U.S. Department of Justice

Office of Professional Responsibility

950 Pennsylvania Avenue N.W., Room 3266
Washington, D.C. 20530

MAY − 6 2011

Professor Paul G. Cassell
S.J. Quinney College of Law
The University of Utah
332 South 1400 East, Room 101
Salt Lake City, Utah 84112-0730

Dear Professor Cassell:

Your letter dated December 10, 2010 to United States Attorney ████████████ was forwarded to the Office of Professional Responsibility (OPR). OPR has completed an inquiry into your allegation of professional misconduct by the United States Attorney's Office for the Southern District of Florida (USAO) in the criminal investigation of Jeffrey Epstein. Specifically, you question whether "improper influences" resulted in the USAO's decision to enter into a non-prosecution agreement with Mr. Epstein.

Most, if not all, of the allegations set forth in your letter are currently being litigated on behalf of victims under the Crime Victim's Rights Act in *Jane Doe #1 and Jane Doe #2 v. United States*, Case No. 08-80736-Civ-Marra/Johnson (S.D. Fla.). OPR has jurisdiction to investigate allegations of misconduct involving Department of Justice (DOJ) attorneys or law enforcement personnel that relate to the exercise of an attorney's authority to investigate, litigate or provide legal advice. It is, however, the policy of this Office to refrain from investigating issues or allegations that were, are being, or could have been addressed in the course of litigation, unless a court has made a specific finding of misconduct by a DOJ attorney or law enforcement personnel or there are present other extraordinary circumstances. Based on our review of your correspondence, and the pleadings filed in the *Doe* case, we have determined that your allegations fall into this category. No court has made a finding of misconduct and there are no extraordinary circumstances.

We regret that we can be of no further assistance to you. Thank you for bringing this matter to our attention.

Sincerely,

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Counsel