

U.S. Department of Justice

United States Attorney
Southern District of Florida

500 South Australian Ave., Suite 400
West Palm Beach, FL 33401

[REDACTED]

December 11, 2008

VIA HAND DELIVERY

Captain David [REDACTED]
Palm Beach Sheriff's Office
Corrections Division
3228 Gun Club Road
West Palm Beach, FL 33406

Re: Work Release Application of Jeffrey Epstein

Dear Captain [REDACTED]:

The U.S. Attorney's Office recently learned that Inmate Jeffrey Epstein applied for and was approved for participation in the Palm Beach Sheriff's Office's ("PBSO") work release program. Through a request for public records, I have received a copy of Mr. Epstein's work release file. After doing some internet research of public records and making a few telephone calls, I discovered some inaccuracies and omissions in Mr. Epstein's file that I wanted to bring to your attention. During a recent meeting, Roy Black, one of Mr. Epstein's attorneys, invited us to share our concerns with PBSO.

Eligibility for Participation

I understand that Mr. Epstein would be ineligible for participation in the work release program if he committed three violations of F.S.S. 796 within the past five years. Mr. Epstein has been charged with and convicted of a felony violation of F.S.S. 796.07. In order to be convicted of a felony violation of that statute, one must commit "a third or subsequent violation." In other words, Mr. Epstein has committed at least three violations of Section 796.07, and in his "Alternative Custody Program Placement Synopsis," Mr. Epstein's charges are described as "Recommit: Prostitution."

In addition to those three violations, Mr. Epstein also has been convicted of violating F.S.S. 796.03, procuring a person under the age of 18 for prostitution. Throughout his paperwork, this violation is referred to simply as "prostitution." The

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through 2/28/07).¹ These sworn filings show that Mr. Epstein worked for the Foundation for only one hour per week and earned no compensation. (See page 6 of each return.) All of these returns were signed under penalty of perjury by either Mr. Epstein or Darren Indyke, who is listed in Mr. Epstein's work release file as Mr. Epstein's "supervisor." Mr. Epstein's representations concerning his prior work duties and salary may violate the salary and employment verification requirements of C.O.P. #926.01(b)(C)(7) and (8).

In response to your requirement of "a detailed work schedule," Mr. Indyke has provided the following two sentences:

[Mr. Epstein's] duties will require him to work six days a week, Monday through Saturday, at the Foundation's office located at 250 S. Australian Avenue, Suite 1404, West Palm Beach, Florida from the hours of 8:00 A.M. to 8:00 P.M.

As President of the Foundation, Mr. Epstein will be responsible for the general oversight and management of the Foundation, and particularly, to seek out, evaluate and determine worthy charitable causes to which the Foundation may make contributions.

Mr. Indyke did not disclose that Mr. Epstein only worked one hour per week prior to his incarceration and has provided no explanation of why Mr. Epstein could perform these duties in one hour per week before he was incarcerated but now needs to spend 72 hours each week to do the same job. Again, this appears to be inconsistent with C.O.P.

¹The returns are available online at the following public websites:

FY2006:

<http://www.guidestar.org/FinDocuments/2007/133/996/2007-133996471-0391c8db-F.pdf>

FY2005:

<http://www.guidestar.org/FinDocuments/2006/133/996/2006-133996471-02c9625e-F.pdf>

FY2004:

<http://www.guidestar.org/FinDocuments/2005/133/996/2005-133996471-02056acf-F.pdf>

FY2003: <http://www.guidestar.org/FinDocuments/2004/133/996/2004-133996471-1-F.pdf>

FY 2002: <http://www.guidestar.org/FinDocuments/2003/133/996/2003-133996471-1-F.pdf>

FY2001: <http://www.guidestar.org/FinDocuments/2002/133/996/2002-133996471-1-F.pdf>

FY2000: <http://www.guidestar.org/FinDocuments/2001/133/996/2001-133996471-1-F.pdf>

FY1999: <http://www.guidestar.org/FinDocuments/2000/133/996/2000-133996471-1-F.pdf>

FY1998: <http://www.guidestar.org/FinDocuments/1999/133/996/1999-133996471-1-F.pdf>

CAPTAIN DAVID [REDACTED]
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is completely within the discretion of the Sheriff's Office. The purpose of this letter is simply to provide you with information concerning Mr. Epstein's offenses and his work situation. Judge Pucillo, who conducted the change of plea and sentencing, heard the factual proffer and imposed Mr. Epstein's sentence. She has not been consulted regarding Mr. Epstein's application for work release. I understand that Judge McSorley's standing order states that she "takes no position with respect to the eligibility of any inmate sentenced in this Division unless specifically stated at time of sentencing." Because of her absence, Judge McSorley did not conduct the sentencing and, therefore, did not have the opportunity to weigh any objections to work release at that hearing. It is unclear whether Judge Pucillo was aware of Judge McSorley's standing order when she imposed sentence. In utilizing your discretion, you may or may not choose to consult with the appropriate judge on this matter.

Request for Notification

As I had previously asked of Colonel Gauger, I would appreciate if you would keep me informed of any changes to Mr. Epstein's release status so that I may fulfill my obligations to keep the victims identified through the federal investigation informed of Mr. Epstein's status. I have informed all of the known victims of Mr. Epstein of the change in his incarceration status and that you are the contact person if they have any questions. Some may ask that their locations be amongst the "Exclusionary Zones" programmed into Mr. Epstein's GPS unit. If you need their addresses, please let me know.

Please feel free to contact me with any questions or concerns.

Sincerely,

R. Alexander Acosta
United States Attorney

By:

[REDACTED]
Assistant United States Attorney

cc: [REDACTED]