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Subject: Draft: DSK anniversary

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Hi Jeff

Below is a draft of a short piece I am preparing for the anniversary. Any ideas????

One year has past since Dominique Strauss-Kahn was arrested for sexual assault in New York, but, as the prosecutors found out to their dismay in the months that followed, the criminal case against him was not what it seemed last May when he was imprisoned in Rikers Island and his prospects of replacing Nicolas Sarkozy as President of France were crushed. Initially, the prosecutors assumed that this was a simple case of a hotel guest attacking, molesting and imprisoning a hotel maid. There was no reason to doubt the account given to the police on May 14th by the maid, Nafissatou Diallo, that DSK, then managing director of the IMF, had forced her to have oral sex with him in his suite on the 28th floor of the Sofitel. She had worked for the Sofitel hotel for three years and the hotel reported she had an excellent work record. In addition, the preliminary lab report showing DSK's semen mixed with her saliva indicated that the sexual encounter she described had occurred. So with this case in the global headline, the DA's office did not wait to gather other evidence of what happened, including the critical the key swipe records for the 28th floor. It moved to deny bail for DSK, even though he had no prior criminal records, sent him off to prison, and had a Grand Jury indict him for sexual assault based on the testimony of Diallo. He was then confined to strict house arrest.

It was only in late June, more than a month after his arrest, that the prosecutors got the key swipe records and other evidence, and came to realize that their rush to judgment had resulted in an apparent miscarriage of justice. It turned out that Diallo, the only witness against DSK, had given false testimony under oath to the Grand Jury, which she now admitted. In asking for the charges to be dropped- an almost unprecedented move on a high profile case- the prosecutors wrote that the maid's "credibility cannot stand the most basic evaluation" and that "the nature and number of [Diallo's] falsehoods leave us unable to credit her version of events beyond a reasonable doubt." The medical evidence, the prosecutors further noted, does not "prove or corroborate that their encounter was forcible or non-consensual, and fails to corroborate certain aspects of [Diallo's] account of the charged incident." So no witness, no medical evidence. And then a further shock came when a further analysis of the DNA evidence indicated that there had been sexual activities by at least 7 other unknown individuals in the same area of the suite in which she said the encounter took place prior to DSK's arrival on May 13th. One stain in the same section of carpeting in which she spat had a stain containing a mixture of saliva and DNA from semen of three different people. Since the enzyme in saliva would be unlikely to withstand a carpet cleaning, according to forensic experts, this sexual activity involving unknown individuals may have taken place when the \$3,000 a night suite was vacant before DSK arrived on May 13th for a single night. If so, the prosecutors, who did not receive the key records for the suite prior to May 13th, could not be certain that had a complete picture of the uses of the putative crime scene. They therefore dropped every charge against DSK.

Meanwhile, it has not been a good year for DSK. Diallo, who retained lawyers after the encounter, filed a civil suit against DSK in the Bronx in August for alleged damages, and, in March, French magistrates charges DSK with "aggravated pimping" because he participated in sex parties which prostitutes attended.

as ever,

Ed Epstein

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