

March 3, 2014

Wifredo A. Ferrer  
United States Attorney  
Southern District of Florida  
99 N.E.4<sup>th</sup> Street  
Miami, FL 33132

Re: Request for Investigation of Bruce E. Reinhart

Dear Mr. Ferrer:

As you recall, I represent Jane Doe No. 1 and Jane Doe No. 2 (“the victims”) in their efforts to protect their rights under the Crime Victims’ Rights Act (CVRA). You were nice enough to meet with Jane Doe No. 1 in December 2010 about her efforts. At the conclusion of that meeting, I presented you with a letter presenting grave concerns about possible improper influences being brought to bear on your Office during its negotiation of the Jeffrey Epstein non-prosecution agreement. I was suspicious that your Office had agreed not to prosecute Epstein for hundreds of federal crimes involving the sexual abuse of children for inappropriate reasons. I asked for a full investigation of those allegations. As I understand how things were ultimately resolved, the Justice Department concluded that it would not investigate whether improper influences were brought to bear, for reasons that are not entirely clear to me.

I am writing now to renew that request for an investigation and provide new information suggesting that improper influences were brought to bear on the non-prosecution decision. In particular, it is now clear that former Assistant U.S. Attorney Bruce E. Reinhart has filed a false affidavit in the victims’ CVRA case. I am writing to ask that your Office, or the appropriate component within the Justice Department, investigate whether he has committed a crime in filing this false affidavit. If so the victims ask that you initiate a criminal prosecution of this crime. The victims also ask that you refer Mr. Reinhart to any appropriate disciplinary committee.

By way of background, on March 21, 2011, the victims filed a Motion for Finding of Violations of the Crime Victims’ Rights Act and Request for Hearing on the Appropriate Remedies. Jane Doe No. 1 et al. v. United States, Doc. 48. Among the allegation that the victims made were:

52. One of the senior prosecutors in the U.S. Attorney’s Office joined Epstein’s payroll shortly after important decisions were made limiting Epstein’s criminal liability – and improperly represented people close to Epstein. During the federal investigation of Epstein, Bruce Reinhart was a senior Assistant U.S. Attorney in the U.S. Attorney’s Office for the Southern District of Florida. Within months after the non-prosecution agreement was signed, Reinhart left the Office and immediately went into practice as a “white collar” criminal defense attorney. His office coincidentally happened to be not only in the same building

(and on the same floor) as Epstein's lead criminal defense counsel, Jack ██████████, but it was actually located right next door to the Florida Science Foundation – an Epstein-owned and –run company where Epstein spent his “work release.” . . .

53. While working in this Office adjacent to Epstein's, Reinhart undertook the representation of numerous Epstein employees and pilots during the civil cases filed against Epstein by the victims – cases that involved the exact same crimes and same evidence being reviewed by the U.S. Attorney's office when he was employed there. Specifically, he represented ██████████ (Epstein's number one co-conspirator who was actually named as such in the NPA), his housekeeper ██████████, his pilots Larry Morrison, Larry Visoski, David Rogers, William Hammond and Robert Roxburgh. (Hammond and Roxburgh were not deposed, but the others were.) *See* depositions of these individuals in various Epstein civil cases. On information and belief, Reinhart's representation of these individuals was paid, directly or indirectly, by Epstein. Such representations are in contravention of Justice Department regulations and Florida bar rules. Such representations also give, at least, the improper appearance that Reinhart may have attempted to curry with Epstein and then reap his reward through favorable employment.

Victims' Motion for Finding of Violations of the Crime Victims' Rights Act and Request for Hearing on the Appropriate Remedies, DE 48 at 22-23.

In response to these allegations, your Office essentially chose to remain silent. *See, e.g.*, DE 58 at 10-13 (contesting some of the facts alleged by the victims, but not commenting on the Bruce Reinhart allegations). Reinhart, however, did not remain silent. Instead, he filed a Motion to Intervene or in the Alternative for a Rule 11 Order, DE 79. He argued that the victims' facts were not accurate and attached an affidavit, made under authority of 28 U.S.C. § 1746. In that affidavit, Reinhart stated: “I never learned any confidential, non-public information about the Epstein matter.” DE 79-1 at 3. The affidavit concluded with the statement: “I declare under penalty of perjury that the foregoing is true and correct.”

Your Office chose to remain silent when that information was presented to the court during a hearing on the matter. The victims did not believe that Reinhart's affidavit was true and correct, however, and victims' counsel requested an opportunity to discuss the contents with him. Reinhart, however, refused to meet with counsel. Accordingly, the victims were forced to seek information from your Office about the matter. As authorized by Judge Marra, they propounded requests for admission to your Office about Reinhart's knowledge of information about the Epstein case. After your efforts to prevent answering those questions were rebuffed by Judge Marra, on July 19, 2013, your Office admitted that it had information that Reinhart's statements (made under penalty of perjury) were not accurate:

- (a) The government admits that, while Bruce E. Reinhart was an Assistant U.S. Attorney, he learned confidential, non-public information about the Epstein matter.
- (b) The government admits that, while Bruce E. Reinhart was an Assistant U.S. Attorney, he discussed the Epstein matter with another Assistant U.S. Attorney working on the Epstein matter.

DE 213-1 at 9. I recently requested that your Office provide further information about Reinhart's false statements, but it has so far not done so.

In light of all this, the victims request that you begin a criminal investigation about whether Reinhart has committed a crime by filing false information in an effort to prevent them for vindicating their rights under the CVRA. *See* 18 U.S.C. § 1621 (providing for felony for submitting false information in a declaration made under § 1746). If so, the victims would request criminal prosecution of that offense. The victims also request that if your Office possesses any information demonstrating that Reinhart has violated the legal rules of ethics, that they provide that information to the appropriate disciplinary authorities. *See* Florida Rule Prof. Conduct, Rule 4-8.3 ("A lawyer who knows that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects shall inform the appropriate professional authority."). Jane Doe No. 1 and Jane Doe No. 2 would also like to confer with your Office about these matters throughout the course of your investigation, as they would be the "victims" of this effort to provide false information to the Court to impede their case. *See* 18 U.S.C. § 3771(a)(5). And they would more broadly renew their request, made several years ago, that the Department investigate whether improper influences lead the non-prosecution agreement the Epstein case.

The victims would respectfully observe that it is possible that your Office may have a conflict of interest on some of these topics. If so, the victims would respectfully request that the matter be referred to an appropriate, non-conflicted, component of the Justice Department.

Respectfully Submitted,



Paul G. Cassell

for Jane Doe No. 1 and Jane Doe No. 2  
S.J. Quinney College of Law at the  
University of Utah



*The views expressed in this letter are solely those of the author and not necessarily those of the University of Utah.*