments:

sign [Signature]

date: 11/16/06

8/25
AW

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

CASE NO. 06-009454 CF A02

STATE OF FLORIDA

vs.

JEFFREY E. EPSTEIN,

Defendant.

FILED
AUG 22 2006
CLERK OF COURT
PALM BEACH COUNTY
FLORIDA

PRAECIPE FOR APPEARANCE
WAIVER OF ARRAIGNMENT
PLEA OF NOT GUILTY AND REQUEST FOR JURY TRIAL

The Defendant, JEFFREY E. EPSTEIN, hereby waives arraignment, pleads not guilty to all charges and requests a jury trial in the above styled cause. The undersigned attorney has been retained as counsel for the Defendant in this case.

DATED this 22nd day of August, 2006.

I HEREBY CERTIFY that a true and correct copy hereof has been furnished by U.S. Mail to the Office of the State Attorney, 401 North Dixie Highway, West Palm Beach, Florida 33401, this 22nd day of August, 2006.

ATTERBURY, GOLDBERGER
RICHARDSON & WEISS
250 Australian Avenue South
Suite 1400
West Palm Beach, FL 33402
(561) 659-8300



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 22 DAY OF July 2006

SHARON R. BOCK
CLERK & COMPTROLLER

by [Signature]
DEPUTY CLERK

JACK A. GOLDBERGER, ESQ.
Florida Bar No: 262013

[Signature]
GERALD B. LEFCOURT, ESQ.

50h 111 115 6

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

CASE NO. 06CF009454A02 DIVISION "W"

STATE OF FLORIDA

vs.

JEFFREY E EPSTEIN,
Defendant.

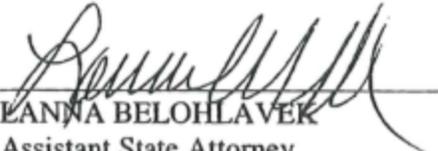
NOTICE OF UNAVAILABILITY

NOTICE IS HEREBY GIVEN that the undersigned Assistant State
Attorney will be unavailable for deposition, court hearings or trial on the following dates:

SEPTEMBER 17, 2006 THROUGH SEPTEMBER 21, 2006

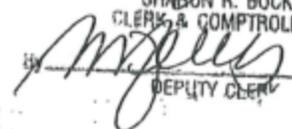
CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY THAT a true and correct copy of the foregoing
Notice of Unavailability has been furnished by mail to JACK A. GOLDBERGER,
ESQUIRE, 250 AUSTRALIAN AVENUE SOUTH, SUITE 1400, WEST PALM
BEACH, FL 33401 this the 16th day of August, 2006.


EANNA BELOHLAVER
Assistant State Attorney
Florida Bar No. 0776726

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Robin Shepelt, ADA Coordinator in the Administrative Office of the Court, Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida, 33401; telephone number (561) 355-4380 within two (2) working days of your receipt of this notice; if you are hearing or voice impaired, call 1-800-955-8873.



STATE OF FLORIDA - PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.
THIS 20 DAY OF July, 2006
SHABON R. BOCK
CLERK & COMPTROLLER

DEPUTY CLERK

W

P
PALM BEACH COUNTY SHERIFF'S OFFICE
DEPARTMENT OF CORRECTIONS
NOTICE OF ARRAIGNMENT

I, Epstein, Jeffrey understand that I must appear on
August 25, 2006 at the Palm Beach County Courthouse
located at:

- 3228 Gun Club Road, West Palm Beach, FL
- 205 North Dixie Highway, West Palm Beach, FL (Clerk of Court Information Desk (Lobby))
- 200 West Atlantic Ave., Delray Beach, FL
- 3188 PGA Blvd., Palm Beach Gardens, FL
- 38844 State Road 80, Belle Glade, FL
- (Other) _____

At: 8:45 A.M. P.M., for arraignment on Criminal Charges pending against me. I also understand that if I fail to appear a warrant will be issued for my arrest.

7/23/06
Date

[Signature]
Defendant's Signature

2006036744
Booking Number

[Signature] 7950
Release Desk - Deputy Signature I.D. #



STATE OF FLORIDA • PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office.
THIS 20 DAY OF July, 2006
By [Signature]
SHARON R. BOCK
CLERK & COMPTROLLER
DEPUTY CLERK

FILED JUL 27 2006

WHITE - BOND/BOOKING CARD

YELLOW - DEFENDANT

CASH APPEARANCE BOND

00073142

STATE OF FLORIDA, COUNTY OF PALM BEACH

Defendant: Epstein, Jeffery

Address: 357 EL BRILLO WAY
Palm Beach FL 33480

KNOW ALL MEN BY THESE PRESENTS THAT I,
JACK GOODBERGER, Depositor,

Address: 19 RABBITS RUN
Palm Beach Gardens FL 33418

have deposited with the Sheriff of Palm Beach County, Florida,
the sum of \$ 3000.00

Cash \$ 3000.00 Other \$ _____
(Cashier's check, money order, etc.) → # _____

THREE THOUSAND 00 Dollars,

as security for the appearance of the defendant upon the conditions hereinafter set forth. If the said defendant shall appear before the Court,
in and for Palm Beach County, Florida on:

COURT DATE: 8/25/04 at TIME: 8:45 AM PM TO BE SET (see Note Below) NEED NOT APPEAR
to answer to (a) charge(s) of

#1 <u>Prostitution - Offex Commit</u>	Bond \$ <u>3000.00</u>	Booking # <u>2006036744</u>	Warrant # <u>D6009454 CFB99 W</u>
#2 <u>ENGAGE 3RD SUSSA OFF CTI Retain</u>	Bond \$ _____	Booking # _____	Warrant # _____
#3 <u>Solicitation of Prostitution 3(F)</u>	Bond \$ _____	Booking # _____	Warrant # _____
#4 <u>SENED INDIC TMENT Judge Kroll</u>	Bond \$ _____	Booking # _____	Warrant # _____

and shall appear in said court from day to day and term to term and shall not depart the same without leave, said money so deposited shall be returned to the undersigned depositor, else to be forfeited or estreated by order of the above court.

LOCATIONS: CLERK OF THE CIRCUIT COURT (Check One)

- Courtroom, Criminal Justice Complex
3228 Gun Club Road
West Palm Beach, Florida
- Courtroom _____, Courthouse
205 North Dixie Highway
West Palm Beach, Florida
- Courtroom #1, South County Complex
200 West Atlantic Avenue
Delray Beach, Florida
- Courtroom #212, Northeast County Complex
3188 PGA Blvd.,
Palm Beach, Gardens, Florida
- Courtroom, Criminal Justice Building
38844 State Road 80
Belle Glade, Florida

The above sum received and this bond taken and approved
by me this

23 day of July, 20 04

Ric L. Bradshaw, Sheriff
Palm Beach County, Florida

By D/S G Thomas ESP

Location where taken: PBSD MDX

Defendant [Signature]

Depositor [Signature]

Section 939.17, Florida Statutes, authorizes the Clerk, under the direction of the Court, to deduct any court fines and costs for the Cash Bond.

OUT OF COUNTY:
BOND TAKEN FOR _____ COUNTY

CASH BOND REFUND INSTRUCTIONS:

- Cash bond money will be refunded after the final disposition of the case or by order of the court.
- Refund will be to the depositor only (unless the depositor has signed a release to a designated other party).
- Bond money is deposited into a non-interest bearing account, and therefore, no interest is collected.
- Refund is by CHECK ONLY, not cash.
- Refund may be secured in person at room #2.2300 of the Courthouse, 205 N. Dixie, West Palm Beach, between the hours of 8:00 AM to 5:00 PM, Monday through Friday. Presentation of one photo ID or two signature ID's such as voter's registration, credit card, social security card, etc., IS REQUIRED. Having the blue copy of the bond receipt and the court disposition copy may speed processing. Or, refund may be requested by mail with the proper notarized signature and current mailing address, include blue bond receipt copy.

NOTE: TBS (To Be Set) If a bond is posted for failure to appear for a traffic/misdemeanor court hearing (other than arraignment), the Clerk of Court will notify the defendant by mail of the next appearance. Processing and mailing time is two weeks.

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

COURT CASE NO. 06-9454 CF A99
AGENCY & CASE NO. Palm Beach Police Dept #05
INVESTIGATING OFFICER NAME J. Recarey I.D. # 7915

TO: ALL SHERIFFS OF THE STATE OF FLORIDA YOU ARE COMMANDED TO ARREST

NAME: Jeffrey E. Epstein
ADDRESS: 358 El Brillo Way, Palm Beach, FL 33480
BUSINESS ADDRESS: _____
PHONE: (HOME) (661) 832-4117 (BUSINESS) _____
RACE: White SEX: Male DOB: 1/20/53 HEIGHT: 6'0" WEIGHT: 180 lb
HAIR: Gray EYES: Blue SS#: 090-44-3348

FOR APPEARANCE BEFORE THIS COURT TO ANSWER A CHARGE OF:

- 1) Felony Solicitation of Prostitution. F.S. 796.07(2)(f) and (4)(c)
(3rd Felony)
- 2)
- 3)
- 4)
- 5)



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 22 DAY OF July, 2006
SHARON R. BOCK
CLERK & COMPTROLLER

FILED
2006 JUL 26 PM 2:13
SHERIFF R. ROCK, CLERK
PALM BEACH COUNTY
CRIMINAL DIVISION

FCIC _____ NCIC X
EXTRADITION AUTHORIZATION: YES _____ NO X

CAPIAS

This capias is issued pursuant to an information filed by the State Attorney, Fifteenth Judicial Circuit, Palm Beach County, Florida.
APPEARANCE BOND set by Court Order per bond schedule.
WITNESS my hand and the seal of this Court on this _____ day of _____, 199 ____.

(SEAL)

DOROTHY H. WILKEN,
CLERK OF COURT

BY: _____
Deputy Clerk

**ARREST WARRANT
BAIL ENDORSEMENT**

The defendant is to be admitted to bail in the sum of

PER SCHEDULE 690

OWN RECOGNIZANCE

OTHER \$ _____

returnable to this Court on the third Friday following the date of arrest at 9:00 A.M. before the Judge assigned the case.

GIVEN UNDER my hand and seal on the 17 day of July, 2006 at Palm Beach County, State of Florida.

(SEAL)

[Signature]
JUDGE, FIFTEENTH JUDICIAL CIRCUIT

Executed on the _____ day of **EXECUTED**, 199 ____, by arresting the within named.

By: JUL 23 2006 I.D. # _____
Deputy Sheriff - Palm Beach County

vb

Case No.: 2008CF009381AXX W ST of FL vs. JEFFREY EPSTEIN

Charges: PROCURE PERSON UNDER AGE OF 18 FOR PROSTITUTION

(ARISES FROM 2006CF009454AXX)

Arrest# _____ Bond# _____ Type _____ \$ _____ A/C _____

Date 6/30/08 Judge Pucillo Cr. Rep. P. DAMES
 ASA L. Belohavel DC PROV Int _____
 Deft--Pres / Not Pres. W / W/O Def. Co. J. BERGER Esq PD---Pres / Not Pres.

Before the Court for: STATUS CHECK

Granted Denied With / Without Prejudice Withdrawn Court Reserves Ruling Written Order to Follow

Warrant Ordered Recalled Bond Set at \$ _____ See Below Also Covers Sp Cond
 Bond Forf OR: Disch / Revoked / Reinstated Bond: Disch / Revoked SOR: Disch / Revoked / Reinstated
 Bond Forf Vacated Previous Bond Reinstated, if Bondsman agrees State failed to file charges Released O.R. / S.O.R.

Deft ___ Indigent PD Appt Hrg only PD Pres _____ Court Appts _____
 Evaluation for: Drug Farm DOC Non-Secure Bed by _____
 Pre-Plea PSI ordered by/within _____ days w/input from DJJ / Staffing

Referred to: PTI / SAAP / PADD Case placed on the absentee docket

DEFT ENTERED A PLEA OF: NOT GUILTY GUILTY NO CONTEST BEST INTEREST TO THE COURT

As Charged-Cts _____ Lesser Cts _____ Lesser Charge _____
 Sw & Test Adv of Rts Waived PSI Lesser Cts _____ Lesser Charge _____

ADJ GUILTY as Charged as to Cts ONLY Lesser Cts _____
 FOUND GUILTY as Charged as to Cts _____ Lesser Cts _____
 ADJ W/HELD as to Cts _____ SENT W/HELD as to Cts _____
 FOUND AND ADJUDICATED DELINQUENT as to Cts _____ Dispo Order to follow / Filed
 FOUND & ADJ NOT GUILTY as to Cts _____ Dismiss Nolle Prose Cts _____

Prob / Comm Control: Revoked Reinstated Modified Term. Successfully / Unsuccessfully
 Deft. to pay fine or complete _____ hrs. Community Service or Serve _____ days PBCJ.

Stip/Found: (violent) Habitual Off. 775.084 Stip/Found: Sexual Offender / Sexual Predator Stip/Found: P.R.R.

SENTENCE: PBCJ: LEMS Cts: _____ / DOC: _____ Cts: _____
 PBCJ: _____ Cts: _____ / DOC: _____ Cts: _____

W/Credit for 1 Days / Mos. / Yrs 2006CF9454AXX Deft to remain on same rel. status pending sent.

Conc / Consec Co-Term w/cases / cts: 2006CF9454AXX

Execution of Sentence Stayed Sentence Suspended Time served as to Cts _____
 Youthful Off Habitual Off Min / Mand: _____ as to Cts _____

ABOVE SENTENCE TO BE FOLLOWED BY: Probation Drug Off Prob Comm. Control I - See Page 2

DNA SWAB

_____ Set / Remains Set / Reset _____ Div _____ Rm _____ at _____ AM/PM
 _____ Set / Remains Set / Reset _____ Div _____ Rm _____ at _____ AM/PM

Deft sign _____
 Def Co _____ ASA _____ Bondsman _____
 Prob Jail DJJ GAL Notified by mail by: _____ on _____ / _____ / _____
 County Courthouse 205 N. Dixie, West Palm Beach Courtroom, Criminal Justice Bldg. 38844 State Road 80, Belle Glade Courtroom, Criminal Justice Complex 3228 Gun Club Rd., West Palm Beach

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT ROBIN SHEPETT, ADA COORDINATOR IN THE ADMINISTRATIVE OFFICE OF THE COURT, PALM BEACH COUNTY COURTHOUSE, 205 N. DIXIE HWY, RM 5.2500, WEST PALM BEACH, FL 33401; TELEPHONE (561) 355-4390, WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE. IF YOU ARE HEARING OR VOICE IMPAIRED, CALL 1-800-955-8771.

DATE: 6/30/08

CASE NO. 2008CF9831AXY

NAME: Te ABEY Epstein

TERM OF Prob / Sex Off / Drug Off Prob / C.C. I / C.C. II: 12 mos / yrs as to Cts.

conc w/ consec. w/

Probation transferred to:

SPECIAL CONDITIONS:

- Complete Originally Ordered Conditions
- Curfew: _____ p.m., with the following exception: _____
- Deft. to report to Prob. Dept. immediately upon release
- Deft. not to have in care, custody, or control any unlawful or illegal material, subst., device, or object.
- Deft. to immediately notify Prob. Officer if place of residence or job changes.
- Restitution CRO filed
- Subject to all ordinary and special conditions of Probation

- Substance Abuse Eval. / Psychological Eval. / Psychosexual Eval. within / by: _____ and deft. to successfully complete recommended treatment
- Random Drug/Alcohol Testing At Deft's Expense Costs Waived
- No Consumption/Possession of Alcohol or Drugs or Intoxicants without a Prescription.
- Attend _____ AA and/or NA Meetings per Week.
- Deft. not to frequent any place of business whose primary purpose is the sale of alcohol.

- Complete _____ Hrs. of Community Service to be done at the rate of _____ Hrs. per Wk / Mo. (Min.)
- License Revoked / Suspended for _____ mos / yrs
- Attend and successfully complete DUI school and 1 session of Victim Impact Panel
- No Contact / No Violent Contact / No Direct or Indirect contact w/Victim(s) or others listed:

- No Contact w/Minor Children w/o Adult Supervision aware of this case and the disposition.
- Cost of Supervision: \$ _____ per month Waived by Court.
- Enter and Successfully Complete DOC Non-Secure Bed Program and Any Recommended Aftercare.
- Hold in Custody, release only to DOC Non-Secure Bed Program Officer.
- Enter and Successfully Complete PBSO Long / Short Track Drug Farm and Any Rec. Aftercare.
- Forfeit Weapon / Money seized at the time of arrest to:

- Enter and Complete: Anger Management Program Batterers Intervention Program
- Theft Abatement Program: _____ Other: _____
- Defendant may apply for Early Termination after _____, provided all conds. are satisfied.
- Serve _____ days / months in PBCJ, with credit for _____ days / months.

See All Attached Documents

Deft. must register as a Sexual Offender

w/IN 48 hours of Release.

-
-
-
-
-

Amended

DATE: 6/30/08

CASE NO. 2008CF938/AXX

NAME: Jeffrey Epstein

TERM OF Prob / Sex Off / Drug Off Prob (C.C. I) C.C. II: 12 mos / yrs as to Cts. 1

conc w/ consec. w/

Probation transferred to:

SPECIAL CONDITIONS:

- Complete Originally Ordered Conditions
- Curfew: _____ p.m., with the following exception: _____
- Deft. to report to Prob. Dept. immediately upon release
- Deft. not to have in care, custody, or control any unlawful or illegal material, subst., device, or object.
- Deft. to immediately notify Prob. Officer if place of residence or job changes.
- Restitution CRO filed
- Subject to all ordinary and special conditions of Probation
- Substance Abuse Eval. / Psychological Eval. / Psychosexual Eval. within / by: _____ and deft. to successfully complete recommended treatment
- Random Drug/Alcohol Testing At Deft's Expense Costs Waived
- No Consumption/Possession of Alcohol or Drugs or Intoxicants without a Prescription.
- Attend _____ AA and/or NA Meetings per Week.
- Deft. not to frequent any place of business whose primary purpose is the sale of alcohol.
- Complete _____ Hrs. of Community Service to be done at the rate of _____ Hrs. per Wk / Mo. (Min.)
- License Revoked / Suspended for _____ mos / yrs
- Attend and successfully complete DUI school and 1 session of Victim Impact Panel
- No Contact / No Violent Contact / No Direct or Indirect contact w/Victim(s) or others listed:
- No Contact w/Minor Children w/o Adult Supervision aware of this case and the disposition.
- Cost of Supervision: \$ _____ per month Waived by Court.
- Enter and Successfully Complete DOC Non-Secure Bed Program and Any Recommended Aftercare.
- Hold in Custody, release only to DOC Non-Secure Bed Program Officer.
- Enter and Successfully Complete PBSO Long / Short Track Drug Farm and Any Rec. Aftercare.
- Forfeit Weapon / Money seized at the time of arrest to:
- Enter and Complete: Anger Management Program Batterers Intervention Program
- Theft Abatement Program: _____ Other: _____
- Defendant may apply for Early Termination after _____, provided all conds. are satisfied.
- Serve _____ days / months in PBCJ, with credit for _____ days / months.

See Attached documents

Deft. must Register as a Sexual Offender

W/IN 248 HOURS OF Release



I hereby certify that the foregoing is a true copy of the record in my office.

THIS JUL 22 2008

SHARON R. BOCK
CLERK & COMPTROLLER

By: [Signature]

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	Court	Leser	Degree
08CF009454AMB	Felony Solicitation of Prostitution	1	No	3 FEL
<u>20</u> 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.

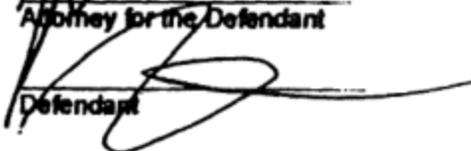
The Defendant is designated as a Sexual Offender pursuant to Florida Statute 943.0435 and must abide by all the corresponding requirements of the statute, a copy of which is attached hereto and incorporated herein.

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

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, places 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 schedules 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 F.S. 948.09.

(f) Defendant will be residing at 358 El Billo 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 controlees 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.
- (h) 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.
- (i) You shall submit to a warrantless search by your probation officer or community control officer of your person, residence, or vehicle.

(j) Defendant to have contact with his ^{community control} probation officer at a minimum one time a week.

(k) Defendant to work @ Florida Science Foundation, Australian Ave NIDA Ft.

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

- 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 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.
- (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 control'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)

set: _____

THE COURT RESERVES THE RIGHT TO RESCIND, MODIFY, OR REVOKE SUPERVISION TO THE EXTENT PROVIDED BY THE PROBATION AND ORDERED AT West Palm Beach, Palm Beach County, Florida, this 30 day of June 2005.
Enc 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
[Signature]
10/11/2005

[Signature]
DATE

[Signature]
INSTRUCTED BY

94B.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. 94B.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.



'943.0435 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. (I) 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 (I), 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. 943.04354, 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 reregister 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. Reregistration 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.



STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS DAY JUL 22 2008

SHARON R. BOCK
CLERK & COMPTROLLER

By [Signature]
DEPUTY CLERK

[Handwritten mark]

NAME: EPSTEIN, JEFFREY

JACKET #: 0338617 K#: 2008039316

ALIAS NAMES: OVER 8 NAMES:

EPSTEIN, JEFFREY - EPSTEIN, JEFFREY EDWARD -

Monday, June 30, 2008
11:33:10 AM

PALM BEACH SHERIFFS OFFICE
BOOKING CARD



Ch

INCARCERATION DATE/TIME 06/30/2008 11:12
PRISONER TYPE: LOCAL CHARGES
DOB: 01/20/1953 R/S: W/M
AGE: 55 HEIGHT: 6 ft 0 in
SSN: 090-44-3348 WEIGHT: 200

BKG.LOC: MOBILE BOOKING
BKG. ID #: 8548
HAIR COLOR: GRY
EYE COLOR: BLU

CITIZEN
COUNTRY: USA

ADDRESS: 358 EL BRILLO WY CITY: PALM BEACH STATE: FL ZIP: 33480

ID #: 20080630061 POUCH: 3050 NCIC:
SID #: 06587245 AFIS: 2006036744 DOC #:
ALIEN #: U.S. MARSHAL #: INCIDENT #:
FBI #: 787075K6 OBTS #:

ARREST ADDRESS: 205 N DIXIE HWY (MAIN CT HOUSE) CITY: WPB STATE: FL ZIP:

ARREST DATE: 06/30/2008 ARREST TIME: 10:15
BKG. DATE: 06/30/2008 BKG. TIME: 11:12

CURRENT BOND: \$0.00

WARRANT/CASE#: COURT DIVISION:
ARREST OFFICER: D/S DELPLATO ARREST AGENCY: 01 - PBSO
TRANS. OFFICER: D/S MCINTOSH TRANS. AGENCY: 01 - PBSO

CASE TYPE: RECOMMIT-FELONY

NOTE:

STATUTE: CT: DESCRIPTION: CASE FLAG: NO BOND

9999.0004 (NN) 1 -RE-COMMIT
() 0 PROCURE PERSON UNDER AGE OF 18 FOR PROSTITUTION // CASE: 2008CF009381AXX-W

08 JUN 2008 11:01 AM
STATE OF FLORIDA
CLERK & COMPTROLLER

HOLDS:

HOLD DATE/TIME: HOLD BY: HOLD DEPT.: HOLD REM. DATE/TIME: HOLD REM. BY: HOLD REM. DEPT.:
1
2
3

ALERT DESCRIPTION: ALERT NARRATIVE:
1 31 DNA NOT ON FILE/FELONY CONVICTION

OVER 3 ALERTS:

KEEP SEPARATE FROM:
NONE

OVER 6 NAMES:



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the records of this office.

JUL 22 2008

THIS DAY OF 20

SHARON R. BOCK
CLERK & COMPTROLLER

By *[Signature]*
DEPUTY CLERK

ASSIGNED HOUSING: NTA DATE/TIME: NTA LOC:

ICIC INTAKE: NCIC RELEASE: F.P. ENTERED: F.P. CLEAR:

ALMS REL.: PHOTO ID: CLASSIFICATION: MED. CLEAR IN: 06 JUL 2008

IED. CLEAR REL.: RELEASE MOVE:

RELEASE DATE/TIME: RELEASE INFORMATION:

COURT DATE/TIME: COURT LOCATION:

CLERK WARRANTS STATE ATTY CENTRAL RCDS CLASS

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

FILED
08 JUN 26 PM 3:30
SHARON R. BOCK, CLERK
PALM BEACH COUNTY
PROPERTY CLERK

INFORMATION FOR:

1) **PROCURING PERSON UNDER 18 FOR PROSTITUTION**

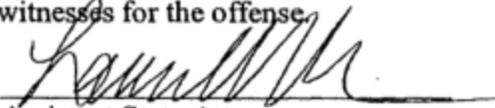
In the Name and by Authority of the State of Florida:

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 1st 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, A.D, a person under the age of 18 years, contrary to Florida Statute 796.03. (2 DEG FEL)

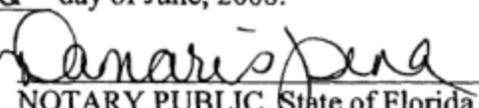

LANINA BELOHLAVEK
FL. BAR NO. 0776726
Assistant State Attorney

STATE OF FLORIDA
COUNTY OF PALM BEACH

Appeared before me, LANINA 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.


Assistant State Attorney

Sworn to and subscribed to before me this 26th day of June, 2008.


NOTARY PUBLIC, State of Florida



Damaris Pina
MY COMMISSION # DD580798 EXPIRES
August 2, 2010
BONDED THROUGH TROY FAIR INSURANCE, INC.

LB/dp

FCIC REFERENCE NUMBERS:

1) FELONY SOLICITATION OF PROSTITUTION 3699



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

JUL 22 2008
THIS DAY OF JULY, 2008

SHARON R. BOCK
CLERK & COMPTROLLER


DEPUTY CLERK

540530017

1291

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

1. X. N.T.A. 2. N.T.A. 3. Request for Warrant 4. Request for Capias Juvenile

OBTS Number	Agency ORI Number FLO 5 0 0 0 0 0	Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE	Agency Report Number 0, 6 - -
Charge Type: Check as many as apply.	1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/>	3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/>	5. Ordinance <input type="checkbox"/> 6. Other <input type="checkbox"/>
Location of Arrest (Including Name of Business) 3228 Gun Club Rd WPB, FL		Location of Offense (Business Name, Address)	

Date of arrest 07.23.06	Time of Arrest 9:30	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
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Name (Last, First, Middle) **Epstein, Jeffrey** Alias (Name, DOB, Soc. Sec. #, Etc.)

Race W - White <input checked="" type="checkbox"/> B - Black <input type="checkbox"/>	1 - American Indian <input type="checkbox"/> O - Oriental/Asian <input type="checkbox"/>	Sex M	Date of Birth 07.20.53	Height 6.00	Weight 180	Eye Color Blue	Hair Color Gray	Complexion Fair	Build Med
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Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) **None Seen**

Local Address (Street, Apt. Number) 358 Elzavillo Palm Beach, FL 33480	Phone (561) 655-3704	Residence Type: 1. City 2. County 3. Florida 4. Out of State
Permanent Address (Street, Apt. Number) 6100 Red Hook Quarters Suite B3 St Johns, OR	Phone (458) 430-1111	Address Source Verbal Def
Business Address (Name, Street)	Phone	Occupation Banker

DL Number, State	Soc. Sec. Number 090-44-3348	INS Number	Place of Birth (City, State) New York, NY	Citizenship USA
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Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/>	3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile <input type="checkbox"/>
Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/>	3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile <input type="checkbox"/>

<input type="checkbox"/> Parent Name (Last) (First) (Middle)	Residence Phone
<input type="checkbox"/> Legal Custodian	
<input type="checkbox"/> Other	
Address (Street, Apt. Number) (City) (State) (Zip)	Business Phone
Notified by: (Name) (Date) (Time)	Juvenile Disposition 1. Handled/Processed within Dept. and Released. 2. TOT HRS/DYS 3. Incarcerated
Released To: (Name) Relationship	Date Time

The above address was provided by defendant and / or defendant's parents. The child and / or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2328) informed of any change of address.

Yes, by: (Name) No: (Reason)

Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No	Description of Property	Value of Property
--	-------------------------	-------------------

Drug Activity N. N/A P. Possess	S. Sell B. Buy T. Traffic	R. Smuggle D. Deliver E. Use	K. Dispense/ Distribute	M. Manufacture/ Produce/ Cultivate	Z. Other	Drug Type N. N/A A. Amphetamine	B. Barbiturate C. Cocaine E. Heroin	H. Hallucinogen M. Marijuana O. Opium/Deriv.	P. Paraphernalia/ Equipment S. Synthetic	U. Unknown Z. Other
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Charge Description Felony solicitation of Prostitution	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number 7.96.10.7(2) F(1)(C), (3F)	Violation of ORD #
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number 06009454 (FA99 DIV W)
				Bond 3,000

Charge Description	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number	Violation of ORD #
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number
				Bond

Charge Description	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number	Violation of ORD #
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number
				Bond

Charge Description	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number	Violation of ORD #
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number
				Bond 5

Location (Court, Room Number, Address)

Court Date and Time
Month Day Year Time A.M. P.M.

I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.

Signature of Defendant (or Juvenile and Parent/ Custodian) _____ Date Signed _____

HOLD for other Agency Name:	Signature of Arresting Officer X G	Name Verification (Printed by Arresting Officer)
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal	<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:	(PRINT)
Name of Arresting Officer (Print) Sgt. [Signature]	I.D. #	PAGE
Transporting Officer Sgt. [Signature]	Agency V-MARRA	Witness here if subject signed with an "X"

Report : CWRFDACT
Instance : JISPROD

CLERK OF THE CIRCUIT COURT
CROSS REFERENCE LIST
CIRCUIT CRIMINAL DEFENDANT ACTIVITY REPORT

Date : 26-Jun-2008
Time : 6:35 pm
Page No : 1

CURRENT CASE

User ID : CACO

Defendent Name	Arrest Date	Case ID	Booking	Assigned Div
EPSTEIN, JEFFREY E.	23-Jul-2006	2008CF009381AXX	2006036744	W

Charge : PROCURE PERSON UNDER AGE OF 18 FOR PROSTITUTION

BOOKING HISTORY

Case ID	Booking Number	Div	Arrest Date	Booking Charge Narrative
2006CF009454AXX	2006036744	W	23-Jul-2006	CONVERSION:(796.07(2F4C)/ T/F/000/76) FELONY SOLICITATION OF PROSTITUTION

Purged Booking History

Booking Number	Arrest Date	Booking Charge Narrative
2006036744	07/23/06	FELONY SOLICITATION PROSTITUTION

CASE HISTORY

Case ID	Initial Filing Date	Booking No	Charge
2006CF009454AXX	19-Jul-2006	2006036744	1 FELONY OFFER TO COMMIT PROSTITUTION
PENDING EVENT: Type: JT Date: 08-Jul-2008 Div: W			
Case ID	Initial Filing Date	Booking No	Charge
2008CF009381AXX	26-Jun-2008	2006036744	1 PROCURE PERSON UNDER AGE OF 18 FOR PROSTITUTION



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS JUL 22 2008 20

By *[Signature]*
SHARON
CLERK & COMPTROLLER
DEPUTY CLERK

EFFECTIVE JULY 1, 2007

4050
IN THE COUNTY COURT OF THE FIFTEENTH
JUDICIAL CIRCUIT, CRIMINAL DIVISION,
IN AND FOR PALM BEACH COUNTY, FLORIDA.

CASE NO: 2008 CF 9381 XXX

STATE OF FLORIDA
vs.
Defendant: Jeffrey Epstein
Social Security No.: _____
Date of Birth: 1-20-53

RECORDER'S SPACE

ORDER ASSESSING ADDITIONAL CHARGES, COSTS AND FINES AND ENTERING JUDGMENT (IF INDICATED)

The Defendant is hereby ordered to Pay and a judgment is hereby entered on behalf of Palm Beach County, Palm Beach County Administrative Complex, Palm Beach County, Florida 33401 and the State of Florida, Florida Department of Financial Services, Tallahassee, Florida 32399 in the following sums as indicated:

INITIAL
IF WAIVED

- | | | Finer |
|-----|----------------------|--|
| 1. | \$ _____ | Total of fines assessed in sentence. |
| 2. | \$ _____ | (Crimes Compensation Trust Fund) pursuant to Section 938.04, Florida Statutes (statutorily mandated 5% surcharge/cost on any fine entered in line 1). |
| 3. | \$ _____ | (Crime Stoppers Trust Fund) \$20.00 pursuant to Section 938.06(1), Florida Statutes (statutorily mandated cost to be added if any fine imposed). |
| | | Mandatory Costs |
| 4. | \$ 50.00 | (County Crime Prevention Fund) pursuant to Section 775.083(2), Florida Statutes (statutorily mandated). Strike out if not a negotiated settlement and not imposed by the Court. |
| 5. | \$ 3.00 | (Additional Court Cost Clearing Trust Fund) pursuant to section 938.01(1), Florida Statutes (statutorily mandated). |
| 6. | \$ 50.00 | (Crimes Compensation Trust Fund) pursuant to Section 938.03(1), Florida Statutes (statutorily mandated). |
| 7. | \$ 2.00 | (Criminal Justice Education by Municipalities and Counties) pursuant to Section 938.15, Florida Statutes to be paid to:
[] Palm Beach County, Florida. (statutorily mandated where locally authorized).
[] the City/Town/Village of _____, Florida. (Statutorily mandated where locally authorized). |
| 8. | \$ 200.00 | (Additional Court Costs) pursuant to Section 938.05(1), Florida Statutes (statutorily mandated). |
| 9. | \$ 65.00 | (Additional Court Costs for local requirements and other County funded programs) pursuant to Section 939.185(1)(a), Florida Statutes (statutorily mandated where locally authorized). |
| 10. | \$ 3.00 | (Teen Court) pursuant to Section 938.19(2), Florida Statutes (statutorily mandated where locally authorized). |
| | | Discretionary or Specific Offense/Required Costs |
| 11. | \$ 40.00 | (Public Defender Application Fee) pursuant to Sections 27.52(2)(a) and 938.29, Florida Statutes (a \$40.00 fee shall be imposed if not previously collected or waived). Strike out if previously paid or represented by private counsel. |
| 12. | \$ 150.00 | (Public Defender's Fees and Costs) pursuant to Section 938.29, Florida Statutes and Fla. R. Crim. P. 3.720(d)(1) and Local Administrative Order. (Minimum fee of \$150.00 is statutorily mandated following notice of imposition and right to contest amount, additional amount is discretionary). Strike out if represented by private counsel. |
| 13. | \$ _____ | (Additional fees and costs of publicly appointed counsel) pursuant to Section 938.29, Florida Statutes and Fla. R. Crim. P. 3.720(d)(1) (notice of imposition and right to contest amount required). |
| 14. | \$ 50 | (County Alcohol and Other Drug Abuse Trust Fund) pursuant to Sections 938.21 and 938.23, Florida Statutes (may be imposed for any criminal violation of s.316.193, s.856.011, s.856.015, or Chapters 562, 567, 568, or 893, but may not exceed the amount of any fine imposed for the offense). |
| 15. | \$ _____ | (DUI Court Cost) \$135.00 pursuant to Section 938.07, Florida Statutes for any violation of Sections 316.193 or 327.35 (statutorily mandated). |
| 16. | \$ _____ | (Child Advocacy Center) \$101.00 pursuant to Section 938.10, Florida Statutes for any violation of Sections 784.085, 796.03, 800.04, 847.0145, 985.4045, or Chapters 787, 794, or 827, Florida Statutes (statutorily mandated). |
| 17. | \$ _____ | (Domestic Violence Surcharge) \$201.00 pursuant to Section 938.08, Florida Statutes for any violation of Sections 784.011, 784.021, 784.03, 784.041, 784.045, 784.048, 784.07, 784.08, 784.081, 784.082, 784.083, 784.085, 794.011, and any offense of Domestic Violence as described in Section 741.28, Florida Statutes (statutorily mandated). |
| 18. | \$ _____ | (Rape Crisis Center Trust Fund) \$151.00 pursuant to Section 938.085, Florida Statutes for any violation of Sections 784.011, 784.021, 784.03, 784.041, 784.045, 784.048, 784.07, 784.08, 784.081, 784.082, 784.083, 784.085, or 794.011. |
| 19. | \$ _____ | (Operating Trust Fund of the FDLE) \$100.00 pursuant to Section 938.25, Florida Statutes (may be imposed for any criminal violation of s. 893.13 if the court finds defendant has ability to pay and will not be prevented thereby from being rehabilitated or from making restitution). |
| 20. | \$ 50 | (Prosecution/Investigative Costs) The Court having considered the financial resources of the Defendant, the financial needs and ability of the Defendant, and other factors which this Court has deemed appropriate, a sum pursuant to 938.27, Florida Statutes (may be imposed where agency entitled to costs of prosecution requests and documents specific costs). |
| 21. | \$ _____ | (State Agency Law Enforcement Radio System Trust Fund) \$3.00 pursuant to Sections 318.18 (17), Florida Statutes (statutorily mandated for violations of: fleeing/eluding; leave scene of crash; DUI; reckless driving; making false crash reports; failure/refusal to comply with lawful order; refusal to weigh vehicle; racing on highway; refusal to submit to breath/blood/urine test). |
| | | Other Charges |
| 22. | \$ _____ | Other: _____ |

Total: \$ 473

Payment of charges, costs, and fines are:

- a condition of probation
- to be paid IN FULL TODAY; Defendant to proceed immediately to the Clerk and Comptroller's Office to pay the full amount due. If payment is not made today, then LET EXECUTION ISSUE and this Judgment shall bear interest at the rate prescribed by law until satisfied.
- due immediately; hence, FOR WHICH LET EXECUTION ISSUE. This Judgment shall bear interest at the rate prescribed by law until satisfied.
- due within _____ days/months/year and is to be paid through the Clerk and Comptroller's Office pursuant to a COLLECTIONS AGREEMENT established TODAY. \$ _____ will be paid today to the Clerk and Comptroller's Office as a down payment on the collections agreement. If the Collection Agreement is not established today, then LET EXECUTION ISSUE and this Judgment shall bear interest at the rate prescribed by law until satisfied.
- to be paid by the Defendant performing: (circle one) community service or AA/NA meetings, at a rate of \$ _____/per hour/meeting, due within _____ days/months/years in lieu of actual payment.

FAILURE TO PAY YOUR FINES AND COURT COSTS WILL RESULT IN YOUR DRIVER'S LICENSE BEING SUSPENDED AND/OR A JUDGMENT BEING ENTERED AGAINST YOU AND/OR YOUR DELINQUENT ACCOUNT BEING REFERRED TO A COLLECTION AGENCY AND/OR A WARRANT BEING ISSUED FOR YOUR ARREST.

ONE AND ORDERED in Open Court in Palm Beach County, Florida.

30 day of June 2008
Deborah L. Smith
CIRCUIT JUDGE

GOLD: State Attorney YELLOW: Probation BLUE: Administrative Office of the Court PINK: Defense Counsel GREEN: Defendant Form Circuit (Rev 7/2007)

RULE 3.992(CRIMINAL PUNISHMENT CODE) SHEET

1. DATE OF SENTENCE 6/30/08	2. PREPARER'S NAME <input type="checkbox"/> DC <input checked="" type="checkbox"/> SAO Belohlavek	3. COUNTY Palm Beach	4. SENTENCING JUDGE Fucillo
5. NAME (LAST, FIRST, MI.) Epstein, Jeffrey E.		6. DOB 1/20/53	8. RACE <input type="checkbox"/> B <input checked="" type="checkbox"/> W <input type="checkbox"/> OTHER
		7. DC#	9. GENDER <input checked="" type="checkbox"/> M <input type="checkbox"/> F
		10. PRIMARY OFF. DATE 20 08-09-38/AY	11. PRIMARY DOCKET # 20 08-09-38/AY
		12. PLEA <input checked="" type="checkbox"/> TRIAL <input type="checkbox"/>	

I. PRIMARY OFFENSE: If Qualifier, please check A S C R (A=Attempt, S=Solicitation, C=Conspiracy, R=Reclassification)

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
2nd F	794.03	Procuring Person Under 18 for Prostitution	07	56

(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony triples Primary Offense points

II. ADDITIONAL OFFENSE(S): Supplemental page attached

DOCKET#	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY	COUNTS	POINTS	TOTAL
06-9454	3rd F	796.07(2)(a)	07	A S C R	1 X	.7	.7
Description		Felony Solicitation of Prostitution		0000	X	=	=
Description				0000	X	=	=
Description				0000	X	=	=

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

Prior capital felony triples Additional Offense points

Supplemental page points

56.7

III. VICTIM INJURY:

	Number	Total		Number	Total
2 nd Degree Murder	240 X	=	Slight	4 X	=
Death	120 X	=	Sex Penetration	80 X	=
Severe	40 X	=	Sex Contact	40 X	=
Moderate	18 X	=			

III. _____

IV. PRIOR RECORD: Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY A S C R	DESCRIPTION	NUMBER	POINTS	TOTAL
____/____	____/____	____/____	0000	____/____	X	=	____
____/____	____/____	____/____	0000	____/____	X	=	____
____/____	____/____	____/____	0000	____/____	X	=	____
____/____	____/____	____/____	0000	____/____	X	=	____
____/____	____/____	____/____	0000	____/____	X	=	____
____/____	____/____	____/____	0000	____/____	X	=	____

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

Supplemental page points _____

Page 1 Subtotal:

56.7

2008CF 4381A
 Jeffrey Epstein

Page 1 Subtotal 56.7

- Legal Status violation = 4 Points
- VI. Community Sanction violation before the court for sentencing
 6 points x each successive violation OR
 New felony conviction = 12 points x each successive violation
- VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 Points
- VIII. Prior Serious Felony = 30 Points

VI. _____
 VII. _____
 VIII. _____
 Subtotal Sentence Points 56.7

IX. Enhancements (only if the primary offense qualifies for enhancement)

Law Enforcement Protection ____ x 1.5 ____ x 2.0 ____ x 2.5	Drug Trafficking ____ x 1.5	Grand Theft Motor Vehicle ____ x 1.5	Street Gang (offenses committed on or after 10-1-06) ____ x 1.5	Domestic Violence (offenses committed on or after 10-1-97) ____ x 1.5
--	--------------------------------	---	---	---

Enhanced Subtotal Sentence Points IX. 56.7
TOTAL SENTENCE POINTS 56.7

SENTENCE COMPUTATION

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction.

If total sentence points are greater than 44:
56.7 total sentence points minus 28 = 28.7 x .75 = 21.5 lowest permissible prison sentence in months

The maximum sentence is up to the statutory maximum for the primary and any additional offenses as provided in s. 775.082, F.S., unless the lowest permissible sentence under the code, exceeds the statutory maximum. Such sentences may be imposed concurrently or consecutively. If total sentence points are greater than or equal to 363, a life sentence may be imposed.
 maximum sentence in years _____

STATE OF FLORIDA - PALM BEACH COUNTY
 CLERK & COMPTROLLER
 SHARON R. BOGGS
 DEPUTY CLERK
 THIS DAY OF 28 NOV 2008
 I hereby certify that the foregoing is a true copy of the record in my office.

TOTAL SENTENCE IMPOSED

State Prison Life
 County Jail Time Served
 Community Control
 Probation

Years _____ Months 12 Days _____
18 months Control 12 to months

Please check if sentenced as habitual offender, habitual violent offender, violent career criminal, prison releasee, reoffender, or a mandatory minimum applies.

Mitigated Departure Plea Bargain
 Other Reason _____

JUDGE'S SIGNATURE 



vs.

Jeffrey Epstein

CASE NUMBER(S): 06-CF009454AMB
09-CF009391AMB

PLEA IN THE CIRCUIT COURT

- 1. DEFENDANT: I am the defendant in the above-mentioned matter(s), and I am represented by the attorney indicated below. I understand I have the right to be represented by an attorney at all stages of the proceeding until the case is terminated, and if I cannot afford an attorney, one will be appointed free of charge. [initials]
- 2. DEFENDANT: I understand I have the right to a speedy and public trial either by jury or by court. I hereby waive and give up this right. [initials]
- 3. DEFENDANT: I understand I have the right to be confronted by the witnesses against me and to cross examine them by myself or through my attorney. I hereby give up these rights. [initials]
- 4. DEFENDANT: I understand I have the right to testify on my own behalf, but I cannot be compelled to be a witness against myself and may remain silent if I so choose. I hereby give up these rights. [initials]
- 5. DEFENDANT: I understand I have the right to call witnesses to testify in my behalf and to invoke the compulsory process of the Court to subpoena those witnesses. I hereby give up these rights. [initials]
- 6. DEFENDANT: I understand I have the right to appeal all matters relating to the charge(s) and, unless I plea Guilty or No Contest, specifically reserving my right to appeal, I will give up such right of appeal. [initials]
- 7. DEFENDANT: I understand that if I am not a United States Citizen, my plea may subject me to deportation pursuant to the laws and regulations governing the United States Immigration and Naturalization Service; and, this Court has no jurisdiction (authority) in such matters. [initials]
- 8. DEFENDANT: I have not received any promises from anyone, including my attorney, concerning eligibility for any form of early release authorized by law and further no promises have been made to me as to the actual amount of time that I will serve under the sentence to be imposed. Further, I understand that this plea may be used to enhance future criminal penalties in any court system, even if adjudication of guilt is withheld. [initials]
- 9. DEFENDANT: I offer my plea freely and voluntarily and of my own accord, with full understanding of all matters set forth in the pleadings and this waiver. [initials]
- 10. DEFENDANT: I have personally placed my initials in each bracket above, and I understand each and every one of the rights outlined above. I hereby waive and give up each of them in order to enter my plea to the within charge(s). I understand that even though the Court may approve the agreement of sentence, the Court is not bound by the agreement, the Court may withdraw its approval at any time before pronouncing judgment, in which case I shall be able to withdraw my plea should I desire to do so.
- 11. DEFENDANT: Choose one:
 If applicable, I choose a program which is or may be spiritually based. [X]
 If applicable, I choose a program which is NOT spiritually based. []
 If applicable, I have no preference if the program is or may be spiritually based. []

[Signature]
DEFENDANT

6/30/09
DATE

JUN 20 2009

DEFENDANT'S ATTORNEY ONLY:

I am attorney of record. I have explained each of the above rights to the defendant and have explored the facts with him/her and studied his/her possible defenses to the charge(s). I concur with his/her decision to waive the rights and to enter this plea. I further stipulate that this document may be received by the Court as evidence of defendant's intelligent waiver of these rights and that it shall be filed by the Clerk as permanent record of that waiver.

[Signature] Jack Goldberger
ATTORNEY FOR THE DEFENDANT

6/30/09
DATE

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

SENTENCE (continued)

(As to Count(s) 1)

Defendant Jeffrey Epstein

Case Number 2008CF9381A XY

SUSPENDED AND/OR SPLIT SENTENCES

By appropriate notation, the following provisions apply to the sentence imposed:

- Said SENTENCE SUSPENDED for a period of _____ subject to conditions set forth in a separate order entered herein.
- However, after serving a period of _____ imprisonment the balance of such sentence shall be suspended and the Defendant shall be placed on probation and/or community control for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation and/or community control as set forth in a separate order entered herein.
- Followed by a period of 12 mos on probation and/or community control under the supervision of the Department of Corrections according to the terms and conditions of probation and/or community control as set forth in a separate order entered herein.

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

Debra Dolan
CIRCUIT COURT JUDGE

STATE OF FLORIDA • PALM BEACH COUNTY



I hereby certify that the foregoing is a true copy of the record in my office.

THIS JUL 22 2008 DAY OF JULY, 2008

SHARON R. BOCK
CLERK & COMPTROLLER

By [Signature]
DEPUTY CLERK

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 6 mos. 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.

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

Debra D. Williams
CIRCUIT COURT CLERK

NAME: EPSTEIN, JEFFREY

JACKET #: 0338617

BOOK #: 2006036744

ALIAS NAMES: OVER 8 NAMES:

NONE

Sunday, July 23, 2006
2:02:43 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: 01/20/1953

R/S: W/M

HAIR COLOR: GRY

AGE: 53

HEIGHT: 6 ft 0 in

EYE COLOR: BLU

SSN: 090-44-3348

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.:
1					
2					
3					

ALERT DESCRIPTION:	ALERT NARRATIVE:
1	
2	
3	



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

OVER 3 ALERTS:

THIS DAY OF JULY 23 2006

CLERK & COMPTROLLER

KEEP SEPARATE FROM:

NONE

By: [Signature] DEPUTY CLERK

OVER 6 NAMES:

23 AM 5:51

ASSIGNED HOUSING: _____ NTA DATE/TIME: _____ NTA LOC: _____

NCIC INTAKE: _____ NCIC RELEASE: _____ F.P. ENTERED: _____ F.P. CLEAR: _____

ALMS REL.: _____ PHOTO ID: _____ CLASSIFICATION: _____ MED. CLEAR IN: _____

MED. CLEAR REL: _____ RELEASE MOVE: _____

RELEASE DATE/TIME: _____ RELEASE INFORMATION: _____

COURT DATE/TIME: _____ COURT LOCATION: _____

CLERK WARRANTS STATE ATTY CENTRAL RCDS CLASS

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

CASE NO. 502008CF009381AXXMB DIV. W

OBTS NUMBER:

STATE OF FLORIDA

COMMUNITY
 CONTROL
 VIOLATOR

JEFFREY E EPSTEIN
 DEFENDANT

PROBATION
 VIOLATION

20 - Jan - 1953 W H I T E M
 DATE OF BIRTH RACE GENDER SOCIAL SECURITY NUMBER

The fingerprints below are those of said Defendant taken by Deputy Sheriff C. Phillips 6628

1. R. THUMB 	2. R. INDEX 	3. R. MIDDLE 	4. R. RING 	5. R. LITTLE 
6. L. THUMB 	7. L. INDEX 	8. L. MIDDLE 	9. L. RING 	10. L. LITTLE 

THE COURT CERTIFIES that the fingerprints shown below are those of the Defendant and were placed thereon by said Defendant in the Court's presence in Open Court at Palm Beach County, Florida, this 30 day of June, 2008.

Deborah Dale Smith
 CIRCUIT COURT JUDGE

STATE OF FLORIDA
 I hereby certify that the foregoing is a true copy of the record in this office.
 JUN 22 2008
 THIS DAY OF
 SHARON R. BOCK
 CLERK & COMPTROLLER
 By [Signature]
 DEPUTY CLERK

CIRCUIT CRIMINAL- FELONY

CASE NUMBER 06CF009454AXX DIVISION W

08CF009381AXX

STATE OF FLORIDA vs. Jeffrey Epstein

 CANCEL from the following calendar:

DATE _____ TIME _____

 ADD to the following calendar: STV

DATE 6/30/08 TIME 8:30

 CHANGE:

FROM: _____ TO: _____

COMMENTS: _____

Counsel Agreed



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office

THIS JUN 22 2008 20

SHARON R. BOCK
CLERK & COMPTROLLER

By [Signature]

"CLERK TO NOTICE ALL PARTIES"

FILED
JUN 27 11:10:50
PALM BEACH COUNTY
CLERK OF COURT

Requested by: [Signature]

Date: 6/26/08

AB JUN 27 2008

8/25
AV

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

CASE NO. 06-009454 CF A02

STATE OF FLORIDA

vs.

JEFFREY E. EPSTEIN,

Defendant.

FILED
JUL 22 2006
CLERK
PALM BEACH COUNTY, FL

PRAECIPE FOR APPEARANCE
WAIVER OF ARRAIGNMENT
PLEA OF NOT GUILTY AND REQUEST FOR JURY TRIAL

The Defendant, JEFFREY E. EPSTEIN, hereby waives arraignment, pleads not guilty to all charges and requests a jury trial in the above styled cause. The undersigned attorney has been retained as counsel for the Defendant in this case.

DATED this 22nd day of August, 2006.

I HEREBY CERTIFY that a true and correct copy hereof has been furnished by U.S. Mail to the Office of the State Attorney, 401 North Dixie Highway, West Palm Beach, Florida 33401, this 22nd day of August, 2006.

ATTERBURY, GOLDBERGER,
RICHARDSON & WEISS, P.A.
250 Australian Avenue South
Suite 1400
West Palm Beach, FL 33411
(561) 650-8300



STATE OF FLORIDA

I hereby certify that the foregoing is a true copy of the record in my office.

JUL 22 2006

THIS DAY OF _____, 20__

SHARON R. BOCK
CLERK & COMPTROLLER

By *[Signature]*
DEPUTY CLERK

[Signature]
JACK A. GOLDBERGER, ESQ.
Florida Bar No: 262013

[Signature]
GERALD B. LEFCOURT, ESQ.

BCH AUG 22 2006

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Thursday, July 03, 2008 11:59 AM
To: gaugerm@pbso.org
Cc: Atkinson, Karen (USAFLS); Kuyrkendall, E N. (FBI); Richards, Jason R. (FBI)
Subject: Epstein Agreement

Dear Colonel Gauger:

Thank you for taking the time to meet with us on Tuesday. As we discussed, I have attached the pertinent portion of Mr. Epstein's agreement with the U.S. Attorney's Office.



Epstein Agrmt
Portion.pdf

I also wanted to call to your attention a couple of items regarding the issue of Work Release. During the change of plea, Mr. Epstein stated that he would be working at the Florida Science Foundation, located at 250 Australian Avenue, Suite 1400, that the Foundation had been in existence for a "couple of years," and that he had been working there "every day" prior to the plea. The Division of Corporations' documents show that the Florida Science Foundation was incorporated in November 2007, not a "couple of years ago." The address provided for the "office" of the Florida Science Foundation is Jack Goldberger's office suite, and neither the office building directory nor the office suite door reflects that such a business is located there, and neither the security guard nor any building tenant that FBI questioned knows of the existence of such a business. Mr. Epstein also could not have been working there "every day" when he hadn't been in Palm Beach County in the past six months.

I would appreciate the opportunity to review the work release regulations. If Mr. Epstein truly is eligible for the program, we have no objection to him being treated like any other similarly situated prisoner, but sitting in his attorney's office suite making telephone calls, web-surfing, and having food delivered to him is probably not in accordance with the objectives of imprisonment. Obviously, the decision is left entirely within your discretion, but I wanted to make sure that you had a complete picture before you made that decision.

Thank you again, and have a wonderful 4th of July.

Marie

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Terms of the Agreement:

1. Epstein shall plead guilty (not nolo contendere) to the Indictment as currently pending against him in the 15th Judicial Circuit in and for Palm Beach County (Case No. 2006-cf-009495AXXXMB) charging one (1) count of solicitation of prostitution, in violation of Fl. Stat. § 796.07. In addition, Epstein shall plead guilty to an Information filed by the State Attorney's Office charging Epstein with an offense that requires him to register as a sex offender, that is, the solicitation of minors to engage in prostitution, in violation of Florida Statutes Section 796.03;
2. Epstein shall make a binding recommendation that the Court impose a thirty (30) month sentence to be divided as follows:
 - (a) Epstein shall be sentenced to consecutive terms of twelve (12) months and six (6) months in county jail for all charges, without any opportunity for withholding adjudication or sentencing, and without probation or community control in lieu of imprisonment; and
 - (b) Epstein shall be sentenced to a term of twelve (12) months of community control consecutive to his two terms in county jail as described in Term 2(a), *supra*.
12. Epstein agrees that he will not be afforded any benefits with respect to gain time, other than the rights, opportunities, and benefits as any other inmate, including but not limited to, eligibility for gain time credit based on standard rules and regulations that apply in the State of Florida. At the United States' request, Epstein agrees to provide an accounting of the gain time he earned during his period of incarceration.

ATTORNEY GENERAL GUIDELINES FOR VICTIM AND WITNESS ASSISTANCE



May 2005

Case No. 08-80736-CV-MARRA

P-009713

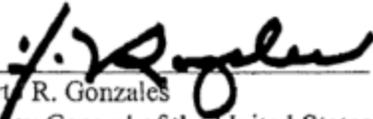
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FOREWORD

We at the Department of Justice have a duty not only to uphold the rights of individuals who are accused or convicted of a crime but to protect the rights of the victims of crime. Dedicated professionals throughout the Department of Justice work to vindicate the rights of crime victims under law, to offer them aid through the Crime Victims' Fund, and generally to ease their interaction with the criminal justice system. Crime victims deserve no less.

This new edition of the *Attorney General Guidelines for Victim and Witness Assistance* will facilitate our critical work on behalf of crime victims. It incorporates the many provisions for crime victims' rights and remedies, including the Justice for All Act of 2004, that have been enacted since the publication of the last edition. It also includes new guidance on assisting the victims of certain crimes, such as human trafficking and identity theft, that may give rise to unique challenges. These updates and improvements will inform the efforts of victim assistance specialists and other personnel throughout the Department of Justice.

We will never be able to reverse the suffering of crime victims or restore all that they have lost. Nevertheless, the Department of Justice can do a great deal to minimize the frustration and confusion that victims of a crime endure in its wake. These *Guidelines* will help us discharge our obligation to do so.


Albert R. Gonzales
Attorney General of the United States

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Article 1

Victim's Rights

**ARTICLE I.
VICTIMS' RIGHTS**

A. Best Efforts To Accord Rights

Officers and employees of the Department of Justice and other departments and agencies of the United States engaged in the detection, investigation, or prosecution of crime shall make their best efforts to see that crime victims are notified of, and accorded, the rights described below. (18 U.S.C. § 3771(c)(1))

B. Rights of Crime Victims

A crime victim¹ has the following rights under 18 U.S.C. § 3771(a):

1. The right to be reasonably protected from the accused.
2. The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or of any release or escape of the accused.
3. The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding.
4. The right to be reasonably heard at any public proceeding in the district court involving release, plea, [or] sentencing, or any parole proceeding.
5. The reasonable right to confer with the attorney for the Government in the case.
6. The right to full and timely restitution as provided in law.
7. The right to proceedings free from unreasonable delay.
8. The right to be treated with fairness and with respect for the victim's dignity and privacy.

C. Advice of Attorney

The prosecutor shall advise the crime victim that the crime victim may seek the advice of an attorney with respect to the rights enumerated above. (18 U.S.C. § 3771(c)(2))

D. Enforcement Mechanisms for Victims

The Justice for All Act of 2004 provides crime victims, as defined in article II.D.1, with two mechanisms for enforcing the rights enumerated above.

1. Judicial Enforcement. Crime victims, or the Government on their behalf, may move in Federal district court for an order enforcing their rights. (18 U.S.C. § 3771(d)(3)) "The district court shall take up and decide any motion asserting a victim's right forthwith. If

¹ A "crime victim" for purposes of these rights is a person who satisfies the definition in article II.D.1 of this document.

the district court denies the relief sought, the movant may petition the court of appeals for a writ of mandamus.” (*Id.*)

2. Administrative Complaint. A crime victim may also file an administrative complaint if Department employees fail to respect the victim’s rights. The Attorney General must take and “investigate complaints relating to the provision or violation of the rights of a crime victim” and provide for disciplinary sanctions for Department employees who “willfully or wantonly fail” to protect those rights. (18 U.S.C. § 3771(f)(2))

Article II.

General Considerations

ARTICLE II. GENERAL CONSIDERATIONS

A. Statement of Purpose

The purpose of this document, the *Attorney General Guidelines for Victim and Witness Assistance* (the *AG Guidelines*), is to establish guidelines to be followed by officers and employees of Department of Justice investigative, prosecutorial, and correctional components in the treatment of victims of and witnesses to crime.

These *AG Guidelines* supersede the *Attorney General Guidelines for Victim and Witness Assistance* (2000).

B. Background

The first Federal victims' rights legislation was the Victim and Witness Protection Act of 1982 (VWPA). Congress amended and expanded on the provisions of the 1982 Act in subsequent legislation, primarily the Victims of Crime Act of 1984, the Victims' Rights and Restitution Act of 1990, the Violent Crime Control and Law Enforcement Act of 1994, the Antiterrorism and Effective Death Penalty Act of 1996, the Victim Rights Clarification Act of 1997, and the Justice for All Act of 2004.

In VWPA, Congress made findings about the criminal justice system's treatment of crime victims. Congress recognized that without the cooperation of victims and witnesses, the criminal justice system would cease to function. Yet, often those individuals were either ignored by the system or simply viewed as "tools" to use to identify and punish offenders. Congress found that all too often a victim suffers additional hardship as a result of contact with the system. VWPA was enacted "(1) to enhance and protect the necessary role of crime victims and witnesses in the criminal justice process; (2) to ensure that the Federal Government does all that is possible within limits of available resources to assist victims and witnesses of crime without infringing on the constitutional rights of defendants; and (3) to provide a model for legislation for State and local governments." (Pub. L. No. 97-291, § 2)

In VWPA, Congress instructed the Attorney General to develop and implement guidelines for the Department of Justice consistent with the purposes of the Act. Congress set forth the objectives of the guidelines, which include the provision of services to victims; notification about protection, services, and major case events; consultation with the Government attorney; a separate waiting area at court; the return of property; notification of employers; and training for law enforcement and others. Congress also instructed the Attorney General to assure that all Federal law enforcement agencies outside the Department of Justice adopt guidelines consistent with the purposes of VWPA. (18 U.S.C. § 1512, Historical and Statutory Notes, Federal Guidelines for Treatment of Crime Victims and Witnesses in the Criminal Justice System). In conformance with the congressional directive, the Attorney General promulgated the *Attorney General Guidelines for Victim and Witness Assistance*. Periodically, the *AG Guidelines* have been revised to incorporate new legislative provisions.

Starting with VWPA and continuing through the later legislation, Congress established a list of victims' rights and directed the Justice Department and other departments and agencies of the Federal Government engaged in the detection, investigation, or prosecution of crime to make their "best efforts" to see that crime victims are accorded the rights. The list of rights, commonly referred to as the "victims' bill of rights," is now codified at 18 U.S.C. § 3771(a). Congress also defined a group of services that Federal agencies have the responsibility to provide to crime victims. The basic list of responsibilities appears in 42 U.S.C. § 10607. The Crime Control Act of 1990 later stated that those services "shall" be provided. Specialized provisions dealing with certain types of victims and crimes appear elsewhere in Titles 42 and 18. For example, provisions specifically dealing with child victims and witnesses appear in 18 U.S.C. § 3509.

Subsequent legislation has further expanded victims' rights in a variety of ways. The Violent Crime Control and Law Enforcement Act of 1994 established mandatory restitution for victims of four categories of crime: (1) domestic violence, (2) sexual assault, (3) the exploitation and abuse of children, and (4) telemarketing fraud. The Antiterrorism and Effective Death Penalty Act of 1996 expanded mandatory restitution to virtually all crimes committed in violation of Title 18 of the United States Code. (18 U.S.C. § 3663A) The Victim Rights Clarification Act of 1997 gives victims the right to attend a trial even though they may testify during the sentencing portion of the trial. (18 U.S.C. § 3510) The Victims of Trafficking and Violence Protection Act of 2000 protects immigrant victims of domestic violence, human trafficking, and other crimes from deportation in certain cases. (22 U.S.C. §§ 7101–7110; 8 U.S.C. § 1101(a)(15)(U)) The Justice for All Act of 2004 expanded and recodified the victims' bill of rights and gave victims standing to enforce those rights.

C. Construction of These *AG Guidelines*

The foundation for these *AG Guidelines* is the Federal victims' rights laws. The core statutes are 18 U.S.C. § 3771 and 42 U.S.C. § 10607, but additional rights and requirements exist in other statutes and rules of criminal procedure. In the text of these *AG Guidelines*, all statutory requirements or rules of criminal procedure are followed by a direct citation to the applicable statute or rule. Guidelines that are purely Justice Department policy, as opposed to statutory law, will not be followed by a citation. Guidelines that are policy intended to implement a statutory right, provision, or procedural rule will be followed by a citation referring to the statute or rule.

The *AG Guidelines* use the word "shall" where "shall" appears in a statute. The use of the term "shall" means that the relevant guideline is mandatory, though room may remain for individual judgment in determining how best to comply with the guideline. When the *AG Guidelines* use the word "should," the employee is expected to take the action or provide the service described unless there is an appropriate, articulable reason not to do so. A strong presumption exists in favor of providing rather than withholding assistance and services to victims and witnesses of crime.

D. Definitions of "Crime Victim"

The term "crime victim" is defined differently by different Federal statutes. Unless otherwise noted, these *AG Guidelines* use the following definitions.

1. Enforcement of Rights. For purposes of enforcing the rights enumerated in article I.B, a victim is "a person directly and proximately harmed as a result of the commission of a Federal offense or an offense in the District of Columbia" (18 U.S.C. § 3771(e)) if the offense is charged in Federal district court. If a victim is under 18 years of age, incompetent, incapacitated, or deceased, a family member or legal guardian of the victim, a representative of the victim's estate, or any other person so appointed by the court may exercise the victim's rights, but in no event shall the accused serve as a guardian or representative for this purpose. (18 U.S.C. § 3771(e)) A victim may be a corporation, company, association, firm, partnership, society, or joint stock company. (1 U.S.C. § 1)
2. Provision of Services. For purposes of providing the services described in these *AG Guidelines*, a victim is "a person that has suffered direct physical, emotional, or pecuniary harm as a result of the commission of a crime." (42 U.S.C. § 10607(e)(2)) If a victim is an institutional entity, services may be provided to an authorized representative of the entity. If a victim is under 18 years of age, incompetent, incapacitated, or deceased, services may be provided to one of the following (in order of preference) for the victim's benefit:
 - a. A spouse.
 - b. A legal guardian.
 - c. A parent.
 - d. A child.
 - e. A sibling.
 - f. Another family member.
 - g. Another person designated by the court.

(42 U.S.C. § 10607(e)(2))

E. Application

1. Providers of Rights and Services. These *AG Guidelines* apply to those components of the Department of Justice engaged in investigative, prosecutorial, correctional, or parole functions within the criminal justice system. The *AG Guidelines* are intended to

serve as a model for guidelines on the fair treatment of crime victims and witnesses for other State and Federal law enforcement agencies.

Department components should encourage non-Department personnel specially assigned or deputized to work with Department components to learn and comply with the victims' rights laws and these *AG Guidelines*.

2. Recipients of Rights and Services. The majority of the rights and services in these *AG Guidelines* are applicable to victims of crime. Some provisions apply to witnesses to crime.

For purposes of determining the applicability of these *AG Guidelines* to any victim, refer to the definitions, *supra*, article II.D.

A person who is culpable for or accused of the crime being investigated or prosecuted should not be considered a victim for purposes of the rights and services described in these *AG Guidelines*. (18 U.S.C. § 3771(d)(1)) Nonetheless, a person who may be culpable for violations or crimes other than the crime being investigated or prosecuted may be considered a victim under this policy. For example, victims of involuntary servitude or trafficking may be considered victims for purposes of the prosecution of those crimes despite any legal culpability that the victims may have for ancillary immigration or prostitution offenses. In addition, criminal suspects who are subjected to excessive force by law enforcement officers and inmates who are victims of crime during their incarceration for other offenses may be considered victims. An inmate's detention, however, may prevent the inmate from exercising the rights and receiving the services normally afforded to victims. For example, Department personnel are not required by these *AG Guidelines* to transport inmates to court to attend hearings relating to crimes against those inmates.

A person whose injuries stem only indirectly from an offense is not entitled to the rights or services described in the *AG Guidelines*. Although bystanders are therefore not generally considered victims, there may be circumstances in which a bystander does suffer an unusually direct injury, and Department personnel have the discretion to treat this bystander as a victim.

F. Responsible Officials

Pursuant to 42 U.S.C. § 10607(a), the Attorney General is required to designate persons in the Department of Justice who will be responsible for identifying the victims of crime and performing the services described in that section. These persons are referred to as "responsible officials" in the statute and throughout these *AG Guidelines*. (42 U.S.C. § 10607(a)) The designation of responsible officials for each component appears below and at the beginning of the sections indicating the stage in the process at which the relevant component operates. Responsible officials may delegate their responsibilities under these *AG*

Guidelines to subordinates in appropriate circumstances, but responsible officials remain obliged to ensure that all such delegated responsibilities are discharged.

The Attorney General designates the following responsible officials:

1. Investigators

- a. FBI—the special agent-in-charge of the division having primary responsibility for conducting the investigation.
- b. DEA—the special agent-in-charge of the division having primary responsibility for conducting the investigation.
- c. Bureau of Alcohol, Tobacco, Firearms and Explosives—the special agent-in-charge of the division having primary responsibility for conducting the investigation.
- d. U.S. Marshals Service—the U.S. Marshal in whose district the case is being conducted.
- e. Office of the Inspector General—the Inspector General.

2. Prosecutors

- a. For cases in which charges have been filed—the U.S. Attorney in whose district the prosecution is pending.
- b. For cases in which a litigating division of the Justice Department is solely responsible—the chief of the section having responsibility for the case. The chief of the section is responsible for performing the same duties under these *AG Guidelines* as are required of a U.S. Attorney. By agreement between the litigating division and the Executive Office for United States Attorneys (EOUSA), the responsible official from the litigating division may delegate some responsibilities to the U.S. Attorney in whose district the prosecution is pending.
- c. For cases in which the U.S. Marshals Service is the custodial agency—the U.S. Attorney in whose district the prosecution is pending.

3. Corrections Officials

- a. For cases in which the U.S. Marshals Service is the custodial agency—the U.S. Attorney in whose district the prosecution is pending.

- b. For cases in which the Bureau of Prisons has become involved—the Director or Warden of each Bureau of Prisons (BOP) facility where the defendant is incarcerated.

4. Parole Officials

- a. For proceedings relating to the revocation of parole or the revocation of supervised release in the District of Columbia—the Chairman of the U.S. Parole Commission.

The responsible official shall designate the individual or individuals who will carry out victim-witness services in each Department of Justice investigating field office, corrections facility, parole office, U.S. Attorney's Office, and Justice Department litigating division. The responsible official shall instruct such designated individuals to comply with these *AG Guidelines* and shall delegate the authority to carry out the activities that are thereby required.

All responsible officials and other employees involved in complying with these regulations must cooperate with other components of the Department of Justice in providing victims with the services required by Federal law and by these *AG Guidelines*. In many instances when certain duties and responsibilities overlap, duplicative provision of services is not required, but responsible officials should promote coordination and interagency teamwork between Department employees and State, local, or tribal officials. At each stage in the provision of services, the transition of responsibility from one component of the Department of Justice to the next must include a sharing of information (in many cases prior to the actual transfer of responsibility). In this way, gaps in notification and other services are eliminated and crime victims receive uniform rather than fragmented treatment, starting from the initial investigation and continuing throughout their entire involvement with the Federal criminal justice system.

Responsible officials and the individuals they have designated should also work with the other Federal agencies that investigate and prosecute violations of Federal law to assist those agencies in providing these services to victims.

G. Cases with Large Numbers of Victims

Individual and personal contact with victims is recommended whenever reasonably feasible. Although implementing these *AG Guidelines* is relatively straightforward in cases in which the number of victims is limited, doing so can present challenges as the number of victims grows into the hundreds and thousands. Department employees should use new technology and be creative in order to provide victims in large cases with the same rights and services as victims in smaller cases. In carrying out their obligations under the *AG Guidelines* in cases with large numbers of victims, responsible officials should use the means, given the circumstances, most likely to achieve notice to the greatest possible number of victims.

If the responsible official (as designated in these *AG Guidelines*) deems it impracticable to afford all of the victims of a crime any of the rights enumerated in 18 U.S.C. § 3771(a), the attorney for the Government should move the appropriate district court at the earliest possible stage for an order fashioning a reasonable procedure to effectuate those rights to the greatest practicable extent. (18 U.S.C. § 3771(d)(2))

1. Identification. Identification of victims is the responsibility of the investigative agency (*see* art. IV.A.2). Identifying and locating victims can be one of the most difficult victim assistance tasks in a case with a large number of victims. Both new technology and traditional law enforcement methods can be utilized to identify victims regardless of whether the case involves a large-scale mass violence crime or a large-scale economic crime. For example, officials may use notices on official Web sites or in print or broadcast media to ask victims to contact the agency. Access to a toll-free number can be arranged so that victims can both provide identification information and receive information about available assistance and services.

Department employees may also work with hospitals, schools, employers, nonprofit organizations, faith-based organizations, and disaster-assistance centers (where appropriate) to reach out to victims and to secure identification and contact information.

In large white-collar crime cases, names and addresses of victims may be obtainable from the defendants' records.

For crimes involving aviation disasters, the FBI is the lead investigative agency and has specialized protocols for collecting passenger- and ground-casualty victim information.

2. Notices and Referrals. The optimal means of notifying and assisting crime victims will necessarily vary with the underlying offense and the victims' own circumstances. The anticipated needs of the victims and the likelihood of effecting actual notice should be the principal criteria for selecting the means to be used. In every case, Department employees should carefully evaluate the type of information relayed and the method of communicating the information to see that investigations are not compromised and that victims' privacy is not inadvertently invaded. Among the means of notifying victims are the following:
 - a. Automated Victim Notification System. Department personnel should strive to use the Automated Victim Notification System (VNS) whenever possible in cases with large numbers of victims. With VNS, it is possible to send large numbers of victims an initial notification letter and to invite them either to request subsequent notifications by e-mail or to obtain new information as it develops through the VNS automated call center or the Internet. (As a general rule, the VNS project will provide only one mass mailing per case.) When victims' names and addresses are maintained in an electronic format, it may be possible to transfer that information directly into the system.

- b. **Electronic Mail.** Notice and ongoing communications with victims in cases with large numbers of victims are also substantially facilitated by e-mail. (Because e-mail does not constitute a private and secure means of communication, Department employees should consider obtaining victims' express consent before using e-mail to transmit confidential communications.) Especially in cases in which more personal communication with the victims is called for, such as cases involving violent crime and identity theft, group e-mail lists can make communication with large numbers practicable. Department staff can send periodic updates to the victims about case events and can answer requests for referrals to social services in an efficient manner. E-mail is also one of the best ways to communicate with victims and witnesses in foreign countries.
- c. **Internet Web Sites.** In light of increasingly widespread access to the Internet, Web sites can be created that contain information concerning the progress of investigations and prosecutions. Department employees should avoid posting any information on the Internet that is not for public dissemination. Information that would normally be appropriate for a press release, including the dates of a public court proceeding, is generally appropriate for the Internet. Department employees can place case information on public agency or office Web sites at a marginal cost to the Department.
- d. **Bridge or Conference Calls.** Bridge calls or conference calls allow Department employees to speak to a large group of victims and witnesses in one telephone call. Each victim or witness who wants to participate in the call is told the date and time of the call and given a phone number and PIN. At the designated time, victims and witnesses call in, give their PIN, and are connected to the discussion.
- e. **Toll-Free Telephone Numbers.** Budget permitting, a toll-free telephone number system may be established to permit victims to call in and receive information about the status of a matter or to allow Department employees to make outgoing calls to the victims to alert them to a change in status.
- f. **Town Meetings.** When a crime results in a large number of victims who cannot be readily identified but reside in a limited geographic area, a well-publicized town meeting may be an effective way to identify victims, provide them with notice and pertinent information, and consult with them concerning the crime and the Government's investigation. Public meetings may be inappropriate for identifying or communicating with child victims or victims of certain highly sensitive crimes.
- g. **Private Groups.** Private groups that comprise a significant number of victims of a particular crime may have newsletters or other methods of reaching their members. Some groups, including those organized by court-appointed receivers or plaintiffs' counsel in shareholder suits, may be willing to assist with

preparing and disseminating a newsletter targeted at victims or to assist in some other way.

3. Participation. Technology can be helpful in enabling large numbers of victims to participate in the criminal justice process. E-mail is one means of collecting victim impact statements from a large group located anywhere in the world. The closed-circuit televising of court proceedings has been used in several large cases with victims spread over a large geographic area.

If a courtroom's observation area is too small to accommodate all the victims who want to observe a proceeding, Department attorneys should consider advocating for moving the proceeding to a larger courtroom or providing a closed-circuit feed of the proceedings to another venue where victims can gather. Department attorneys should also consider advocating for the oral presentation in court of a representative sample of victim impact statements.

H. Cases Involving Juvenile Offenders

1. Generally. Victims of juvenile offenders shall be considered victims for purposes of these *AG Guidelines* and shall be entitled to the normal rights and services except where Federal law specifically provides otherwise. The Federal Juvenile Delinquency Act restricts the type of information that may be disclosed to victims regarding investigations and proceedings of juvenile offenders (unless the juvenile has been transferred for criminal prosecution as an adult). (18 U.S.C. §§ 5031–5042)
 - a. Investigative Stage. During the investigative stage, a victim should receive the services to which he or she would normally be entitled, but only a general statement about the progress of an investigation into the role of a juvenile suspect may be disclosed. Investigators and other department employees are cautioned that the name and other identifying data relating to a suspect who is known or believed to have been younger than 18 when the crime occurred should not be disclosed.
 - b. Prosecutorial Stage
 - (1) Prosecutors in juvenile cases should solicit and receive victims' views on appropriate disposition (not only whether the prosecutor should move to detain, dismiss, defer prosecution, or accept a plea, but also how severe a sentence is warranted). Prosecutors should tell victims that presentence reports and victim impact statements are not mandated at dispositional hearings but that a victim may prepare such a statement for the prosecutor to offer to the court. Upon request, prosecutors should make reasonable efforts to assist the victim in preparing an accurate victim impact statement. The prosecutor may also request that the court order the probation office to prepare a victim impact statement.

- (2) Prosecutors are not permitted to convey to the victim any prosecutorial information about the progress of a juvenile proceeding unless and until the court has found the juvenile to be delinquent. After a finding of delinquency, Federal law explicitly permits disclosure of information about the final disposition to the victim or, if the victim is deceased, to the victim's immediate family. (18 U.S.C. § 5038(a)(6)) Upon request, a victim should be apprised of the final disposition of the case and the sentence imposed on the offender.
- c. Corrections Stage. A victim should not be notified when the juvenile offender in his or her case has actually been released from custody unless the victim has requested such notification.

I. Victim Declination of Services

Department employees are required, by law and under these *AG Guidelines*, to identify victims of crime, notify them of their rights, and offer them services as described in these *AG Guidelines*. Victims, however, are not required to exercise their rights or to accept these services and may choose at any point in the criminal justice process to decline to receive further services or assistance. Department employees need not provide services that victims have made an informed decision to decline. When a victim declines services, Department employees should attempt to ascertain whether the victim wants to decline all future services or only one or more specific services. In the latter case, responsible officials should continue to provide services that have not been declined. In any event, the responsible official should consider properly documenting the victim's informed declination of mandatory rights and services.

Article III
Components

**ARTICLE III.
GUIDELINES APPLICABLE TO ALL COMPONENTS**

A. Mandatory Reporting of Compliance with the *AG Guidelines*

The Director of the Office for Victims of Crime (OVC), has the statutory responsibility for monitoring Justice Department compliance with the *AG Guidelines*. (42 U.S.C. § 10603(c)(3)(A)) Responsible officials shall report to the Attorney General through the OVC Director about their compliance by means of an Annual Compliance Report containing the relevant data (including the numbers of crime victims offered services) requested by the OVC Director. The Annual Compliance Report shall be submitted to OVC by February 15 of the year following the year that is the subject of the report.

B. Performance Appraisal

The annual work plans and performance appraisals of each appropriate Federal law enforcement officer, supervisor, investigator, prosecutor, corrections officer, and parole official (and appropriate staff of those agencies) shall encompass, as a required activity, implementation of and evaluation of adherence or nonadherence with the victims' rights and victims' and witnesses' services provisions set forth in these *AG Guidelines*. All investigative, prosecutorial, correctional, and postcorrectional components with responsibilities for providing rights and services to victims should include the discharge of such responsibilities among those components' criteria for reviews and evaluations. Verification of the institution of this recommendation must be included in the Annual Compliance Report.

C. Sanctions

Pursuant to the Justice for All Act of 2004, 18 U.S.C. § 3771(f)(2)(C), disciplinary sanctions, up to and including suspension and termination of employment, may result from a willful or wanton failure to comply with provisions of Federal law pertaining to the treatment of crime victims.

D. Mandatory Training

Responsible officials shall ensure that all employees whose primary responsibilities include contact with crime victims and witnesses receive a copy of these *AG Guidelines* and not less than 1 hour of training concerning the *Guidelines* and victims' and witnesses' rights within 60 days after assuming such responsibilities. Responsible officials shall also ensure that the same employees undergo additional training with respect to any changes in the *AG Guidelines* or the law relating to victims' rights within a reasonable time after such changes take effect.

The Deputy Attorney General may, from time to time, direct responsible officials to ensure that other Department employees undergo additional training with respect to victims' rights and these *AG Guidelines*.

E. Reporting Suspected Cases of Child Abuse

All Federal law enforcement personnel have obligations under State and Federal law to report suspected child abuse. All Federal employees should refer to their State child abuse reporting laws to determine the scope of the obligation in cases of suspected child abuse. State laws vary substantially. Some States require mandatory reporting of child abuse or neglect by all persons within their boundaries; others require such reporting only from individuals engaged in expressly listed occupations. When the suspected child abuse is observed on Federal lands, the Federal child abuse reporting law also applies. The Federal child abuse reporting law requires certain professionals (listed below) working on Federal land or in a federally operated (or contracted) facility, in which children are cared for or reside, to report suspected child abuse to an investigative agency designated by the Attorney General to receive and investigate such reports. (42 U.S.C. § 13031)

A report should be made even if the information inadvertently comes to the employee's attention, but not if the suspected child abuse has already been reported and is the subject of an existing report or investigation.

1. **Sanctions for Failure To Report.** A covered professional who, while working on Federal land or in a federally operated (or contracted) facility, in which children are cared for or reside, learns of facts that give reason to suspect that a child has suffered an incident of child abuse and fails to report such facts in a timely fashion shall be guilty of a Class B misdemeanor. (18 U.S.C. § 2258)
2. **Mandated Reporters (Covered Professionals).** Persons engaged in the following professions and activities on Federal land or in a federally operated (or contracted) facility are subject to the Federal child abuse reporting requirements.
 - a. Health Care Professionals. Physicians, dentists, medical residents or interns, hospital personnel and administrators, nurses, health care practitioners, chiropractors, osteopaths, pharmacists, optometrists, podiatrists, emergency medical technicians, ambulance drivers, undertakers, coroners, medical examiners, alcohol or drug treatment personnel, and persons performing a healing role or practicing the healing arts.
 - b. Mental Health Professionals. Psychologists, psychiatrists, and other mental health professionals.
 - c. Counselors. Social workers and licensed or unlicensed marriage, family, and individual counselors.
 - d. Educators. Teachers, teacher's aides or assistants, school counselors and

guidance personnel, school officials, and school administrators.

- e. Childcare Workers and Administrators.
- f. **Law Enforcement.** Law enforcement personnel, probation officers, criminal prosecutors, and juvenile rehabilitation or detention facility employees.
- g. Foster Parents.
- h. Commercial Film and Photo Processors.

(42 U.S.C. § 13031(b))

3. Victim Assistance Personnel Should Report Child Abuse. Victim-witness personnel and others with a degree or license in social work, medicine, nursing, mental health, or a similar profession may be mandatory reporters on that basis. In any event, Department of Justice policy is that victim-witness personnel should report suspected cases of child abuse as if they were mandatory reporters under 42 U.S.C. § 13031.
4. Agencies Designated by the Attorney General To Receive Reports. Reports of child abuse on Federal lands or in federally operated (or contracted) facilities pursuant to 42 U.S.C. § 13031 shall be made to the local law enforcement agency or local child protective services agency that has jurisdiction to investigate reports of child abuse or to protect child abuse victims in the area or facility in question. When no such agency has entered into a formal written agreement with the Attorney General to investigate such reports, the FBI shall receive and investigate such reports. (28 C.F.R. Part 81, AG Order No. 1833-93 (Dec. 23 1993)) Reports of child abuse required by State or local law shall be made to the agency or entity identified in accordance with that law.
5. Verbal Reports Preferred. The report of suspected child abuse should be made by a method best suited to giving immediate notice, usually verbally, in person or by telephone, or by facsimile. Reporters should document their report in the same manner that they document other important work-related actions. Responsible officials may develop written reporting forms for this purpose. (see 42 U.S.C. § 13031(e) (use of a form is encouraged, but shall not take the place of the immediate making of oral reports when circumstances dictate)). Reports may be made anonymously. Reports are presumed to have been made in good faith and reporters are immune from civil and criminal liability arising from the report unless they act in bad faith. (42 U.S.C. § 13031(f))
6. Reporting in Indian Country. Reporting child abuse in Indian Country is governed by 18 U.S.C. § 1169 and 25 U.S.C. § 3203. Health care professionals, school employees and officials, childcare providers, social workers, mental health professionals and counselors, law enforcement officers, probation officers, workers in a juvenile rehabilitation or detention facility, or persons employed in a public agency who are

responsible for enforcing statutes and judicial orders, are among those required to report reasonable suspicions that a child has been or may reasonably be expected to be abused. (18 U.S.C. § 1169(a)(1)(H) (full list of mandated reporters)). Reports are to be made to the Federal, State, or tribal agency with primary responsibility for child protection or the investigation of child abuse within the portion of Indian Country involved. If the report involves a potential crime and either an Indian child is involved or the alleged abuser is an Indian, the local law enforcement agency (if other than the FBI) is required to make an immediate report to the FBI. (25 U.S.C. § 3203(b)(2)) The agency receiving the initial report is required to prepare a written report describing the child, the alleged abuser, and the available facts relating to the abuse allegation within 36 hours.

(25 U.S.C. § 3203(c)(1))

F. Victim Notification System

For components participating in the automated Victim Notification System (VNS), victim contact information and notice to victims of events described in article IV of these *AG Guidelines* shall, absent exceptional circumstances (such as cases involving juvenile or foreign victims), be conducted and maintained using VNS. In order for VNS to provide timely victim notification during the investigative, prosecutorial, and correctional phases of a case, the responsible official must provide VNS with all necessary information before transferring notification responsibilities to the next responsible official. Responsible officials shall ensure that employees with responsibilities related to VNS have received and continue to receive adequate training on the proper use of VNS.

As of the publication date of these *AG Guidelines*, not all of the Department's litigating divisions participate in VNS. Regardless of whether a litigating division is a VNS participant, however, the attorney from the division who is handling the case must discharge the duties that are imposed upon a U.S. Attorney under these *AG Guidelines* if the division is solely responsible for the case. With respect to cases handled by the Criminal Division, the responsible official from the Criminal Division may delegate responsibilities to the U.S. Attorney in whose district the prosecution is pending pursuant to an agreement between the Criminal Division and the Executive Office for United States Attorneys (EOUSA).

G. Victim Privacy

Consistent with the purposes of 18 U.S.C. § 3771(a)(8), Department employees engaged in the investigation or prosecution of a crime shall respect victims' privacy and dignity. In particular, Department employees should use their best efforts to respect the privacy and dignity of especially vulnerable victims, such as elderly or juvenile victims and victims of sex offenses or domestic violence. Employees with access to private victim information should not reveal that information to anyone who does not have a need to know it.

Responsible officials should take special note of the Department's policy disfavoring the subsection of sexual assault victims to polygraph examinations. (*See infra* art. VII.B.2.b.)

Although victim privacy must be respected, information that may be relevant to an ongoing crime or to an ongoing investigation or prosecution of a crime should be shared with the investigating agent or prosecuting attorney. Department employees who are directly involved in providing victim services should therefore inform victims, when relevant, that certain information pertaining to victims may be shared among Department employees and other law enforcement officials.

Case No. 08-80736-CV-MARRA

P-009741

EFTA00191069

Article IV

Services

Case No. 08-80736-CV-MARRA

P-009743

EFTA00191071

**ARTICLE IV.
SERVICES TO VICTIMS AND WITNESSES**

A. Investigation Stage

The investigative agency's responsibilities begin with the report of the crime and extend through the prosecution of the case. In some instances, when explicitly stated, the investigative agency's responsibility for a certain task is transferred to the prosecuting agency when charges are filed.

1. Designation of Responsible Officials. Application of article IV.A will be the responsibility of the following officials:
 - a. In the FBI, the responsible official is the special agent-in-charge of the division having primary responsibility for conducting the investigation.
 - b. In the DEA, the responsible official is the special agent-in-charge of the office having primary responsibility for conducting the investigation.
 - c. In the Bureau of Alcohol, Tobacco, Firearms and Explosives, the responsible official is the special agent-in-charge of the office having primary responsibility for conducting the investigation.
 - d. In the U.S. Marshals Service, the responsible official is the U.S. Marshal in whose district the case is being conducted.
 - e. In the Office of the Inspector General, the responsible official is the Inspector General.

Responsible officials may delegate their responsibilities under these *AG Guidelines* to subordinates in appropriate circumstances, but responsible officials remain obliged to ensure that all such delegated responsibilities are discharged.

2. Identification of Victims. At the earliest opportunity after the detection of a crime at which it may be done without interfering with an investigation, the responsible official of the investigative agency shall identify the victims of the crime. (42 U.S.C. § 10607(b)(1)) Prior to the filing of criminal charges, components participating in the Victim Notification System (VNS) shall enter the name and available contact information for known victims in that system, and nonparticipating components shall provide the responsible prosecuting official with a list containing the names of and available contact information for known victims. In cases with large numbers of victims, the list shall, if practicable, be provided in an electronic format capable of being readily entered into VNS.

3. Description of Services.

a. Information, Notice, and Referral

(1) Initial Information and Notice. Responsible officials must advise a victim pursuant to this section at the earliest opportunity after detection of a crime at which it may be done without interfering with an investigation. To comply with this requirement, it is recommended that victims be given a printed brochure or card that briefly describes their rights and the available services, identifies the local service providers, and lists the names and telephone numbers of the victim-witness coordinator or specialist and other key officials. Models for such brochures in several different languages are available from the Office for Victims of Crime. Personal contact should be made whenever reasonably feasible.² A victim must be informed of—

- (a) His or her rights as enumerated in 18 U.S.C. § 3771(a). (18 U.S.C. § 3771(c)(1))
- (b) His or her right entitlement, on request, to the services listed in 42 U.S.C. § 10607(c). (42 U.S.C. § 10607(b)(2)).
- (c) The name, title, business address, and telephone number of the responsible official to whom such a request for services should be addressed. (42 U.S.C. § 10607(b)(3))
- (d) The place where the victim may receive emergency medical or social services. (42 U.S.C. § 10607(c)(1)(A))
- (e) The availability of any restitution or other relief (including crime victim compensation programs) to which the victim may be entitled under this or any other applicable law and the manner in which such relief may be obtained. (42 U.S.C. § 10607(c)(1)(B))
- (f) Public and private programs that are available to provide counseling, treatment, and other support to the victim. (42 U.S.C. § 10607(c)(1)(C))
- (g) The right to make a statement about the pretrial release of the defendant in any case of interstate domestic violence, violation

² Contact by law enforcement agencies with foreign nationals residing in other countries must be coordinated with the appropriate officials of the host government through the FBI Legal Attaché Office responsible for the country in which the foreign national resides. In the immediate aftermath of a crime against a foreign national in the United States, the State Department will coordinate contact through the embassy or consulate for the country of which the victim is a citizen.

of a protection order, or stalking. At the earliest opportunity after detection of an interstate domestic violence or stalking offense or violation of a protective order at which it may be done without interfering with an investigation, the responsible official of the investigative agency shall inform the victim that he or she has the right to make a statement regarding the danger posed by the defendant for the purposes of determining pretrial release of the defendant or conditions of such release. (18 U.S.C. § 2263)

- (h) The availability of payment for testing and counseling in cases of sexual assaults. The responsible official of the investigative agency shall inform victims of the Attorney General's obligation to provide for the payment of the cost of up to two anonymous and confidential tests of the victim for sexually transmitted diseases during the 12 months following the assault and the cost of a counseling session by a medically trained professional regarding the accuracy of such tests and the risk of transmission of sexually transmitted diseases to the victim as a result of the assault. (42 U.S.C. § 10607(c)(7))

The responsible official should advise the victim of a sexual assault that poses a "risk of transmission" of the Acquired Immunodeficiency Syndrome (AIDS) virus of the circumstances under which the court may order that a defendant be tested for this condition. The official should explain that such an order is only available after the defendant has been charged. (42 U.S.C. § 14011)

- (i) The availability of services for victims of domestic violence, sexual assault, or stalking. Responsible officials should take appropriate steps to inform victims of domestic violence, sexual assault, or stalking, of assistance that may be available to them under programs that have received grants from the Attorney General, such as legal assistance services funded by grants under 42 U.S.C. § 3796gg-6, housing assistance for child victims of domestic violence, sexual assault, or stalking funded by grants under 42 U.S.C. § 13975, and other similar services. (*See also* art. VII (offering additional guidance for dealing with victims of domestic violence, sexual assault, or stalking))
- (j) The option of being included in VNS. Victims shall be notified of their opportunity to receive notification of case developments through VNS as well as their right to decline to be included in the VNS database.

- (k) Available protections from intimidation and harassment. Whenever appropriate, victims should be notified of legal protections and remedies (including protective orders) that are available to prevent intimidation and harassment.
- (2) Referral. The responsible official designated in paragraph A.1 shall assist the victim in contacting the person or office responsible for providing the services and relief described in paragraph A.3. (42 U.S.C. § 10607(c)(1)(D)) When charges are filed, the responsibility for making referrals is transferred to the responsible official in the prosecutor's office.
- (3) Notice during the investigation. During the investigation of a crime, a responsible official shall provide the victim with the earliest possible notice concerning—
 - (a) The status of the investigation of the crime, to the extent that it is appropriate and will not interfere with the investigation. (42 U.S.C. § 10607(c)(3)(A))
 - (b) The arrest of a suspected offender. (42 U.S.C. § 10607(c)(3)(B))
- b. Protection From Harassment/Intimidation. The responsible official of the investigative agency shall arrange for a victim to receive reasonable protection from a suspected offender and persons acting in concert with or at the behest of the suspected offender. (42 U.S.C. § 10607(c)(2)) Such arrangements may vary from aiding a victim in changing his or her telephone number to the extreme measure of proposing the victim for inclusion in the Federal Witness Security Program (which is available to witnesses only in limited situations and pursuant to very stringent admission guidelines). These *AG Guidelines* shall not be construed to require personal physical protection of a victim, such as by bodyguards. Department personnel should use their discretion and sound judgment when assessing and discussing possible threats and security measures with victims.
- c. Return of Property Held as Evidence. At all times, a responsible official shall ensure that any property of a victim that is being held for evidentiary purposes is maintained in good condition and returned to the victim as soon as it is no longer needed for evidentiary purposes. (42 U.S.C. § 10607(c)(6)) There may be circumstances, however, in which a victim's property will inevitably deteriorate or will be damaged through legitimate use in the law enforcement process. Responsible officials may consider advising victims of such circumstances when they arise. Contraband shall not be returned to victims.
- d. Notification to Victims' and Witnesses' Employers and Creditors. Upon request by a victim or witness, the responsible official should assist in notifying—

- (1) The employer of the victim or witness if cooperation in the investigation of the crime causes his or her absence from work.
- (2) The creditors of the victim or witness, when appropriate, if the crime or cooperation in its investigation affects his or her ability to make timely payments.

Upon filing of charges by the prosecutor, this responsibility transfers to the responsible official of the prosecutor's office.

- e. **Payment for Forensic Sexual Assault Examinations.** The responsible official or the head of another department or agency that conducts an investigation into a sexual assault shall pay, either directly or by reimbursement of the victim, the cost of a physical examination of the victim and the costs of materials used to obtain evidence. The department or agency conducting the sexual assault investigation shall be responsible for the cost of the examination unless payment is provided by other means. (42 U.S.C. § 10607(c)(7))

The sexual assault victim should be informed that he or she may choose to have the department or agency conducting the investigation pay the cost of the examination directly. In no case shall the victim be held responsible for payment of the examination or be required to seek reimbursement for the examination from his or her insurer. Moreover, in no case shall a victim of sexual assault be required to cooperate with law enforcement in order to be provided with a forensic medical examination free of charge.

- f. **Logistical Information.** Victims and witnesses should be provided information or assistance with respect to transportation, parking, childcare, translator services, and other investigation-related services. Upon filing of charges by the prosecutorial agency, this responsibility transfers to the responsible official of the prosecutorial agency.
- g. **Programs for Department Employees Who Are Victims of Crime.** Responsible officials should ensure that Department employees have access to an Employee Assistance Program as well as generally available victim assistance programs. Responsible officials should assist employees in accessing appropriate victim services.

B. Prosecution Stage

The prosecution stage begins when charges are filed and continues through postsentencing legal proceedings, including appeals and collateral attacks.

1. **Responsible Officials.** For cases in which charges have been instituted, the responsible official is the U.S. Attorney in whose district the prosecution is pending. For cases in

which a litigating division of the Department of Justice is solely responsible, the responsible official is the chief of the section having responsibility for the case. The Department attorney handling such a case shall perform the same duties under these *AG Guidelines* as are required of a U.S. Attorney. By agreement between the litigating division and EOUSA, the responsible official from the litigating division may delegate some responsibilities to the U.S. Attorney in whose district the prosecution is pending.

For cases in which the U.S. Marshals Service is the custodial agency and is housing Federal pretrial detainees (at the same time the offender is being prosecuted by the U.S. Attorney's Office), the responsible official for purposes of performing the duties of the corrections agencies contained in article IV.C shall be the U.S. Attorney in whose district the prosecution is pending.

Responsible officials may delegate their responsibilities under these *AG Guidelines* to subordinates in appropriate circumstances, but responsible officials remain obliged to ensure that all such delegated responsibilities are discharged.

2. Services to Crime Victims

- a. **Victim and Witness Security.** Department employees should consider the security of victims and witnesses in every case. Where necessary, prosecutors should inform the court of the threat level, risk, and resources available to create a reasonable plan to promote the safety of victims and witnesses. Department employees may make victims and witnesses aware of the resources that may be available to promote their safety, including protective orders, the Emergency Witness Assistance Program, the Federal Witness Security Program, and State and local resources. Prosecutors should consider moving for pretrial detention of the accused pursuant to 18 U.S.C. § 3142(f) when circumstances warrant it.
- b. **Information, Notice, and Referrals**
 - (1) **Notice of Rights.** Officers and employees of the Department of Justice shall make their best efforts to see that crime victims are notified of the rights enumerated in 18 U.S.C. § 3771(a). (18 U.S.C. § 3771(c)(1))
 - (2) **Notice of Right To Seek Counsel.** The prosecutor shall advise the crime victim that the crime victim can seek the advice of an attorney with respect to the rights described in 18 U.S.C. § 3771(a). (18 U.S.C. § 3771(c)(2)) If the victim is represented, statutorily mandated notifications and communications may still be directed to the victim, but the attorney for the victim should be copied on those notifications and communications whenever it is feasible to do so. For other types of communications, Department attorneys and their non-lawyer staff should consult and comply with applicable rules of professional conduct, which may regulate contact with represented persons.

- (3) Notice of Right To Attend Trial. The responsible official should inform the crime victim about the victim's right to attend the trial regardless of whether the victim intends to make a statement or present any information about the effect of the crime on the victim during sentencing. (18 U.S.C. § 3510(a)) Even if the victim is to testify at trial, the victim may not be excluded from the trial unless the court finds, on a record of clear and convincing evidence, that the victim's testimony at trial would be altered by exposure to other testimony. If the prosecution would nevertheless prefer that the victim not attend the trial, the prosecutor should consider explaining to the victim the need for the victim's sequestration in an effort to obtain it voluntarily.
- (4) Notice of Case Events. During the prosecution of a crime, a responsible official shall provide the victim, using VNS (where appropriate), with reasonable notice of—
- (a) The filing of charges against a suspected offender. (42 U.S.C. § 10607(c)(3)(C))
 - (b) The release or escape of an offender or suspected offender. (18 U.S.C. § 3771(a)(2); 42 U.S.C. § 10607(c)(3)(E))
 - (c) The schedule of court proceedings.
 - (i) The responsible official shall provide the victim with reasonable, accurate, and timely notice of any public court proceeding or parole proceeding that involves the crime against the victim. In the event of an emergency or other last-minute hearing or change in the time or date of a hearing, the responsible official should consider providing notice by telephone or expedited means. This notification requirement relates to postsentencing proceedings as well. (18 U.S.C. § 3771(a)(2))
 - (ii) The responsible official shall also give reasonable notice of the scheduling or rescheduling of any other court proceeding that the victim or witness is required or entitled to attend. (42 U.S.C. § 10607(c)(3)(D))
 - (d) The acceptance of a plea of guilty or nolo contendere or the rendering of a verdict after trial. (42 U.S.C. § 10607(c)(3)(F))
 - (e) If the offender is convicted, the sentence and conditions of supervised release, if any, that are imposed. (42 U.S.C. § 10607(c)(3)(G))

- (5) Information about the criminal justice system. During the prosecution of a crime (if the victim has provided a current address or telephone number), a responsible official should provide the victim with general information about the criminal justice process, specifically including—
- (a) The role of the victim in the criminal justice process, including what the victim can expect from the system as well as what the system expects from the victim.
 - (b) The stages in the criminal justice process of significance to a crime victim and the manner in which information about such stages can be obtained.

(18 U.S.C. § 1512 (Historical and Statutory Notes); *cf.* Pub. L. No. 97-291 § 6(a)(1)(C) and (D))

- (6) Referrals. Once charges are filed, the responsible official shall assist the victim in contacting the persons or offices responsible for providing the services and relief listed in article IV.A.3.a(1).
- (a) The responsible official should take appropriate steps to inform victims of domestic violence, stalking, or sexual assault about assistance that may be available to them, such as legal assistance services funded by grants under 42 U.S.C. § 3796gg-6, shelter services funded by grants under the Family Violence Prevention and Services Act (42 U.S.C. § 10401 *et seq.*), and housing assistance for child victims funded by grants under 42 U.S.C. § 13975. Refer to article VII of these *AG Guidelines* for additional guidance on dealing with victims of domestic violence, stalking, or sexual assault.
 - (b) The responsible official should take appropriate steps to inform immigrant victims of domestic violence that they may petition for immigration protections under the Battered Immigrant Women Protection Act of 2000, 8 U.S.C. § 1101(a)(15)(U).

c. Consultation With a Government Attorney

- (1) In General. A victim has the reasonable right to confer with the attorney for the Government in the case. (18 U.S.C. § 3771(a)(5)) The victim's right to confer, however, shall not be construed to impair prosecutorial discretion. (18 U.S.C. § 3771(d)(6)) Federal prosecutors should be available to consult with victims about major case decisions, such as dismissals, release of the accused pending judicial proceedings (when such release is for noninvestigative purposes), plea negotiations, and pretrial diversion. Because victims are not clients, may become adverse

to the Government, and may disclose whatever they have learned from consulting with prosecutors, such consultations may be limited to gathering information from victims and conveying only nonsensitive data and public information. Consultations should comply with the prosecutor's obligations under applicable rules of professional conduct.

Representatives of the Department should take care to inform victims that neither the Department's advocacy for victims nor any other effort that the Department may make on their behalf constitutes or creates an attorney-client relationship between such victims and the lawyers for the Government.

Department personnel should not provide legal advice to victims.

(2) **Prosecutor Availability.** Prosecutors should be reasonably available to consult with victims regarding significant adversities they may suffer as a result of delays in the prosecution of the case and should, at the appropriate time, inform the court of the reasonable concerns that have been conveyed to the prosecutor.

(3) **Proposed Plea Agreements.** Responsible officials should make reasonable efforts to notify identified victims of, and consider victims' views about, prospective plea negotiations. In determining what is reasonable, the responsible official should consider factors relevant to the wisdom and practicality of giving notice and considering views in the context of the particular case, including, but not limited to, the following factors:

- (a) The impact on public safety and risks to personal safety.
- (b) The number of victims.
- (c) Whether time is of the essence in negotiating or entering a proposed plea.
- (d) Whether the proposed plea involves confidential information or conditions.
- (e) Whether there is another need for confidentiality.
- (f) Whether the victim is a possible witness in the case and the effect that relaying any information may have on the defendant's right to a fair trial.

d. **Separate Waiting Area.** During court proceedings, the responsible official shall ensure that a victim is provided with a waiting area removed from and out of the

sight and hearing of the defendant and defense witnesses. (42 U.S.C. § 10607(c)(4))

- e. Notification to Victims' and Witnesses' Employers and Creditors. Upon request by a victim or witness, the responsible official should assist in notifying—
 - (1) The employer of the victim or witness if cooperation in the investigation or prosecution of the crime causes his or her absence from work.
 - (2) The creditors of the victim or witness, where appropriate, if the crime or cooperation in its investigation or prosecution affects his or her ability to make timely payments.
- f. Logistical Information. Victims and witnesses should be provided with information or assistance with respect to transportation, parking, childcare, translator services, and other prosecution-related services.
- g. Limited Testing of Defendants In Sexual Assault Cases. (42 U.S.C. § 14011)
 - (1) Notice and Information. The responsible official should advise the victim of a sexual assault that poses a "risk of transmission" of the Acquired Immunodeficiency Syndrome (AIDS) virus of the circumstances under which the victim may obtain an order that the defendant be tested for this condition and that the results be shared with the victim.
 - (2) Procedure. The court may order such a test when the following requirements have been met:
 - (a) The defendant has been charged.
 - (b) The victim requests that the defendant be tested.
 - (c) The test would provide information necessary to the victim's health.
 - (3) Negative Test Results. If the initial test is negative and upon the request of the victim, the court may order followup testing and counseling on dates 6 and 12 months after the initial test. (42 U.S.C. § 14011(b)) The responsible official should assist the victim in requesting the followup testing and counseling when appropriate.
- h. Closed-Circuit Televising of Court Proceedings in Cases Involving a Change of Venue. If the court changes the trial venue out of the State in which the case was initially brought to a location that is more than 350 miles from the location in which the proceedings originally would have taken place, the court shall

order closed-circuit televising of the proceedings to the original location to permit victims who qualify under the statute to watch the trial proceedings. (42 U.S.C. § 10608) In any relevant case, the responsible official should, using VNS where appropriate, inform victims of the provision and, if requested by the victims, bring it to the court's attention and facilitate its implementation. In cases in which there has been no change of venue but the prosecution is occurring far from where most victims reside, prosecutors should consider moving for closed-circuit transmission of the proceedings to a forum that is more convenient for the victims.

- i. Programs for Department Employees Who Are Victims of Crime. The responsible official should ensure that Department employees who are victims of crime have access to an Employee Assistance Program.

3. Sentencing Proceedings and Victim Impact Statements

a. Victim Impact Statement

- (1) When a defendant is convicted, a responsible official should inform victims—
 - (a) That the U.S. probation officer is required to prepare a presentence investigation report that includes a section assessing the financial, social, psychological, and medical impact of the crime on any individual against whom the offense was committed. (Fed. R. Crim. P. 32(d)(2)(B)) This section is called the "Victim Impact Statement," and it includes a provision on restitution.
 - (b) About how to communicate directly with the probation officer if they so desire.
- (2) A responsible official should inform the probation officer about information in the Government's possession relevant to the topics addressed in the victim impact statement so that the presentence report will fully reflect the effects of the crime on victims as well as the appropriate amount of restitution, if any.
- (3) The responsible official shall transmit the victim impact statement for an offender to the responsible official in the corrections stage.

b. Sentencing

- (1) Interests of Victims. Federal prosecutors should advocate for the interests of victims, including child victims, at the time of sentencing, including in the setting of conditions for supervised release (or parole,

where applicable) in a manner that is consistent with available resources and prosecutorial objectives.

- (2) **The Right of Victims To Be Reasonably Heard.** If a victim (or a lawful representative appearing on behalf of the victim) is present and wants to make a statement at the sentencing of the convicted offender, the prosecutor should advocate for the victim's right to make a statement or present information in relation to the offender's sentence.
- (3) **Death Penalty Cases.** If the Government decides to seek the death penalty, it must file notice with the court of its intention to do so. The notice sets forth the aggravating factors that the Government proposes to prove as justifying a death sentence. The factors for which notice is provided "may include factors concerning the effect of the offense on the victim and the victim's family, and may include oral testimony, a victim impact statement that identifies the victim of the offense, the extent and scope of the injury and loss suffered by the victim and the victim's family, and any other relevant information." (18 U.S.C. § 3593(a))
 - (a) If the Government files the proper notice, the responsible official should notify the victim and appropriate family members of their potential opportunity to address the court during the aggravation portion of the sentencing hearing and of the date, time, and place of the scheduled hearing.

C. Corrections Stage

1. **Responsible Officials.** For cases in which the U.S. Marshals Service is the custodial agency, housing Federal pretrial detainees (at the same time the offender is being concurrently prosecuted by the U.S. Attorney's Office), the responsible official is the U.S. Attorney in whose district the prosecution is pending. For cases in which BOP has become involved, the responsible official is the Director or Warden of the BOP facility where the defendant is incarcerated. In proceedings relating to the revocation of parole or the revocation of supervised release in the District of Columbia, the responsible official is the Chairman of the U.S. Parole Commission.

Responsible officials may delegate their responsibilities under these *AG Guidelines* to subordinates in appropriate circumstances, but responsible officials remain obliged to ensure that all such delegated responsibilities are discharged.

2. **Services to Victims**
 - a. Notice

(1) Custodial Release Eligibility Information. A responsible official of the custodial agency shall provide the victim with general information regarding the corrections process, including information about work release, furlough, probation, and eligibility for each. (42 U.S.C. § 10607(c)(8))

(2) Custodial Release Notification

(a) As soon after trial as reasonably feasible, the responsible official shall provide a victim with notice (through VNS, where appropriate) of the—

(i) Date on which an offender will be eligible for parole and the scheduling of a release hearing, if any, for the offender. (42 U.S.C. §§ 10607(c)(3)(G) and (c)(5)(A))

(ii) Escape, work release, furlough, or any other form of release of the offender from custody. (42 U.S.C. § 10607(c)(5)(B))

(iii) Death of the offender, if the offender dies while in custody. (42 U.S.C. § 10607(c)(5)(C))

(b) When the victim is an inmate, the responsible official may take into consideration, in determining when notice is provided, the security of the offender inmate. (18 U.S.C. § 3771(c)(3)) If there is a serious security risk in informing an inmate victim of an offender's status, the corrections agency may time the notice to minimize that risk, even if the notification takes place after the event. This determination should be made on a case-by-case basis and should not be interpreted to prevent an inmate victim from providing written input in any parole proceeding. The notice requirement in this guideline applies even in cases in which a Department of Justice component is holding a defendant (such as a deportable alien) after time served.

(3) Notice Relating to the Revocation of Parole

(a) When a proceeding relating to the revocation of parole is scheduled due to the offender's violation of the conditions of his parole (including the commission of a new crime), the responsible official shall (in cooperation with BOP, when appropriate) notify the victims of the crime for which parole or supervised release was imposed of the date and time of the revocation proceeding.

- (b) The responsible official should also provide victims with the earliest possible notice of—
- (i) The release or detention status of the offender.
 - (ii) The victims' rights to be heard at the parole proceeding, to confer reasonably with the attorney for the Government in the case, and to be treated with fairness and respect. (18 U.S.C. § 3771(a))
 - (iii) If the offender is found to have violated the conditions of parole or supervised release, the sentence imposed, the conditions of release (if applicable), and the availability of the BOP notification program.
- (4) Prisoner Reentry. In anticipation of the offender's release from custody, the responsible official shall prepare the following:
- (a) Victim impact statement. If the offender is subject to supervised release in a district other than the district in which the offender was sentenced, the responsible official shall ensure that the victim impact statement portion of the presentence investigation report is transmitted to the U.S. Probation Office in the supervising district.
 - (b) Notification. No later than 30 days prior to release of the offender, the responsible official shall provide a victim with notice of the date of the offender's release; the city and State in which the offender will be released; and, if the offender is subject to supervised release, the contact information for the supervising U.S. Probation Office. (Note: This renewed notification shall not be shared with the offender or his counsel, except as otherwise required by law.)
- b. Separate Waiting Area. During parole hearings, the responsible official should coordinate with the U.S. Marshals Service, BOP, or other entity responsible for the relevant facilities to ensure, where possible, that a victim is provided with a waiting area that is removed from and out of the sight and hearing of the inmate and the inmate's witnesses. (42 U.S.C. § 10607(c)(4))

- c. Programs for Department Employees Who Are Victims of Crime. Responsible officials should ensure that Department employees have access to an Employee Assistance Program. To the extent possible, responsible officials should assist employees with identity changes when they are needed to escape domestic violence, sexual assault, or stalking.

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P-009759

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Article IV Services

Case No. 08-80736-CV-MARRA

P-009761

EFTA00191089

ARTICLE ■ RESTITUTION

A. Background

“The principle of restitution is an integral part of virtually every formal system of criminal justice, of every culture and every time. It holds that, whatever else the sanctioning power of society does to punish its wrongdoers, it should also ensure that the *wrongdoer is required to the degree possible to restore the victim to his or her prior state of well-being.*” S. Rep. No. 104-179, at 12, *reprinted in* 1996 U.S.C.C.A.N. 924, 925–26 (emphasis added). The Mandatory Victims Restitution Act of 1996 (MVRA) requires that restitution be imposed in a wide variety of circumstances and that the terms of payment “*shall be the shortest time in which full payment can reasonably be made.*” (18 U.S.C. § 3572(d)(2) (emphasis added)) Other statutes also authorize the imposition of restitution as part of a criminal sentence.

The Justice for All Act of 2004 provides that victims have the right to “full and timely restitution.” (18 U.S.C. § 3771(a)(6)) This provision does not give rise to an independent basis for seeking or awarding restitution, but it underscores the sense of Congress that restitution is a critical aspect of criminal justice. Prosecutors, victim-witness coordinators, investigators, probation officers, clerks of the court, and financial litigation units all share an important role in ensuring that victims receive full and timely restitution. DOJ employees working at each stage of a criminal case—investigating, charging, negotiating plea agreements, advocating for appropriate sentences, and enforcing criminal judgments—must give careful consideration to the need to provide full restitution to the victims of the offenses and should work together as authorized by law to ensure that full and timely restitution is paid. Indeed, the responsibility to pursue restitution does not end when restitution is ordered but continues until restitution has been paid or the liability to pay restitution terminates.

This article describes some of the mechanisms for recovering full and timely restitution. Other references, including the *Prosecutor's Guide to Criminal Monetary Penalties*, may be found on USABook Online, Topic: Restitution.

B. Statutory Framework

Restitution, as part of a criminal sentence, can be imposed only as authorized by statute. Some form of restitution is authorized for virtually every Federal offense that inflicts a recoverable loss (as described in more detail below) on an identifiable victim. Most of the procedural guidelines governing the imposition of restitution—be it mandatory or discretionary—appear at 18 U.S.C. § 3664.

1. Mandatory Restitution. The MVRA requires courts to impose the full amount of restitution (without regard to the defendant's economic circumstances) in most of the commonly prosecuted Federal offenses, including virtually all Title 18 property offenses and all crimes of violence. (18 U.S.C. § 3663A) The only exception to mandatory restitution is for an offense against property with respect to which the court makes a finding from facts on the record either that (a) the number of identifiable

victims is so large that restitution is impracticable or (b) determining complex issues of fact related to the cause or amount of the victims' losses would complicate or prolong the sentencing process to a degree that the need to provide restitution to any victim is outweighed by the burden on the sentencing process. (18 U.S.C. § 3663A(c)(3))

In addition to offenses covered by MVRA, restitution is also required in certain cases involving sexual abuse, child abuse, and domestic violence. (18 U.S.C. §§ 2248, 2259, 2264, 2327) Other mandatory provisions apply to failure to pay legal child support obligations (18 U.S.C. § 228(d)); peonage, slavery, and human trafficking (18 U.S.C. § 1593); and the operation of illegal methamphetamine labs and drug labs (21 U.S.C. §§ 853(q), 856(a)).

The procedures for issuing restitution under these sections now match the relevant procedures for other types of mandatory restitution and restitution under the general restitution statute. These procedures are set forth in 18 U.S.C. § 3664.

2. Discretionary Restitution. The general restitution statute, 18 U.S.C. § 3663, provides that a court "may order" restitution for any Title 18 offense not covered by the mandatory restitution provisions of 18 U.S.C. § 3663A(c). For drug offenses listed under 21 U.S.C. §§ 841, 848(a), 849, 856, 861, and 863, restitution may be ordered as long as the victim is not a participant.³ Similarly, restitution may be ordered in air piracy offenses (unless they fall within the mandatory restitution provisions of 18 U.S.C. § 3663A(c)) and in any criminal case to the extent agreed to by the parties in a plea agreement. (18 U.S.C. § 3663(a))

If the sentencing court finds that the complication and prolongation of the sentencing process involved in ordering restitution outweigh the need to provide restitution to any victims, the court may decline to do so. (18 U.S.C. § 3663(a)(1)(B)(ii))

3. Restitution as a Condition of Probation. Restitution may also be ordered as a discretionary condition of probation and supervised release for any offense, and it is not limited in such circumstances to the offenses set forth in 18 U.S.C. §§ 3663(a) and 3663A(c)(1)(A) (offenses for which an order of full restitution is authorized). Restitution in this context expires with the term of parole or supervision. (18 U.S.C. § 3563(b)) Prosecutors should seek imposition of such a condition in appropriate cases.

C. Considerations Affecting the Recovery of Restitution

1. Charging Decisions. When exercising their discretion, prosecutors shall give due consideration to the need to provide full restitution to the victims of Federal criminal offenses. This discretion is also governed by the Principles of Federal Prosecution,

³ An order of "community restitution" for certain drug offenses may be imposed in cases in which no identifiable victim exists. The amount of such community restitution will be based on the amount of the public harm caused by a defendant in accordance with guidelines promulgated by the U.S. Sentencing Commission. (18 U.S.C. § 3663(c); U.S.S.G. § 5E1.1(d))

which currently are published in the *United States Attorney's Manual* at § 9-27.000. Even when a Federal offense has clearly been committed for which restitution could be imposed, other considerations may lead to a decision not to charge an offense. Those considerations include, but are not limited to, whether there is a substantial Federal interest, whether the person is subject to effective prosecution in another jurisdiction, and whether there exists an adequate noncriminal alternative to prosecution.

2. Prejudgment Restraint of Assets. If a decision is made to charge an offense, prosecutors should consider whether it is appropriate to seek the prior restraint of those assets that will be subject to the court's restitution order if the defendant is convicted. An injunction prior to sentencing, whether voluntary or pursuant to a properly supported motion, may prevent the dissipation or transfer of assets for the benefit of crime victims. (*See, e.g.*, 18 U.S.C. § 1345)
3. Conferring with Victims. Victims have the reasonable right to confer with the attorney for the Government in the case. (18 U.S.C. § 3771(a)(5); *see also* 18 U.S.C. § 3664(d)(1): "[T]he attorney for the Government, after consulting, to the extent practicable, with all identified victims, shall promptly provide the probation officer with a listing of the amounts subject to restitution.")

D. Considerations in Plea Agreements

In all plea discussions, prosecutors must consider "requesting that the defendant provide full restitution to all victims of all charges contained in the indictment or information, without regard to the counts to which the defendant actually plead[s]." (Pub. L. No. 104-132 § 209; 18 U.S.C. § 3551 note)

1. Mandatory Restitution Offenses. Section 3663A of Title 18 mandates that restitution be ordered for crimes of violence, for offenses against property under the criminal code (unless the court makes a special finding described in subsection (c)(3) of that section), and for offenses described in 18 U.S.C. § 1365, if an identifiable victim or victims suffered a physical injury or pecuniary loss. Several other previously enacted statutes also mandate restitution: 18 U.S.C. §§ 2248, 2259, 2264, and 2327. In cases that fall under these statutes, the court is obligated to impose a restitution order.
2. Nonmandatory Restitution Offenses. Even when restitution is not mandatory, Federal prosecutors should give careful consideration to seeking full restitution to all victims of all charges contained in the indictment or information as part of any plea agreement.
3. Both Mandatory and Nonmandatory Restitution Offenses. When an indictment contains both charges for which restitution is mandatory and charges for which restitution is not mandatory, prosecutors should give careful consideration to requiring either a plea to a mandatory restitution charge or an acknowledgment by the defendant in the plea agreement that a mandatory restitution charge gave rise to the plea agreement. Either step will trigger the application of the mandatory restitution provisions of 18 U.S.C. § 3663A. (18 U.S.C. § 3663A(c)(2))

4. Application of the Sentencing Guidelines. Prosecutors should be mindful that the *United States Sentencing Guidelines* generally require the imposition of restitution when it is authorized by law, and prosecutors should not enter into agreements on restitution that would violate the U.S.S.G. (U.S.S.G. § 5E1.1; USAM § 9-27.410 [now published at USAM § 9-27.400 *et seq.*]) Moreover, prosecutors should recognize that anticipatory payment of restitution is a factor to be considered in determining “acceptance of responsibility.” (U.S.S.G. § 3E1.1, cmt. n.1(c))
5. Approval of Plea Agreements by Supervisory Attorneys. Supervisory attorneys who review plea agreements (as required by the “Principles of Federal Prosecution” (USAM § 9-27.450)) and assistant U.S. Attorneys who draft plea agreements should ensure that they comply with the law and with these *AG Guidelines*. The Principles of Federal Prosecution list the factors that should be considered when determining whether to enter into a plea agreement. These factors include, among other considerations, the effect that the plea agreement will have on the victim’s right to restitution. (USAM §§ 9-27.420–430)
6. Other Considerations. In general, plea agreements should require the following:
 - a. Accounting of Economic Circumstances. A defendant must provide a complete and accurate accounting of his or her economic circumstances, including the disposition of any illegally received funds, to both the U.S. probation officer and the prosecutor.
 - b. Immediate Enforceability of Criminal Penalties. Any criminal monetary penalties must be paid immediately and may be enforced immediately (prosecutors should encourage the defendant to make payment toward his restitution obligation before the imposition of sentence. (U.S.S.G. § 3E1.1, cmt. n.1(c))
 - c. Prepayment of Special Assessments. In order to reduce the administrative burden imposed on the United States Attorney’s Office (USAO), the Bureau of Prisons, and the clerk of the court, statutorily required special assessments should be paid prior to sentencing.

E. Restitution Procedures

When seeking to have restitution imposed, prosecutors must follow the procedures that are set forth in 18 U.S.C. § 3664.

1. Determining the Amount of Restitution
 - a. List of Amounts Subject to Restitution. An attorney for the Government is statutorily required to provide promptly to the probation office upon request a

list of the amounts subject to restitution. Prosecutors should provide such a list, if appropriate, even when it is not requested.

The statute further requires the attorney for the Government to consult "to the extent practicable" with all identified victims before providing this list. (18 U.S.C. § 3664(d)) Responsible officials should contact victims directly whenever practicable. In cases in which direct contact is impracticable, such as cases involving large numbers of victims, responsible officials may publish a notice in a manner designed to reach as many victims as possible.

- b. Verification of Loss. The burden of demonstrating the amount of the loss sustained by a victim as a result of the offense is on the Government. (18 U.S.C. § 3664(e)) Because the attorney for the Government bears this burden, the attorney should work with the investigative agent to try to verify the amount of loss claimed by each victim. After the required consultation with the victims, the attorney for the Government may make an independent determination regarding the amount of the losses that can be proved by a preponderance of the evidence and that are appropriately attributable to the defendant's criminal conduct.
- c. Restitution in the Full Amount. In each order of restitution, the court shall order restitution to each victim in the full amount of each victim's loss without regard to the economic circumstances of the defendant. (18 U.S.C. § 3664(f)(1)(A)) In other words, even though restitution may not be mandatory, it must be ordered in full if it is to be ordered at all. Thus, for purposes of discretionary restitution under § 3663, the amount of the loss and the defendant's economic circumstances may be considered by the court on the issue of *whether* to award restitution, but those factors are irrelevant to the *amount* of restitution ordered. (18 U.S.C. § 3663(a)(1)(B)(i))
- d. Deferral of Final Determination. If the victim's or victims' losses cannot be determined at least 10 days prior to sentencing, the attorney for the Government or the probation officer should so inform the court, and a date for final determination of the losses may be set for up to 90 days after the sentencing. (18 U.S.C. § 3664(d)(5))
- e. Amended Restitution Orders. Even after a final determination of restitution, a victim may petition the court for an amended restitution order within 60 days after discovering additional losses. A showing of good cause for failure to include such losses in the initial claim is required before such an order can be granted. (18 U.S.C. § 3664(d)(5))

- f. Fine as Impairment of Restitution. A fine shall be imposed only to the extent that it would not impair the defendant's ability to make restitution to a victim other than the United States. (18 U.S.C. § 3572(b))
- g. Report of the Probation Officer. After the attorney for the Government gives the probation officer the list of the amounts subject to restitution, the probation officer is required to include in the presentence report (or another report if a presentence report is not prepared) a complete accounting of losses to each victim, any restitution owed pursuant to a plea agreement, and information relating to the economic circumstances of each defendant. Each defendant is required to provide to the probation officer with an affidavit describing his or her financial resources, including a complete list of all assets owned or controlled as of the date on which the defendant was arrested, the financial needs and earning ability of the defendant and the defendant's dependents, and such other information as the court may require. (18 U.S.C. § 3664(d)(3)) If the number or identity of the victims cannot be ascertained, or other circumstances make it impracticable for the probation officer to complete the report for the court, the probation officer will so inform the court. (18 U.S.C. § 3664(a))
- h. Notice to Victims. Probation officers are responsible for notifying all identified victims of—
 - (1) The offense(s) of which the defendant was convicted.
 - (2) The amounts subject to restitution that were submitted to the probation officer.
 - (3) The victims' opportunity to submit information to the probation officer concerning the amount of their losses.
 - (4) The scheduled date, time, and place of the sentencing hearing.
 - (5) The availability of a lien in favor of the victims pursuant to 18 U.S.C. § 3664(m)(1)(B).
 - (6) The victims' opportunity to complete and file with the probation officer separate affidavits (on a form provided by the probation officer) relating to the amount of their losses subject to restitution.

The statute permits the prosecutor's office to coordinate with the probation office in making such notices, and responsible officials should assist in providing this notice in whatever way possible. Much of this information should be provided to the victim through VNS. (18 U.S.C. § 3664(d)(2))

- i. **Additional Documentation.** After reviewing the probation officer's report, the court may require additional documentation or hear testimony. (18 U.S.C. § 3664(d)(4)) These proceedings may be done in camera for privacy and are governed only by Fed. R. Crim. P. 32(i), chapter 227 (sentences), and chapter 232 (miscellaneous sentencing provisions). (18 U.S.C. § 3664(c))
2. **Payment Provisions.** The attorney for the Government should advocate immediate payment of restitution, unless the interests of justice require otherwise. (18 U.S.C. § 3572(d)(1)) If the court finds that the interests of justice so require, the court may provide for payment on a date certain or in installments. (18 U.S.C. § 3572 (d)(1)) If the court does not require immediate payment, the length of time over which scheduled payments are made shall be the shortest time in which full payment can reasonably be made. (18 U.S.C. § 3572(d)(2)) Except in extraordinary circumstances, prosecutors should request that the court order a payment schedule that requires a defendant to pay restitution to the full extent of his or her financial ability. Prosecutors should not agree to a payment plan that precludes enforcement pursuant to 18 U.S.C. § 3613.
3. **Change in Defendant's Economic Circumstances.** A restitution order must provide that the defendant notify the court and the Attorney General (through the United States Attorney's Office) of any material change in economic circumstances that might affect his or her ability to pay restitution. (18 U.S.C. § 3664(k)) This requirement should be in effect only for as long as the defendant remains liable for payment of restitution. Victims and the United States may also notify the court of any change in the defendant's economic condition. (18 U.S.C. § 3664(k)) After receiving notice of any material change in the defendant's economic circumstances, the U.S. Attorney's Office must then notify all of the victims of this change in circumstances and must certify to the court that the victims have been notified. After receiving this notification, the court may adjust the repayment schedule *sua sponte* or on the motion of any party. (18 U.S.C. § 3664(k))

If an incarcerated defendant who is obligated to pay restitution receives "substantial resources from any source," the defendant is required to apply the value of the resources to any unpaid restitution or fine. (18 U.S.C. § 3664(n)) During their incarceration, inmates who are liable for restitution should be encouraged to participate in programs that enhance their income and financial responsibility.

F. Sentencing

When the court imposes a restitution obligation, the prosecutor should seek to ensure that the victims are clearly identified and that the amount due as restitution to each victim is clearly specified. If applicable, the court should also clearly specify joint and several liability and the order of distribution among victims.

Additionally, victims have the right “to be reasonably heard at any public proceeding in the district court involving . . . sentencing” (18 U.S.C. § 3771(a)(4)), which would include restitution.

When more than one defendant is liable for restitution, prosecutors should ordinarily seek the imposition of joint and several liability. (18 U.S.C. § 3664(h)) However, when the defendant had only a minimal role in the offense, the defendant has provided exceptional cooperation, or the administration of the restitution obligation would be more efficient if the extent of a defendant’s liability is limited, the prosecutor may recommend to the court that liability be apportioned or limited as long as the net result is that each victim is entitled to receive full restitution from some combination of the defendants.

In limited circumstances, the court may determine that, even though full restitution is authorized, the imposition of full restitution is not required because there are too many victims or unduly complex issues of fact that outweigh the need to provide restitution. This exception does not apply to crimes of violence. (18 U.S.C. § 3663A(c)(3)) When this exception does apply, the prosecutor should nevertheless seek restitution for the benefit of the victims to the extent practicable.

If payment in full cannot be made at the date of sentencing, prosecutors should still seek to ensure that payment is made in the shortest time in which full payment can reasonably be made. (18 U.S.C. § 3572(d)(2)) Payment plans should not limit the ability of the United States or the victim to immediately and fully enforce the restitution obligation using all available remedies authorized by law.

G. Enforcement of Restitution

Pursuant to § 209 of MVRA, Pub. L. No. 104-132, § 209 (codified as a note under 18 U.S.C. § 3551), the Attorney General was directed to issue guidelines to ensure that “orders of restitution made pursuant to the amendments made by this subtitle [the MVRA] are enforced to the fullest extent of the law.”

Restitution owed to victims of crimes is a critical part of the criminal judgment. The primary means to enforce restitution obligations are found in 18 U.S.C. §§ 3572, 3612, 3613, 3613A, 3614, 3615, 3664 and 28 U.S.C. §§ 3001–3301. In addition, State law may be used to enforce an order of restitution.

1. Enforcement by the United States. Orders of restitution imposed under MVRA must be enforced to the fullest extent of the law. Restitution owed to victims of crimes is a critical part of the criminal judgment. The Financial Litigation Units in the U.S. Attorneys’ Offices should take all steps possible to help ensure that this money is collected and that victims of crime are fully compensated for their losses. All prosecutors and victim-witness coordinators should support the mission of criminal debt collection. Cooperation and coordination with the Financial Litigation Unit is in fact part of the performance appraisal of criminal assistant U.S. Attorneys.

Each U.S. Attorney must develop and maintain a memorandum of understanding or plan, which shall include a policy for addressing both the imposition and enforcement of restitution obligations. The Executive Office for United States Attorneys will provide a suggested model memorandum of understanding. The memorandum of understanding should address the role of the prosecutors, probation officers, victim-witness assistance coordinators, Asset Forfeiture Unit, and Financial Litigation Unit. Each USAO should establish a priority scheme to ensure that the most important and collectible restitution obligations receive priority attention.

2. Aggressive Efforts To Enforce Restitution. The liability to pay a fine or restitution issued under MVRA lasts 20 years plus any period of incarceration or until the death of the defendant. (18 U.S.C. § 3613(c)) Absent a court-ordered stay on appeal, a defendant who fails to pay restitution that is due immediately or defaults on a payment plan should be aggressively pursued for collection of the debt. Under MVRA, criminal defendants have very limited property that is exempt from seizure. The only property that is exempt from enforcement is some of the same property that is exempt from an IRS levy for taxes. (18 U.S.C. § 3613(a)(1))
3. Filing of Liens. An order of restitution is a lien in favor of the United States on all property and rights to property of the person fined as if it were liability for unpaid taxes. (18 U.S.C. § 3613(c)) To guarantee enforcement to the fullest extent of the law, a lien should be filed by the United States in all cases in which restitution is ordered to a non-Federal victim and not immediately paid. For Federal victims, a lien should be filed in all cases in which restitution is ordered in an amount greater than \$500 and not immediately paid.
4. Notice to Victims of Certain Proceedings. Victims are entitled to notice of postjudgment public court enforcement proceeding. (18 U.S.C. § 3771(a)(2)) The right to notice does not apply to non-court proceedings, such as depositions not conducted before a judge, nor does the right to notice apply to uncontested motions or orders that do not require a hearing. (For example, notice is not required for the entry of an uncontested Garnishment Disposition Order, even if the local practice is that such orders are only entered when the judge is actually on the bench as opposed to in chambers). Each U.S. Attorney's Office should devise a procedure for ensuring that victims receive proper and timely notice, such as through VNS.
5. Discovery of Assets. Additionally, discovery of the debtor's assets should be pursued, to include, but not limited to, the following: reviewing the presentence report for asset information; requesting a financial statement or completed interrogatories from the debtor regarding assets and liabilities or, in the case of an incarcerated debtor, consulting with the assigned case manager regarding assets and liabilities; inquiring whether any victims have information about the debtor's assets; requesting asset information from the prosecutor and case agent; and researching online property-locator services available to the Financial Litigation Unit.

6. Further Investigation. In cases in which the U.S. Attorney's Office has reason to believe that the debtor may have assets based on the inquiries and research set forth above or other information, a credit report should be obtained and, where practicable, the deposition of the defendant or other parties who may have knowledge of the debtor's assets should be conducted.
7. Default. If it is discovered that a defendant who has defaulted on payment of restitution has the ability to pay, a default hearing under 18 U.S.C. § 3613A, or resentencing pursuant to 18 U.S.C. § 3614, should be considered. All enforcement remedies, including those under the Federal Debt Collection Procedures Act, 28 U.S.C. §§ 3001–3308, should be pursued, including garnishment of the debtor's wages, execution of the debtor's nonexempt property, and filing of a fraudulent transfer action. A victim may be entitled to notice (see paragraph 4 under this subsection). A victim may also be entitled to be heard under 18 U.S.C. § 3771(a)(4) if the public proceeding is deemed to involve sentencing.
8. Enforcement Proceedings. All enforcement proceedings must be in accordance with the law and justice. Thus, for example, garnishments should not issue against property that is clearly exempt under 18 U.S.C. § 3613. Criminal actions for nonpayment should only be initiated when the defendant's failure to pay is willful. Enforcement actions should not be taken that will make a defendant a public charge or, absent circumstances approved by the U.S. Attorney, deprive the defendant's dependents of a residence. (A debtor is not entitled to use stolen money to provide himself a residence.) Enforcement actions should make economic and administrative sense. Victims may be entitled to notice and an opportunity to be heard in accordance with 18 U.S.C. §§ 3771(a)(2) and (a)(4) (also see paragraph 4 and 7 of this subsection).
9. Enforcement for Debtors Who Are Under Supervision by the Probation Office. Enforced collection remedies should only be used against debtors under the supervision of the probation office after consultation with that office.

H. Interaction Between Restitution and Asset Forfeiture

Government attorneys prosecuting civil or criminal forfeiture cases should assist crime victims in obtaining restitution in the following manner. If a defendant has sufficient assets to pay immediately the restitution order without using property forfeitable to the Government, the defendant must use those assets (not the forfeitable property) to satisfy the restitution order. If a defendant does not have sufficient assets to pay immediately the restitution order without using forfeitable property, however, the Government may use the procedural provisions of the forfeiture statutes to preserve and recover forfeitable property and to apply such property toward satisfaction of the restitution order.

There are essentially three manners in which the United States can use assets seized for forfeiture to satisfy a defendant's restitution obligations: petitions for remission, petitions for restoration, and, in some cases, direct transfers prior to forfeiture.

The first method for compensating victims is through a Petition for Remission. (28 C.F.R. § 9.1 *et seq.*) Petitions for Remission are submitted by each individual victim to the Department of Justice's Asset Forfeiture and Money Laundering Section (AFMLS). This option is particularly useful when there are victims of offenses that underlie civil forfeitures but no companion criminal case and, thus, no order of restitution. It is also useful in cases that involve only corporate entities.

The second method for compensating victims is through a Petition for Restoration. *Department of Justice Forfeiture Policy Directive 02-1—Guidelines and Procedures for Restoration of Forfeited Property to Crime Victims via Restitution in Lieu of Remission* allows AFMLS to restore criminally forfeited assets to victims who are named in a judicial restitution order. The U.S. Attorney's Office submits the Petition for Restoration on behalf of victims by certifying that the victims named in the court's restitution order meet the criteria for restoration under the policy. This option is particularly useful when multiple victims have incurred only economic losses, when the interest of third-party claimants must be determined, or when property would be best liquidated by using asset forfeiture procedures.

The third method for compensating victims is through the termination of forfeiture proceedings before a final order of forfeiture is entered. At the request of the United States, the district court may order that funds seized but not finally forfeited to the United States be paid to the clerk of the court toward the satisfaction of the defendant's restitution obligation. This option is particularly useful when the assets seized are liquid and when there are no third-party claimants.

I. Limitation on Liability

These *AG Guidelines* are issued in conformance with the statutory requirements of MVRA. Pursuant to that Act, nothing in §§ 2248, 2259, 2264, 2327, 3663, 3663A, or 3664 of Title 18 and arising out of the application of those sections, and therefore nothing in these *AG Guidelines*, shall be construed to create a cause of action not otherwise authorized in favor of any person against the United States or any officer or employee of the United States. (18 U.S.C. § 3664(p))

Article VI

CHILD  VICTIMS

**ARTICLE VI
GUIDELINES FOR CHILD VICTIMS AND CHILD WITNESSES**

A. Statement of Purpose

These guidelines are intended to guide every Justice Department law enforcement officer, investigator, prosecutor, victim-witness professional, and staff member in the proper and appropriate treatment of child victims and witnesses. At all times, Department personnel should be aware of the trauma child victims and witnesses experience when they are forced to relive the crime during the investigation and prosecution of a criminal case, particularly while they are testifying in court. A primary goal of such officials, therefore, shall be to reduce the trauma to child victims and witnesses caused by their contact with the criminal justice system. To that end, Department personnel are required to provide child victims with referrals for services and should provide child witnesses with such referrals.

The basic victims' rights laws discussed elsewhere in these *AG Guidelines* apply equally to child victims. In addition, Congress has enacted laws that specifically address the issues raised by children's participation in the criminal justice process. Congress enacted the Victims of Child Abuse Act of 1990 (VCAA) in response to an alarming increase in reports of suspected child abuse made each year. To address this nationwide emergency, the 1990 VCAA requires certain professionals to report suspected cases of child abuse under Federal jurisdiction and amends the United States Criminal Code to ensure protection of children's rights in court and throughout the criminal justice system. (18 U.S.C. § 3509) Article VI of these *AG Guidelines* shall serve to ensure full implementation of VCAA by all investigative, prosecutorial, and correctional components of the Department of Justice. Guidelines dealing with the reporting of suspected child abuse appear in article III.E.

B. General Guidelines

1. Privacy Protections for Child Victims and Witnesses
 - a. Confidentiality of Information. Department personnel should scrupulously protect children's privacy in accordance with 18 U.S.C. § 3509(d) and these *AG Guidelines*. Department personnel connected with a criminal proceeding involving a child victim or witness shall keep all documents that disclose the name or any other information concerning the child in a secure place and shall disclose the documents only to persons who by reason of their participation in the proceeding have reason to know the information. (18 U.S.C. § 3509(d)(1))
 - b. Filing Under Seal. Any Department employee filing papers in court that disclose the name of or any other information concerning a child shall file the papers under seal. (See procedure described in 18 U.S.C. § 3509(d)(2))
 - c. Motion To Render Nonphysical Identifying Information Inadmissible. Federal prosecutors should consider moving in any prosecution under chapter 110 or section 1466A of Title 18 for an order that the name, address, social security

number, and other nonphysical identifying information (other than the age or approximate age) of any minor who is depicted in any child pornography shall not be admissible and may be redacted from otherwise admissible evidence. (18 U.S.C. § 2252A(e))

- d. Protective Orders. Federal prosecutors should seek protective orders whenever necessary to protect the privacy of a child. Prosecutors should be aware that “any person” may seek such an order. (18 U.S.C. § 3509(d)(3); *see also* 18 U.S.C. § 3509(b)(2)(E) (describing protective orders in the context of videotaped depositions))
- e. Sanctions for Violating the Disclosure Rules. A knowing or intentional violation of the privacy protection accorded children in 18 U.S.C. § 3509 is a criminal contempt punishable by not more than one year’s imprisonment, or fine, or both. (18 U.S.C. § 403)
- f. Disclosure to Certain Persons. Title 18 U.S.C. § 3509 does not prohibit disclosure of a child’s name or other information about the child to the defendant, the attorney for the defendant, and others listed in the statute including anyone to whom, in the opinion of the court, disclosure is necessary to the welfare and well-being of the child. (18 U.S.C. § 3509(d)(4))

2. Guardian ad Litem

- a. Appointment. To protect the best interests of the child, the court may appoint a guardian *ad litem* for a child who was a victim of, or a witness to, a crime involving abuse or exploitation. (18 U.S.C. § 3509(h)(1)) Although 18 U.S.C. § 3509(h) by its terms applies only to cases in which a child is a victim of or witness to abuse or exploitation, prosecutors should consider whether moving for the appointment of a guardian *ad litem* would be appropriate in any case in which a child is a victim of or a witness to a crime.
- b. Attendance at Proceedings. The court-appointed guardian *ad litem* may attend all the depositions, hearings, and trial proceedings in which a child participates, and make recommendations to the court concerning the welfare of the child. (18 U.S.C. § 3509(h)(2))
- c. Access to Documents. The guardian *ad litem* may have access to all reports, evaluations, and records, except attorney’s work product, necessary to effectively advocate for the child. Because of the grand jury secrecy provisions contained in Fed. R. Crim. P. 6(e), the extent of a guardian *ad litem*’s access to grand jury materials is limited to the access routinely provided to victims and their representatives. (18 U.S.C. § 3509(h)(2))

- d. Duties. The guardian *ad litem* shall marshal and coordinate the delivery of resources and special services to the child. (18 U.S.C. § 3509(h)(2))
 - e. Testimony. The guardian *ad litem* shall not be compelled to testify in any court action or proceeding concerning any information or opinion received from the child in the course of serving as a guardian *ad litem*. (18 U.S.C. § 3509(h)(2))
3. Extension of Child Statute of Limitations. The statute of limitations for offenses involving the sexual or physical abuse of a child under the age of 18 years is extended for the life of the child. (18 U.S.C. § 3283)
4. Multidisciplinary Child Abuse Teams
- a. Definition and Purpose. A multidisciplinary child abuse team is a professional unit composed of representatives from health, social service, law enforcement, and legal service agencies to coordinate the assistance needed to handle cases of child abuse. (18 U.S.C. § 3509(a)(7)) The purpose of multidisciplinary teams is to maintain the credibility and reliability of the child's testimony as well as to monitor the child's safety and well-being throughout the case. The goals of the multidisciplinary team are (1) to minimize the number of interviews to which the child is subjected to reduce the risk of suggestibility in the interviewing process, (2) to provide needed services to the child, and (3) to monitor the child's safety and well-being.
 - b. Consultation with Multidisciplinary Child Abuse Teams. A multidisciplinary child abuse team shall be used when it is feasible to do so. (18 U.S.C. § 3509(g)(1)) Department personnel should use existing multidisciplinary teams in their local communities. Law enforcement personnel are encouraged to bring other professionals onto the teams. Local laws and guidelines concerning the teams may vary, and Federal personnel should become familiar with the local provisions. If no multidisciplinary team is in place in a particular community, Department personnel should develop a team if in their judgment it is feasible to do so.
 - c. Role of Multidisciplinary Child Abuse Teams. The role of the multidisciplinary child abuse team shall be to provide services that the members of the team in their professional roles are capable of providing, including—
 - (1) Case service coordination and assistance, including the location of services available from public and private agencies in the community. (18 U.S.C. § 3509 (g)(2)(F)) This includes child support services, court schools for children, and similar services.
 - (2) Medical diagnoses and evaluation services, including provision or interpretation of x-rays, laboratory tests, and related services, as needed, and documentation of findings. (18 U.S.C. § 3509(g)(2)(A))

- (3) Telephone consultation services in emergencies and in other situations. (18 U.S.C. § 3509(g)(2)(B))
- (4) Medical evaluations related to abuse or neglect. (18 U.S.C. § 3509(g)(2)(C))
- (5) Psychological and psychiatric diagnoses and evaluation services for the child, parent or parents, guardian or guardians, or other caregivers, or any other individual involved in a case with a child victim or witness. (18 U.S.C. § 3509(g)(2)(D))
- (6) Expert medical, psychological, and related professional testimony. (18 U.S.C. § 3509(g)(2)(E))
- (7) Training services for judges, litigators, court officers, and others that are involved in child victim and child witness cases, in handling child victims and child witnesses. (18 U.S.C. § 3509(g)(2)(G))

C. Investigation/Forensic Interviewing of Child Victims and Witnesses

Particularly in cases of child abuse, evidence from medical examinations and forensic interviews of children may provide the only corroboration for a successful prosecution of the case. Medical examinations provide documentation of the event and injuries, and forensic interviews gather factual information from a child to determine if the subject was the victim of a crime or witnessed a crime against another person. The forensic interview should be appropriate for the age and developmental level of the subject, but it should not be confused with a therapeutic interview that is conducted for the purpose of designing treatment for and providing treatment to a child.

1. Referral for Medical Exam. The first investigator responding to a report of child abuse or sexual abuse shall refer the child victim for an emergency medical examination.
2. Forensic Interviewing Procedures To Reduce Trauma to Children. Whenever possible, interviews of child victims and witnesses should be conducted by personnel properly trained in the techniques designed to best elicit truthful information from a child while minimizing additional trauma to the child.

D. Prosecutions Involving Child Victims and Child Witnesses

1. Closing the Courtroom. When a child testifies, the court may order the exclusion from the courtroom of all persons, including members of the press, who do not have a direct interest in the case. Such an order may be made if the court determines, on the record, that requiring the child to testify in open court would cause substantial psychological harm to the child or would result in the child's inability to communicate effectively. An order to close the courtroom shall be narrowly tailored to serve the Government's specific compelling interest. Federal prosecutors should consider consulting an expert

when evaluating whether testifying in open court may cause a child “substantial psychological harm.” (18 U.S.C. § 3509(e))

2. Speedy Trial. In a proceeding in which a child is called to give testimony, the court may *sua sponte* or on a motion by the attorney for the Government or a guardian *ad litem* designate the case as being of special public importance. Attorneys for the Government should consider moving the court to make such a designation in any case involving a child witness for the Government. In cases so designated, the court shall expedite the proceeding and ensure that it takes precedence over any other. The court shall ensure a speedy trial to minimize the length of time the child must endure the stress of involvement with the criminal justice process. When deciding whether to grant a continuance, the court shall take into consideration the age of the child and the potential adverse impact the delay may have on the child’s well-being. The court shall make written findings of fact and conclusions of law when granting a continuance in cases involving a child. (18 U.S.C. § 3509(j))
3. Stay of Civil Action. If, at any time that a cause of action for recovery of compensation for damage or injury to the person of a child exists, a criminal action is pending which arises out of the same occurrence and in which the child is the victim, the civil action shall be stayed until the end of all phases of the criminal justice action, and any mention of the civil action during the criminal justice proceeding is prohibited. A criminal action is pending until its final adjudication in the trial court. (18 U.S.C. § 3509(k))
4. Competency
 - a. Presumption. A child is presumed to be competent. (18 U.S.C. § 3509(c)(2); *see also* Fed. R. Evid. 601.)
 - b. Requirements of Written Motion and Compelling Reasons. The court may conduct a competency examination of a child witness only upon written motion and offer of proof of incompetency by a party. To hold an examination, the court must determine on the record that compelling reasons exist. A child’s age alone is not a compelling reason. Psychological and psychiatric examinations to assess the competency of a child witness shall not be ordered without a showing of compelling need. (18 U.S.C. §§ 3509(c)(3), (4), (9))
 - c. Conduct of the Examination. A competency examination regarding a child witness shall be conducted out of the sight and hearing of a jury. Only persons listed in 18 U.S.C. § 3509(c)(5) are permitted to be present. Direct examination of the child shall normally be conducted by the court on the basis of questions submitted by the attorney for the Government and the attorney for the defendant, including a party appearing pro se. The court may permit an attorney, but not a party appearing pro se, to examine a child directly on competency, if the court is satisfied that the child will not suffer emotional trauma as a result of the examination. Federal prosecutors should consider

making this request of the court because in many instances questioning by a familiar person may be less traumatic for the child. Prosecutors should, however, be aware that defense attorneys likewise may make such a request. (18 U.S.C. §§ 3509(c)(7)) Questions asked shall be appropriate to the age and developmental level of the child, shall not be related to the issues at trial, and shall focus on determining the child's ability to understand and to answer simple questions. (18 U.S.C. § 3509(c)(8))

5. Adult Attendant. A child testifying at or attending a judicial proceeding has the right to be accompanied by an adult attendant to provide emotional support for the child. (18 U.S.C. § 3509(i))

The statute permits the court, at its discretion, to allow the adult attendant to remain in close physical proximity to or in contact with the child while the child testifies. The court may allow the adult attendant to hold the child's hand or allow the child to sit on the adult attendant's lap throughout the course of the proceeding. The adult attendant shall not provide the child with an answer to any question directed to the child during the course of the child's testimony or otherwise prompt the child. The image of the adult attendant, for the time the child is testifying by closed-circuit television or being deposed, shall be recorded on videotape contemporaneously with the image of the child. Federal prosecutors should inform children and their guardians of this right and facilitate its implementation. (18 U.S.C. § 3509(i))

6. Testimonial Aids. The court may permit a child to use anatomical dolls, puppets, drawings, mannequins, or any other demonstrative device the court deems appropriate for the purpose of assisting a child in testifying. (18 U.S.C. § 3509(l))

Federal prosecutors have a wide variety of demonstrative devices to choose from to assist children in testifying. Prosecutors should use their sound judgment in deciding which device to use. Some devices, such as anatomical dolls, should be used only after training on their proper use and careful consideration of the case law regarding their use.

7. Alternatives to Live, In-Court Testimony by Child Victims

- a. Reasons. A Federal statute permits prosecutors to use live testimony by closed-circuit television and videotape depositions as alternatives to live, in-court testimony from child witnesses in cases involving offenses against children, when the court finds that the child is unable to testify in open court for any of the following reasons:

- (1) The child is unable to testify because of fear.

- (2) There is a substantial likelihood, established by expert testimony, that the child would suffer emotional trauma from testifying.

- (3) The child suffers a mental or other infirmity.
- (4) Conduct by defendant or defense counsel causes the child to be unable to continue testifying.

(18 U.S.C. § 3509(b)(1)(B)(i) - (iv) and (b)(2)(B)(i)(I) - (IV))

Notwithstanding the foregoing statutory authority, prosecutors should be aware that constitutional constraints arguably require three criteria to be satisfied before any alternative to live, in-court testimony can be used:

- (1) In-court testimony would traumatize the child witness.
- (2) The trauma would result from the presence of the defendant.
- (3) The trauma would render the child witness unable to communicate.

See *Maryland v. Craig*, 497 U.S. 836 (1990); cf. *Crawford v. Washington*, 541 U.S. 36 (2004). Some Federal appellate courts have held as much. See, e.g., *United States v. Bordeaux*, 400 F.3d 548 (8th Cir. 2005) (reversing a conviction obtained by way of two-way, closed-circuit testimony from a child victim, because the district court had failed to find that the child's "fear of the defendant was the dominant reason" for her inability to testify in open court). Prosecutors should therefore consider seeking to establish the presence of these three factors on the record before relying on alternatives to live, in-court testimony.

b. **Who May Apply.** In a proceeding involving an alleged offense against a child, the following persons may apply to the court for an order for an alternative to live in-court testimony: the attorney for the Government; the child's attorney; a guardian *ad litem*; and the child's parent or legal guardian (videotaped depositions only). (18 U.S.C. § 3509(b)(1)(A) and (b)(2)(A))

c. **Child Victims' Live Testimony by Two-Way Closed-Circuit Television**

- (1) **Timing.** The person seeking the order shall apply for the order at least 5 days before the trial date, unless the court finds on the record that the need for such an order was not reasonably foreseeable.
- (2) **Preliminary Findings.** The court shall support a ruling on the child's inability to testify with findings on the record. In determining whether the impact on an individual child (of one or more of the factors or reasons listed in paragraph 7.a. above) is so substantial as to justify an order allowing testimony by closed-circuit television, the court may question the child in chambers, or at some other comfortable place other

than the courtroom, on the record for a reasonable period of time, with the child attendant, the prosecutor, the child's attorney, the guardian *ad litem*, and the defense counsel present.

- (3) Conduct of the Televised Proceeding. If the court orders the taking of the child's testimony by closed-circuit television, the attorney for the Government and the attorney for the defendant (not including a defendant appearing *pro se*) shall be present in a room outside the courtroom with the child and the child shall be subjected to direct and cross-examination. The only other persons who may be permitted in the room with the child during the child's testimony are the child's attorney or guardian *ad litem*; persons necessary to operate the closed-circuit television equipment; a judicial officer, appointed by the court; and other persons whose presence is determined by the court to be necessary to the welfare and well-being of the child, including an adult attendant, as described in 18 U.S.C. § 3509(i).

The child's testimony shall be transmitted by closed-circuit television into the courtroom for viewing and hearing by the defendant, jury, judge, and public. The defendant shall be provided with the means of private, contemporaneous communication with the defendant's attorney during the testimony. The closed-circuit television transmission shall relay the defendant's image and the voice of the judge into the room in which the child is testifying. (18 U.S.C. § 3509(b)(1))

- d. Videotape Deposition of Child Victims. A court may issue an order that a deposition be taken of the child's testimony and that the deposition be recorded and preserved on videotape. If at the time of trial the court finds that the child is unable to testify for the reasons set out above, the court may admit into evidence the child's videotaped deposition in lieu of the child's testifying at the trial. (18 U.S.C. § 3509(b)(2)(C))

- (1) Preliminary Finding. Upon receipt of an application for a videotaped deposition, the court is required to make a preliminary finding regarding whether at the time of trial the child is likely to be unable to testify in open court in the physical presence of the defendant, jury, judge, and public for any of the reasons listed in 7.a. above. If the court finds that the child is likely to be unable to testify in open court for any of these reasons, the court shall order that the child's deposition be taken and preserved by videotape.
- (2) Conduct of the Deposition. The trial judge shall preside at the videotape deposition of a child and shall rule on all questions as if at trial. The only other persons who may be permitted to be present at the proceeding are the attorney for the Government; the attorney for the defendant; the child's attorney or guardian *ad litem*; persons necessary to operate the

videotape equipment; the defendant, subject to 18 U.S.C. § 3509(b)(2)(B)(iv); and, other persons whose presence is determined by the court to be necessary to the welfare and well-being of the child, including an adult attendant, as described in 18 U.S.C. § 3509(i).

- (3) **Defendant's Rights.** The defendant shall be afforded the rights applicable to defendants during trial, including the right to an attorney, the right to be confronted with the witness against the defendant, and the right to cross-examine the child. (18 U.S.C. § 3509(b)(2)(B)(iii) and (iv))
 - (4) **Procedures for Handling and Preserving the Videotape.** Procedures for handling and preserving the child's videotape deposition are listed in 18 U.S.C. § 3509 (b)(2)(B)(G) and (b)(2)(F).
 - (5) **Protective Order.** In connection with the taking of a videotaped deposition, the court may enter a protective order to protect the privacy of the child. (18 U.S.C. § 3509(b)(2)(E))
8. **Victim Impact Statement.** The directives concerning victim impact statements appearing elsewhere in these *AG Guidelines* apply equally to cases in which children are victims. (18 U.S.C. § 3771(a)(4); *see supra* art. IV.B.3.a)

Responsible officials should obtain and report to the probation officer accurate information concerning a child's victimization. Children can prepare victim impact statements. Child victim impact statements should be in an age-appropriate format that permits the child to express his or her views concerning the personal consequences of his or her victimization at a level and in a form of communication commensurate with his or her age and ability.

To provide the probation officer with the most useful and accurate information possible, responsible officials should request information from the multidisciplinary child abuse team and other appropriate sources to determine the impact of the offense on the child victim and any other children who may have been affected.

9. **Sentencing.** A Federal prosecutor's responsibility for advocating the interests of victims at sentencing includes child victims. (Fed. R. Crim. P. 32; *see also supra* art. IV.B.3.b)

As with adult victims, at the earliest opportunity and within sufficient time for the victim to prepare a statement that can be presented at sentencing, the responsible official should notify the victim by available and reasonable means of the victim's right to address the court at sentencing and of the date, time, and place of the scheduled hearing. If the victim is present and if the victim wants to make a statement at the sentencing, the prosecutor should advise the court of the right of a victim to be reasonably heard at the sentencing hearing. (18 U.S.C. § 3771(a)(4))

Regardless of whether the victim is present, the right of allocution defined above may be exercised instead by a parent or legal guardian of the victim who is present at the sentencing hearing if the victim is below the age of 18 years or is incompetent. If the victim is deceased or incapacitated, this right of allocution by the victim may be exercised by one or more family members or relatives designated by the court and present at the sentencing hearing. (18 U.S.C. § 3771(e))

Article VII

Domestic violence

ARTICLE VII.

GUIDELINES FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING

With the passage of the Violence Against Women Act (VAWA) in 1994, Congress recognized that victims of domestic violence, sexual assault, or stalking have special needs. VAWA recognized the devastating consequences that violence has on victims, families, and society as a whole and acknowledged that these crimes require specialized responses to address unique barriers that prevent victims from seeking assistance and redress through the justice system.

A. Statement of Purpose

These guidelines are intended to provide guidance on the special needs of victims of domestic violence, sexual assault, or stalking. Although the basic victims' rights laws and policies discussed elsewhere in these guidelines apply equally to victims of domestic violence, sexual assault, or stalking, this section focuses on provisions that are of particular importance for victims of these crimes. These crimes often cause mental and emotional trauma as well as physical injury. It may be more difficult for victims to report these crimes because of the associated social stigma and because the victims often have an ongoing relationship with the offender. In addition, these crimes are generally committed for the purpose of exerting power and control over the victim. These victims are in great danger of future violence after reporting and during the investigation and prosecution of the case. Appropriate responses in these cases can save lives, prevent future violence, and promote victim recovery. For these reasons, Department personnel involved in investigating and prosecuting cases involving domestic violence, sexual assault, or stalking should make victim safety a high priority. Although these crimes are commonly referred to as "violence against women" because the majority of victims are women, these guidelines apply to all victims, regardless of gender.

B. General Guidelines

1. Victims' Declination of Services. Victims are not required to accept services and may choose to decline to receive further services. When victims do so, Department personnel should determine specifically what information and services the victim wants to forgo. In addition, Department personnel should ensure that victims are making an informed decision about the rights and services available to them. (*See supra* art. II.I.)
2. Privacy Protections for Victims of Domestic Violence, Sexual Assault, or Stalking. As discussed in article III.G, Department employees should use their best efforts to respect the privacy and dignity of especially vulnerable victims, including victims of domestic violence, sexual assault, or stalking. In sexual assault cases, special consideration should be given to the appropriateness of using two types of evidence:
 - a. Evidence about a victim's past sexual behavior or alleged sexual predisposition is generally inadmissible in court. Prosecutors should be aware of this evidentiary rule and use it when appropriate. (Fed. R. Evid. 412)

- b. **Policy Disfavoring Polygraphs of Sexual Assault Victims.** Department employees should not request that sexual assault victims take a polygraph except in extraordinary circumstances.
3. **Services for Victims of Domestic Violence, Sexual Assault, or Stalking at the Investigation Stage.** In addition to providing the services covered elsewhere in these *AG Guidelines* (see *supra* art. IV.A.3), responsible officials at the investigative stage should, when appropriate, give particular consideration to providing the following services to victims of domestic violence, sexual assault, or stalking:
 - a. **Assistance in Developing a Safety Plan.** A safety plan is an individualized plan developed by victims of crime to reduce the threats of harm that they and members of their family face. Safety plans include strategies to reduce the risk of physical violence and harm (such as obtaining a protective order) and strategies to maintain basic human needs, such as housing and income, despite the disruption caused by the victimization (including relocation, loss of employment, and physical injury). Victims may require, and responsible officials should consider providing, assistance in identifying potential risks to safety and well-being, options for addressing those risks, and the types of services and support that may be required from the criminal justice system and providers of community-based victim services.
 - b. **Referrals to and Assistance in Accessing Victim Advocacy and Support Services in the Community.** Victims of domestic violence, sexual assault, or stalking may need support for an extended period of time. It is therefore highly advisable to assist victims in accessing ongoing support, advocacy, and legal services from community-based victim service providers. Responsible officials should make referrals to and emphasize the benefits of victims making contact with community-based victim service programs.
 - c. **Assistance in Enrolling in Address-Confidentiality Programs and Taking Other Safety Measures.** Responsible officials should be familiar with any victim address-confidentiality program that exists in the jurisdiction and the requirements for enrollment in those programs. Such programs provide an alternate legal address for the victim and forward correspondence to the victim confidentially.
4. **Services for Victims of Domestic Violence, Sexual Assault, or Stalking at the Prosecution Stage.** A prosecuting official's responsibilities include providing victims of any crime with certain information and notices, referrals to services, and consultation with the Government attorney. In cases involving victims of domestic violence, sexual assault, or stalking, Department personnel should refer with special care to these *AG Guidelines*. (See *supra* art. III.G (Victim Privacy); IV.B.2.d (Separate Waiting Area); IV.B.2.g. (Limited Testing of Defendants in Sexual Assault Cases); and IV.A.3.a(1)(g))

(Right to Make a Statement About Pretrial Release in an Interstate Domestic Violence, Stalking, or Violation of a Protective Order Case))

5. Services for Victims of Domestic Violence, Sexual Assault, or Stalking at the Corrections Stage. In cases involving victims of domestic violence, sexual assault, or stalking, Department personnel should refer with special attention to article IV.C.2.a.(2) (Custodial Release Notification).
6. Mandatory Restitution for Victims of Sexual Abuse or Domestic Violence. The Violence Against Women Act of 1994 requires courts to order full restitution in cases of sexual abuse (18 U.S.C. § 2248) and domestic violence (18 U.S.C. § 2264). In cases of domestic violence and sexual assault, Department personnel should consider the following when implementing restitution procedures:
 - a. In order to protect the confidentiality of the victim's location, and to increase the likelihood of locating victims after an extended period of time, victims should be encouraged to provide an alternate contact, such as a family member, through whom they could be contacted in the event that restitution is ultimately collected.
 - b. Because the victim and offender may own shared property, care should be taken to ensure that seizure of property from an offender for payment of restitution or fines does not impair the property rights of the crime victim.
7. Immigration Relief for Victims of Domestic Violence, Sexual Assault, or Stalking. Certain aliens who are victims of domestic violence, sexual assault, or stalking may be eligible for special immigration relief that would permit them to gain legal residence in the United States. Immigrant victims should be encouraged to consult with a qualified immigration law practitioner for advice concerning the full range of benefits for which they may be eligible.
 - a. VAWA Self-Petitioning. The immigration provisions of the Violence Against Women Act allow certain battered immigrants to file for immigration relief without their abusers' assistance or knowledge. This relief is available only for the spouses and children of U.S. citizens or aliens lawfully admitted for permanent residence. (8 U.S.C. § 1154)
 - b. S-5 Visa. An S-5 visa may be granted when the applicant has reliable information about an important aspect of a crime or the pending commission of a crime, is willing to share the information with law enforcement officials or to testify in court, and the applicant's presence in the United States is necessary to the successful investigation or prosecution of a case. (8 U.S.C. § 1101(a)(15)(S))
 - c. U Visa. U visas may be available to aliens who have suffered substantial physical or mental abuse as a result of being the victims of certain crimes

designated by the Violence Against Women Act of 2000—including rape, domestic violence, trafficking, sexual assault, abusive sexual contact, and sexual exploitation—that violate Federal, State, or local laws and have occurred while in the United States (including in Indian Country and on military installations) or its territories or possessions. To be eligible for a U visa, the victim must possess information concerning the crime, and the U visa petition must include a certification from a Government official (as listed in the statute) stating that the victim is helping, has helped, or is likely to be helpful in the investigation or prosecution of the crime. Recipients of U visas are eligible for employment authorization and may, after 3 years, adjust their status to that of a lawful permanent resident in accordance with Federal law and regulations. In appropriate circumstances, these visas may be available to family members of the victim. (8 U.S.C. §§ 1101(a)(15)(U), 1184(p), 1255(l))

- d. T Visa. An immigrant victim of domestic violence, sexual assault, or stalking may also be a victim of a severe form of trafficking in persons. If so, he or she may be eligible for a T visa. (8 U.S.C. § 1101(a)(15)(T))

Article VIII

Terrorism

**ARTICLE VIII.
GUIDELINES FOR VICTIMS OF TERRORISM AND OTHER MASS CASUALTIES**

Some violent crimes may involve large numbers of victims who suffer physical injury, death, or extreme psychological injury. Terrorism involves extreme factors that exacerbate the impact on victims and challenge the ability of Department employees to meet victim assistance requirements and the complex needs of the victims. Responding to victims may be made more challenging due to the magnitude of the event, numbers of victims, where they reside, and where the crime occurred. Acts of terrorism affecting U.S. citizens overseas are investigated by the FBI and sometimes indicted by the Justice Department. If the crime occurs in another country, that country may arrest and prosecute those responsible. Investigations and prosecutions of terrorism crimes by other countries present difficult challenges for victims and the Justice Department officials who are responsible for providing services to these victims. Some FBI and Justice Department investigations may be pending for years and even decades, thus providing challenges for the component responsible for maintaining contact with victims and keeping them informed.

In addition to terrorism, other types of crime may involve large numbers of victims. Some of these crimes include aviation disasters and toxic spills caused by deliberate actions.

The term "mass violence" is not statutorily defined. For purposes of these *AG Guidelines*, "mass violence" means an intentional violent criminal act that results in physical, emotional, or psychological injury to so large a number of victims as to significantly increase the burden of victim assistance and compensation for the responding jurisdiction.

A. Statement of Purpose

This article is intended to guide responsible officials and other Department employees, including investigators, prosecutors, and victim assistance personnel, in meeting the demands of assisting victims of crimes involving terrorism, mass violence, or large-scale casualties.

B. Identification of Victims

Responsible officials shall determine who has suffered direct harm as a result of an act of terrorism or other form of mass violence. Determining who has suffered direct victimization as a result of terrorism or other crime of mass violence involving hundreds or thousands of individuals may be a difficult process. In some situations, it may be necessary for FBI agents and victim specialists to conduct a joint victim identification and intake process with organizations such as the Red Cross or local responding agencies. Accurate and timely identification of victims and development of contact information for surviving victims and family members of deceased victims may be complicated when nongovernmental relief agencies are the first to develop victim lists. Some relief organizations have taken the position that they are prohibited from sharing victim information with Government agencies. It may become necessary to subpoena victim names and contact information in such cases, but responsible officials should avoid taking such an adversarial approach if victim information can be obtained in a timely manner by other means. Responsible officials should

consider using any of the various means of identifying victims that are surveyed with respect to crimes involving large numbers of victims. (*See supra* art.II.G.1.) In cases involving terrorism or mass violence in a foreign country, the State Department should be consulted on its role in identifying and contacting victims.

In the event of a chemical or biological incident affecting large numbers of victims, Department personnel should coordinate with the Centers for Disease Control and Prevention and other responsible agencies to identify victims. The provision of information and assistance to victims as required by Federal law and these *AG Guidelines* may then be handled as it would be in response to other crimes involving large numbers of victims.

C. Provision of Services

The component of the Justice Department with responsibility for investigating the crime shall begin the process of providing information and assistance to victims at the earliest practicable opportunity.

Families of victims may be asked to identify the legal next-of-kin or provide a single point-of-contact for purposes of receiving information, personal effects, or benefits. Nevertheless, given the mobility and complexity of families, responsible officials should consider defining broadly which family members are entitled to receive information relating to a pending investigation.

Mechanisms utilized to provide information and assistance should be designed to ensure equality of treatment and to promote access by the largest number of victims. Among the matters to be considered in cases involving large numbers of victims or geographically dispersed victims are the following:

1. Notifications. Various means of providing information to victims may be appropriate in cases involving terrorism and mass casualties. They include the following:
 - a. Toll-free hotlines. Toll-free lines may be established to handle multiple cases or individual cases. They may be set up on a statewide, nationwide, or international basis. These hotlines should be updated regularly in order to maintain credibility with victims.
 - b. Case-Specific Web Pages. Case-specific Web pages have the benefits of being cost efficient, maintainable over a long period of time, and unintrusive because use by victims is self-initiated. They may be used to post information as diverse as trial transcripts and information on attending the trial and coping with the emotional impact of the trial.
 - c. Closed-Circuit Broadcast of Trial Proceedings. 42 U.S.C. § 10608 requires that victims have access to closed-circuit television (CCTV) viewing of trial proceedings when a change of venue is granted and a trial is moved out of state and more than 350 miles from the location in which the proceeding would

originally have been brought. The law does not address the situation in which the location of the crime and the prosecution is not in the vicinity where most or all of the victims reside or circumstances involving victims who live in many different States or countries. Whenever feasible, prosecutors should encourage the trial court to cooperate in making trial proceedings accessible to the greatest number of victims.

- d. **Informational Briefings.** Not all case information is appropriately communicated to victims through writing, especially when victims or surviving family members have been extremely traumatized by the impact of the crime or the information provided is of an extremely personal or sensitive nature. Personal contact and communication can serve a number of important purposes, including building better relationships between victims and Government officials, ensuring that victims have an opportunity to ask questions about complex issues, allowing multiple victims to hear the same information at the same time, and providing an opportunity for victims of the same crime to share their experiences. Briefings can be held in person or via telephone bridge calls, video conferencing, or Internet Web casting.
2. **Direct Assistance.** Victims of terrorism or mass violence may receive assistance with travel to and lodging near criminal justice proceedings, support for crisis and mental health counseling, access to "safe havens" or separate and secure designated areas near a courthouse or CCTV site for viewing a trial. In addition, the Department makes funding available for victim compensation and assistance programs in each State and territory. These programs complement Federal efforts and victims should be referred to them for assistance in matters beyond the scope of the Federal Government.
 3. **Autopsies of Overseas Terrorism Victims.** The Department has both investigative and humanitarian interests in having access to critical forensic evidence in terrorism cases, including the remains of U.S. citizen victims. The FBI exercises lead agency responsibility in terrorism cases under U.S. jurisdiction. Under optimal circumstances, recovery and processing of victim remains should be integrated into the investigation by the FBI. FBI officials should consult with families of victims on the issue of an autopsy and provide an explanation of the process, how remains will be returned to them, and how they can receive information about autopsy findings. FBI officials should give due consideration to religious and cultural concerns expressed by the family and try to accommodate their wishes to the extent possible. The FBI should coordinate the return of remains, personal effects, and death certificates to family members following any autopsy that it orders.
 4. **Return of Personal Effects.** A mass-casualty crime may require that Department personnel review all personal effects collected from the victims and their immediate vicinity. Sensitivity should be used in preparing and presenting personal effects to the victims' families. Department personnel should return personal effects to the legal next-of-kin or another individual who is legally authorized to receive the items.

Ensuring that surviving victims and family members receive personal effects and other property belonging to victims may be complicated by several factors: (1) the volume of personal effects retained for evidence or forensic testing, (2) the length of time items may need to be held, and (3) the condition of personal effects recovered after crimes involving high-impact weapons. Responsible officials should consider establishing operations, if authorized and funded by Congress, for processing personal effects or contracting with private companies that specialize in decontamination, cleaning, and restoration of personal effects.

5. Prosecutions in Foreign Countries. When arrests and prosecutions occur in other countries, the responsible official should attempt to facilitate the provision of information about those proceedings to victims (through VNS, if appropriate), including notification of key events and proceedings, information on the criminal justice system in that country, and summaries or updates on trial proceedings, sentencing, and any subsequent appeals. These efforts should involve coordination with the FBI Legal Attaché Office or U.S. Embassy or Consulate officials in the relevant country.
6. Transition of Victim Responsibilities Between Responsible Officials. Once a case reaches the prosecution phase following an indictment, the size of the victim population may necessitate joint efforts by victim assistance personnel from both the investigative and prosecutorial components. Responsible officials should ensure a smooth transition of responsibilities.

D. Multijurisdictional Response to Domestic Terrorism and Mass Violence Victims

A mass-casualty crime occurring within the United States will necessitate a multilevel response by local, State, and Federal agencies and nongovernmental organizations. The National Response Plan designates the FBI as the lead agency for crisis management and the Federal Emergency Management Agency (FEMA) in the Department of Homeland Security (DHS) as the lead agency for consequence management when the President has declared a major disaster. Federal victim assistance personnel at the national and local levels should maintain effective relationships with State and local agencies and organizations, including State victim compensation and assistance programs, to ensure that the Department can discharge victim identification, notification, and assistance requirements and support the community response. Victim assistance should be built into local planning efforts and the roles and responsibilities of individual agencies included in planning and exercises.

Victim assistance personnel should also coordinate with the Center for Mental Health Services in the Department of Health and Human Services in arranging the delivery of appropriate mental health services to victims in the aftermath of terrorism or mass violence.

E. Criminal Aviation Disasters

The Aviation Disaster Family Assistance Act of 1996 (ADFAA) includes specific requirements for providing assistance, information, and support to families of victims.

ADFAA applies to ground casualties as well as passengers and crew on board the aircraft. The National Transportation Safety Board (NTSB) is responsible for coordinating family assistance and ensuring that ADFAA is enforced, unless the cause of the disaster is suspected or known to be criminal. If so, the responsibility transfers to the FBI along with the lead for investigating the disaster.

Article IX

Human Trafficking

**ARTICLE IX.
GUIDELINES FOR VICTIMS OF HUMAN TRAFFICKING**

A. Statement of Purpose

Trafficking victims are particularly vulnerable because of the circumstances of their victimization and require extra assistance to ensure that they are cared for and provided with essential services after rescue. Many of these victims are children, many do not speak English, and many are not in the United States legally. Therefore, although trafficking victims possess all the rights and access to benefits that other victims possess, they have also been granted additional rights and benefits under the Trafficking Victims Protection Act (TVPA) and the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2003 (codified at 22 U.S.C. § 7101 *et seq.*) and regulations pursuant thereto. This section describes those rights and benefits and directs the responsible official to ensure that trafficking victims are aware of and are provided with them.

B. General Guidelines

1. Responsible Officials. With the following exceptions, the responsible officials are those officials designated in article IV of these *AG Guidelines*.
 - a. Investigation Stage. In the investigation stage, the FBI shall take reasonable steps to ensure that victims are provided with their rights as described in this section immediately upon notification that potential trafficking victims have been located. If the FBI is not the initial investigative agency to encounter a potential victim, the responsible official at the U.S. Attorney's Office or Civil Rights Division shall take steps to ensure that the rights of the potential victim are enforced.
 - b. Coordination with Other Agencies During Both Investigation and Prosecution Stages. In both the investigation and prosecution stages, the responsible officials should coordinate with officials from other departments—particularly the Department of Homeland Security and the Department of Health and Human Services—to enforce the rights of victims of severe forms of trafficking.
2. Identification of Victims. In identifying victims at the earliest stage of an investigation (42 U.S.C. § 10607(b)(1)), the responsible official should determine whether a potential victim meets the definition of a victim of a severe form of trafficking, which involves—
 - a. Sex Trafficking. Recruiting, harboring, transporting, providing, or obtaining a person for the purpose of a commercial sex act in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

- b. Forced Labor. Recruiting, harboring, transporting, providing, or obtaining a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

(22 U.S.C. § 7105(b)(1)(C))

C. Provision of Special Services for Victims of Human Trafficking

1. Generally. Victims of severe forms of trafficking are eligible for special services discussed in this article of these *AG Guidelines*. The services are available without regard to whether an indictment is eventually filed or whether any indictment that is filed includes TVPA charges. U.S. citizen victims may not be eligible for these services because of their citizenship status, which entitles them to other programs not available to alien victims.

2. Detention

- a. To the extent practicable and allowed by law, victims of severe forms of trafficking should not be formally detained. (28 C.F.R. § 1100.31(b))
- b. If detention is necessary, such victims should not be detained in facilities inappropriate to their status as crime victims (unless they are themselves charged with a crime). (22 U.S.C. § 7105(c) and 28 C.F.R. § 1100.31(b))
- d. Where appropriate and practicable, such victims should be housed separately from areas in which criminals are detained. (28 C.F.R. § 1100.31(b))
- e. To the extent practicable, trafficking victims in Federal custody shall—
 - (1) Receive necessary medical care, mental health assessment and treatment, and other assistance. (22 U.S.C. § 7105(c)(1)(B) and 28 C.F.R. § 1100.31(c))
 - (2) If their safety is at stake or if there is danger of additional harm, be provided protection including—
 - (a) Measures to protect them and their family members from intimidation, threats of reprisals, and reprisals from traffickers and their associates. (22 U.S.C. § 7105(c)(1)(C)(i) and 28 C.F.R. § 1100.31(d))
 - (b) Affirmative steps to ensure that the victims' names and identifying information are not disclosed to the public. (22 U.S.C. § 7105(c)(1)(C)(ii) and 28 C.F.R. § 1100.31(d))

3. Information. Responsible officials shall provide victims with information about their rights and applicable services, including the following:
 - a. Legal Services. Pro bono and low-cost legal services, including immigration services.
 - b. Federal and State Benefits and Services. The types of services and benefits available to trafficking victims are contingent upon whether a victim has been subjected to an act that satisfies the TVPA definition of a severe form of trafficking, the victim's immigration status, and the victim's willingness to assist law enforcement. Victims who are minors and who have received benefits-eligibility letters and adult victims who have certification from the Department of Health and Human Services (HHS) are eligible for assistance that is administered or funded by Federal agencies to the same extent as refugees. Others may be eligible for more limited benefits. In addition, minor dependent children of victims of a severe form of trafficking are also eligible for services.
 - c. Victim Service Organizations and Assistance Programs. Relevant organizations may include domestic violence shelters and rape crisis centers. In addition, OVC funds programs that provide specialized and comprehensive services to individuals who have been identified by Federal law enforcement officials as victims of a severe form of trafficking but have not yet been certified by HHS as described above. (A detailed list of OVC-funded programs to help victims of trafficking in persons is available at <http://www.ojp.usdoj.gov/ovc/help/traffickingmatrix.htm>).
 - d. Protections available, especially against threats and intimidation, and remedies available as appropriate for the victim's circumstances.
 - e. Rights of individual privacy and confidentiality issues.
 - f. Victim compensation and assistance programs.
 - g. Immigration benefits and programs.
 - h. Restitution.
 - i. Notification of case status.
 - j. Availability of medical services.

(28 C.F.R. § 1100.33)

4. Translation and Interpretation Services. Trafficking victims shall have access to information about their rights and to translation services. The responsible official shall ensure that trafficking victims have reasonable access to translation services and/or interpreter services if those victims are not able to communicate in English or are illiterate

in their own language. (28 C.F.R. § 1100.33) Interpreters should be thoroughly screened to ensure that they are not in any way involved in the trafficking or familiar with either the victims or the traffickers.

5. Immigration Benefits. If a Department employee learns that a victim or witness does not have legal status in the United States, the employee should determine whether immigration relief as provided by TVPA or other Federal law is appropriate to ensure the ability of the victim or witness to remain in the United States. Department personnel should not offer victims or witnesses legal advice about legal status issues but should refer victims and witnesses to services that provide referrals to legal counsel. TVPA provides two forms of immigration relief: (1) continued presence and (2) a T visa. Both forms of relief are available only to victims of a severe form of trafficking. Continued presence may be sought only by Federal law enforcement on behalf of potential witnesses, but a T visa may be sought independently by a victim. If a victim has concluded that he or she would like to pursue legal status by applying for a T visa, Department personnel should assist in the application process by providing, in a timely fashion, the supporting documentation that must come from the Department. As a general matter, types of legal status include—

- a. Continued Presence. Aliens who are victims of a severe form of trafficking and who are potential witnesses are eligible to remain in the United States. If the responsible official determines that an alien trafficking victim is a potential witness to a trafficking crime, the responsible official may request that the Department of Homeland Security permit the continued presence of the victim for 1 year. Continued presence also provides the victim with employment authorization. Law enforcement may seek extensions of continued presence when appropriate. (22 U.S.C. § 7105(c)(3); 28 C.F.R. § 1100.35(a))

- b. T Nonimmigrant Status

(1) Individuals may apply for a T nonimmigrant visa for themselves if—

- (a) They are victims of a severe form of trafficking.
- (b) They are in the United States on account of trafficking.
- (c) They face extreme hardship involving unusual and severe harm if they were to be removed from the United States.
- (d) They have complied with any reasonable request for assistance in the investigation or prosecution of the trafficking activities.

(TVPA Section 107(e); 8 C.F.R. § 214.11)

- (2) Recipients of T visas are eligible for employment authorization and may, after 3 years, adjust their status to that of a lawful permanent resident in accordance with Federal law and regulations. In appropriate

circumstances, T visas may be available to members of a victim's family.

- (3) If warranted, the responsible official should support the application of a trafficking victim who has complied with any reasonable request for assistance in the investigation or prosecution by completing an I-914B form for a T visa.
 - (4) If a prosecutor determines that supporting a T visa would not be prudent in any case in which a trafficking victim seeks such a visa, the prosecutor must provide written justification for that determination to the U.S. Attorney for the district or, in the alternative, to the Office of the Assistant Attorney General for Civil Rights.
- c. U Visa. U visas may be available to aliens who have suffered substantial physical or mental abuse as a result of being the victims of certain crimes designated by the Violence Against Women Act of 2000—including rape, domestic violence, trafficking, sexual assault, abusive sexual contact, and sexual exploitation—that violate Federal, State, or local laws and have occurred while in the United States (including in Indian Country and on military installations) or its territories or possessions. To be eligible for a U visa, the victim must possess information concerning the crime, and the U visa petition must include a certification from a Government official (as listed in the statute) stating that the victim is helping, has helped, or is likely to be helpful in the investigation or prosecution of the crime. Recipients of U visas are eligible for employment authorization and may, after 3 years, adjust their status to that of a lawful permanent resident in accordance with Federal law and regulations. In appropriate circumstances, these visas may be available to family members of the victim. (8 U.S.C. §§ 1101(a)(15)(U), 1184(p), 1255(I))
- d. Significant Public Benefit Parole or Deferred Action. Witnesses, threatened family members, and victims for whom there is insufficient evidence to meet the TVPA victim criteria may be eligible for significant public benefit parole to enable them to enter or remain in the United States temporarily.
- e. The responsible official shall assist alien trafficking victims who want to be repatriated rather than avail themselves of the immigration benefits provided in TVPA.
- f. S-5 Visa. S-5 visas may be granted when the applicant has reliable information about an important aspect of a crime or the pending commission of a crime, is willing to share the information with law enforcement officials or to testify in court, and the applicant's presence in the United States is necessary to the successful investigation or prosecution of a case. (8 U.S.C. § 1101(a)(15)(S))

6. Certification of Victims for Assistance

- a. HHS Certification. Adult victims are eligible for certification by the Department of Health and Human Services for benefits equivalent to those that are available to refugees if the victim has been granted continued presence and is willing to assist law enforcement or has made a bona fide application for T nonimmigrant status. Minor victims are not required to have either continued presence or a bona fide T visa to receive benefits. Instead, they receive services as provided by a letter of eligibility for benefits. (22 U.S.C. § 7105(b)(1)(A), (E))
- b. The responsible official shall support the certification of a trafficking victim if the victim has complied with any reasonable request for assistance in the investigation or prosecution of trafficking activities. If a prosecutor concludes that such certification is not prudent, the prosecutor must provide written justification of that determination to the U.S. Attorney for the district or, in the alternative, to the Office of the Assistant Attorney General for Civil Rights.

Article X.

Identity Theft

**ARTICLE X.
GUIDELINES FOR VICTIMS OF IDENTITY THEFT**

A. Statement of Purpose

This section contains special guidelines for ensuring that victims of identity theft are provided with the assistance that is appropriate to the unique circumstances of that crime. Responsible officials should therefore consult the other relevant provisions of these *AG Guidelines* in addition to this article when assisting victims of identity theft.

B. General Guidelines

1. Identification of Victims. Individuals do not have to know that their identity was misused in order to be victims, nor does the victim have to have incurred a financial loss to be considered a victim. All individuals who have had financial or personal information compromised in an identity theft crime should be identified, and their names and contact information should be entered into VNS. The responsible official at the investigative phase should take a proactive approach to identifying victims, which may include creating and publicizing a toll-free hotline for citizens concerned that they may have been victimized and media advertising of a fraud case or investigation with instructions for potential victims to contact the investigative agency.
2. Description of Services. In general, Department personnel should consider consulting the Federal Trade Commission's Web site, www.consumer.gov/idtheft/law_howhelp.html, for information and guidance on assisting victims of identity theft.
 - a. Referral. In addition to all other services required under these *AG Guidelines*, the responsible official should—
 - (1) Refer victims to the particularly useful or relevant services specifically provided for victims of identity theft by other Federal agencies, including the Federal Trade Commission, as well as by nongovernmental organizations.
 - (2) Refer victims to relevant credit reporting services.
 - (3) Advise victims to file an individual police report.
 - b. Notification to Victims' Employers and Creditors. If requested to do so by the victim, the responsible official should—
 - (1) Assist in notifying creditors and employer. The responsible official should assist in contacting a victim's employer and credit card companies, mortgagee(s), and other creditors by letter or telephone call in order to notify them that the victim has been identified as a victim of an identity-theft crime.

- (2) Inform creditors of the nature and status of the case. The responsible official should provide creditors with documentation relating to the case if requested, including appropriate charging sheets, plea agreements, and judgments.
- (3) Notify creditors of availability of restitution. The responsible official should notify creditors that, if they absolve the victim of unlawfully incurred debt, they may become entitled to restitution from the perpetrator. (18 U.S.C. § 3664(j)(1))

3. Information From Businesses Available to Victims

- a. The responsible official at the investigative phase should notify a victim of identity theft that business entities that have entered into commercial transactions with a person who has allegedly made unauthorized use of a means of identification of the victim may be required, at no cost to the victim, to provide copies of transaction records in their control. (15 U.S.C. § 1681g(e)(1))
- b. In making the notification under paragraph a, the responsible official shall avoid providing legal advice and shall not be responsible for assisting the victim in requesting the information and records to which the victim may be entitled under the law.

Article XI.

Non litigability

**ARTICLE XI.
NONLITIGABILITY**

These *AG Guidelines* provide only internal Department of Justice guidance. They are not intended to, do not, and may not be relied upon to create any rights, or standards of conduct or care, substantive or procedural, enforceable at law by any person in any matter civil or criminal. These *AG Guidelines* shall not be construed to create, enlarge, or imply any duty or obligation to any victim, witness, or other person for which the United States or its employees could be held liable in damages. No limitations are hereby placed on otherwise lawful litigative prerogatives of the Department of Justice.

Case No. 08-80736-CV-MARRA

P-009815

EFTA00191143

Article XIII

Amenment

Case No. 08-80736-CV-MARRA

P-009817

EFTA00191145



Office of the Attorney General
Washington, D.C. 20530

July 20, 2005

MEMORANDUM FOR HEADS OF DEPARTMENT COMPONENTS

FROM: THE ATTORNEY GENERAL *ag*

SUBJECT: Amendment to the 2005 Attorney General Guidelines for
Victim and Witness Assistance

The 2005 *Attorney General Guidelines for Victim and Witness Assistance* are hereby amended by:

- (1) Adding the words "or the Superior Court of the District of Columbia" to the end of the first sentence of article II.D.1, so that the sentence reads:

For purposes of enforcing the rights enumerated in article I.B, a victim is "a person directly and proximately harmed as a result of the commission of a Federal offense or an offense in the District of Columbia" (18 U.S.C. § 3771(e)) if the offense is charged in Federal district court or the Superior Court of the District of Columbia.

and

- (2) By appending a footnote to the above-referenced sentence with the following text:

All officers and employees of the United States Attorney's Office for the District of Columbia, including the Superior Court Division, shall comply with all relevant obligations of 18 U.S.C. § 3771.

Case No. 08-80736-CV-MARRA

P-009819

EFTA00191147