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Epstein victims "complicit" so not truly victims, government says

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By Michele Dargan

Daily News Staff Writer

A routine status check Monday on a 2008 federal lawsuit tied to sex offender Jeffrey Epstein's plea deal ended with a new allegation from the government.

The two victims who filed the lawsuit — Jane Doe No. 1 and Jane Doe No. 2 — aren't actually victims because they procured other girls for Epstein and received money for it, Assistant United States Attorney Dexter Lee said in West Palm Beach federal court.

If someone "is complicit in the offenses," they can't be considered victims under the federal Crime Victims' Rights Act, Lee said.

"A Crime Victims' Rights Act action is part of a criminal proceeding normally, but there's nothing normal about this case," Lee said.

Doe 1 and 2 are among more than two dozen underage girls who filed lawsuits or settled claims against Epstein, alleging they were lured to his Palm Beach mansion to give him sexually charged massages and/or sex in exchange for money. They were 14 and 13 at the time.

"Today is the first we've heard that the victims were complicit and this disqualifies them," said victims' attorney Brad Edwards. "This is an additional issue, which will lead to other issues."

Edwards added that although only two victims are named as plaintiffs, they represent dozens of victims who were named by the government as having been victimized by Epstein. Edwards said he plans to have other victims testify at trial.

Doe 1 and 2 are trying to overturn a federal non-prosecution agreement struck between Epstein and federal prosecutors without notice to the victims — a violation of the victims' rights act. The agreement kept Epstein from facing serious federal charges and extensive prison time.

Epstein signed the agreement in September 2007, but victims weren't notified until January and May 2008, according to emails and court documents.

As part of the deal, Epstein pleaded guilty to two state charges in June 2008, serving 13 months of an 18-month prison sentence in a vacant wing of the Palm Beach County stockade. He was awarded liberal work-release privileges.

In January, another Epstein victim alleged in court papers that Epstein forced her to have sex with Britain's Prince Andrew and high-profile attorney Alan Dershowitz when she was a minor. Both have vigorously denied her claims. Dershowitz and Edwards are suing each other in Broward County Circuit Court, alleging defamation.

Edwards told U.S. District Judge Kenneth Marra that he and attorney Paul Casella will file a 80-page motion for summary judgment by Dec. 15. If that motion is denied, Edwards said he thinks it would be possible that the case could be ready for trial by mid-summer.

That was before Lee interjected the new issue.

"There are no deadlines at this point," Marra said. "That is the reason for this hearing, so that it doesn't linger."

Marra asked both sides to get together in the next few weeks and "agree on a schedule to get things done."

After the hearing, Edwards said, "I'm disappointed that they would attempt to call these girls anything less than victims and it's no doubt offensive to the victims. To raise this issue for the first time eight years later is not right."

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