

July 27, 2010

VIA FIRST CLASS MAIL & FACSIMILE TO (505) 827-3399

Regina Chacon
Department of Public Safety
P.O. Box 1628
Santa Fe, New Mexico 87504-1628

Re: Jeffrey E. Epstein: New Mexico SORNA registration

Dear Ms. Chacon:

Thank you for speaking with me by phone on July 26, 2010. The person I was describing to you is my client Jeffrey Epstein, d/o/b January 20, 1953. Although Mr. Epstein currently resides in the Virgin Islands, he is also the sole beneficiary of a trust which owns a vacation home at 49 Zorro Ranch Road, Stanley, New Mexico, 87056 in Santa Fe County.

Mr. Epstein has pleaded guilty to two offenses and was sentenced on June 30, 2008 in the 15th Judicial Circuit Court of Palm Beach County, Florida in criminal case numbers 06-CF-9454 and 08-CF-9381. I have enclosed the Indictment, Information and Sentences imposed on that date. As you will see, the second offense is Procuring a Person Under 18 for Prostitution in violation of Florida Statute 796.03. That charge was based on conduct occurring between August 1, 2004 and October 9, 2005 with a person, A.D., who turned 18 on October 10, 2005 (in other words, the conduct as alleged occurred when A.D. was 16 and 17). He was released from the last sentence to be served under the two Sentencing Judgements, called "community control" under Florida law, on July 21, 2010.

This offense required, as a matter of Florida state law, sex offender registration. Before Mr. Epstein concluded his sentence, he registered as a sex offender in Florida. Because his primary residence is in the Virgin Islands, he has also registered in that jurisdiction.

My reading of the NM Sex Offender Registration and Notification Act (SORNA) provisions of NMSA 1978, § 29-11A-4, leads me to believe that my client has not committed an offense which would require him to register in New Mexico under state law. However, I have enclosed the pleadings in the Florida case so that you can give me your independent opinion on this as well. I do not read Procuring a Person Under 18 for Prostitution as falling within one of the enumerated SORNA qualifying offenses under NMSA 1978, § 29-11A-3(E) (defining 'sex offense' for purposes of the New Mexico SORNA provisions). Nonetheless, in an abundance of caution, Mr.

EFTA00727954

Page 2

Letter to Regina Chacon

re: Jeffrey Epstein

July 27, 2010

Epstein will be registering with New Mexico local authorities to satisfy any federal SORNA reporting requirements.

I agree with your reading of the NM SORNA statutes that Mr. Epstein's reporting requirements are not triggered until he actually arrives here in New Mexico. The state statute provides for ten days to appear in person at the Sheriff's Office after arrival. For that reason, upon his next visit to the New Mexico vacation home, Mr. Epstein will be appearing at the Santa Fe County Sheriff's Office to register to comply with federal SORNA requirements. I appreciate your offer of assistance in alerting the Santa Fe County Sheriff's Office regarding Mr. Epstein's need to register under Federal SORNA Law, assuming that he need not register under the NM's SORNA provisions.

I also understand that your reading of the State SORNA statutes does not require Mr. Epstein to reappear at the Sheriff's Office in person each time he visits the Stanley vacation house. However, at your suggestion, I intend to have Mr. Epstein call the Santa Fe Sheriffs whenever he is in New Mexico to alert them of his presence at the Stanley home.

In any case, I await your review of the enclosed materials and assessment of whether Mr. Epstein's conviction in Florida gives rise to a state SORNA reporting requirement under New Mexico law.

Thank you for your willingness to review the material and give me your considered opinion.

Please call if you have any questions, need more information, or if I have misunderstood our discussions in any way. I look forward to hearing from you. In case you are calling after business hours, my cell is 505 250 5616.

Sincerely,

PETER SCHOENBURG
Attorney At Law

PS/cls

Enclosures: Indictment returned July 19, 2006
Information filed June 26, 2008

EFTA00727955

Page 3

Letter to Regina Chacon

re: Jeffrey Epstein

July 27, 2010

Sentence Imposed on Indictment June 30, 2008

Sentence Imposed on Information June 30, 2008

cc (with enclosures): Rosemary McCourt, Esq.
New Mexico Public Safety Department
P.O. Box 1628
Santa Fe, NM 87504-1628