

Vincent F Frazer Esq
Attorney General
The United States Virgin Islands
Department of Justice
Office of the Attorney General
34-38 Kronprindsens Gade
Gers Bldg
2d Floor
St Thomas
US Virgin Islands 00802

Re Jeffrey Epstein

Dear Mr. Attorney General Frazer

I am grateful for the opportunity you afforded me to respond to your letter to me regarding Mr. Epstein dated January 13, 2012. I am hopeful that the points raised in this letter would result in your not imposing an in person reporting requirement each time Mr. Epstein intends to depart from the Territory. I would respectfully urge you to consider the following reasons why such an imperative is not legally nor practically necessary, why it is not standard practice in other jurisdictions, and why it would result in an enormous burden on Mr. Epstein, a law-abiding resident of the Virgin Islands.

First, since July of 2010 i.e. for over 18 months Mr. Epstein has faithfully provided notification of his travel by email and/or fax. The practice has been successful. The Department knows when he is both departing and arriving in the Territory, and there has been absolutely no incident in any other jurisdiction, domestic or foreign, that would indicate a need for greater supervision. In short, there is no public safety necessity in requiring Mr. Epstein to notify the Department of his intention to travel in person;

Second, the burden of imposing an in person notification requirement would be substantial given the frequency of Mr. Epstein's business-related travel. He would lose many hours of time he could be working in order to notify the Department, in person, each time he needs to leave the Territory. Each trip would require that he leave his home, travel to St. Thomas, then travel to the Department to appear in person and then return to his home – a round-trip event that would be repeated over and over in the course of each

month given the regularity of Mr. Epstein's travel demands. More, Mr. Epstein cannot always know in advance just when he must travel to meet with business and government leaders around the world. What if the decision to travel needs to be made at night or on weekends or during a holiday when the Department is not open? The current practice of providing timely notification by email or fax has not only worked in the past, but it is a practical accommodation to this rare resident whose business requires an extraordinary amount of travel (in contrast to the discrete number of trips most other residents of the Territory make on a yearly basis);

Third, the in person reporting requirement is not mandated by law nor warranted by the practice in other jurisdictions. Neither the current Virgin Island Sex Offender statutes (ADD STATUTORY CITATIONS) nor SORNA require by their express terms any "in person" notification for travel. As to the practice elsewhere, registered individuals travel, often daily if not weekly, between states in the United States (say New York to New Jersey or within New England) without any in person notification obligation. As to the SORNA guidelines (ADD FORMAL CITATION), there is a requirement that information about "temporary lodging" (see S114(a)(7) is required when an "offender is staying ... away from his residence for seven or more days" but no comparable requirement when the travel is for less than seven days and, importantly, *no requirement that the notification of "temporary lodging" be made in person.* "Rather, the in-person appearance requirement of SORNA s113(c) relates to changes in name, and to changes in residence, employment, or school attendance ...*The means by which sex offenders are required to report other changes in registration information discussed in this Part {which covers foreign travel} are matters that jurisdictions may determine in their discretion*". SORNA even discusses the case of an offender who is a "long haul trucker" who regularly drives through "dozens of jurisdictions in the course of his employment" saying that registration is not required in each location and that the jurisdiction responsible "*may treat such cases in accordance with their own policies.*" In short there is no legal or policy straitjackets that restrict the Territory from exercising responsible discretion and permitting Mr. Epstein, who travels with such frequency, who has been determined to be a low risk of recidivism, and who is a mature business leader to continue to regularly notify the Department of his travels in or out of the Territory by email or fax.

My request is as follows: that Mr. Epstein continue to report by fax or email he time he plans on departing the Territory, to report by fax or email each time he returns, that Mr. Epstein be continuously available through myself (or through his own cell phone) so that there would never be a meaningful delay if there was any reason you wished to determine his precise whereabouts, and that Mr. Epstein report in person not just the current one time a year but a second time to discuss any issues resulting from his unusual travel imperatives.

I thank you for your consideration of this matter and welcome your response (whether by telephone or by letter) to this communication.

Yours Truly
DKI