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To: Michael Wolff <[REDACTED]>

Subject: Fwd: draft op ed.

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From: J <jeevacation@gmail.com>

Date: Mon, Dec 17, 2018 at 12:57 PM

Subject: draft op ed.

To: Ken Starr <[REDACTED]>, Alan Dershowitz <[REDACTED]>, Martin Weinberg <[REDACTED]>, Matthew Hiltzik <[REDACTED]>, Lilly Ann Sanchez <[REDACTED]>

"Sweetheart deal!" So goes the attack on the resolution of a long-ago federal investigation involving our former client Jeffrey Epstein. The attack is profoundly misplaced, supported neither by the law or the facts, nor by the structure of our constitutional republic. To the contrary, Jeffrey was subjected to an aggressive federal intrusion into what would typically be considered a quintessentially local criminal matter in south Florida. **The offense investigated** — at its core, sexual favors for hire — has long been treated as a matter entrusted to laws of the several States, not the federal government. The conduct — **for which Jeffrey took** full responsibility — was a classic state offense and was being treated exactly that way by able, honest prosecutors in Palm Beach County. Nevertheless, far from going “soft” on the matter and without invitation from the state, the federal government intervened. Ironically, now many for their own opportunistic reasons are criticizing the federal decision-makers at the time, including now-Secretary of Labor Alex Acosta (then the United States Attorney in south Florida), for not going far enough.

The critics are wrong on the facts and the law. They also ignore a fact going to the heart of fundamental fairness: In the decade since paying his debt to society, Jeffrey Epstein has led an exemplary life, characterized by responsible citizenship, numerous acts of generosity and countless good deeds.

Here are the true key facts: Jeffrey Epstein, a successful self-made businessman with no prior criminal history whatsoever (and who has never acted as an informant), engaged in illegal conduct that amounted to solicitation of prostitution. **That** conduct was wrong and a violation of Florida state law. Although no coercion, violence, alcohol, drugs or the like were involved, some of the women he paid were under the age of 18. Those facts were carefully assessed by experienced state prosecutors who aggressively enforce state criminal laws. No one turned a blind eye to potential offenses to the public order. To the contrary, the Palm Beach State Attorney's Office conducted an extensive 15-month investigation, led by the chief of the Sex Crimes Division. Mr. Epstein was then indicted by a state grand jury on a single felony count of solicitation of prostitution.

During that intense investigation, the state prosecutors extensively gathered and analyzed the evidence, met face-to-face with many of the asserted victims, considered their credibility -- or lack thereof -- and considered the extent of exculpatory evidence. After months of negotiations, the state prosecutors believed they had reached a reasoned resolution of the matter that vindicated the public interest -- a resolution entirely consistent with that of cases involving other similarly-situated defendants. The system worked as it should.

Then, in came the feds. The United States Attorney's Office extensively and aggressively investigated whether Mr. Epstein had engaged in a commercial human trafficking ring, targeting minors. But that's not what this was, and the federal authorities ultimately acknowledged that, deferring prosecution to the state. But not without conditions. The federal prosecutors insisted on many unorthodox requirements that Mr. Epstein's experienced defense team had never seen imposed on any defendant anywhere. Under the federally-forced deal, Jeffrey

was required to request that the state prosecutors demand the imposition of a jail sentence and lifetime sex-offender registration, which would not have otherwise been required under the previously agreed-upon state disposition of this prostitution charge. Importantly, the feds' decision to decline prosecution in deference to the state was reviewed and approved at the highest levels of the U.S. Department of Justice, across multiple administrations. Jeffrey accepted full responsibility for his conduct, complied with the feds' demands, served his sentence, and in the process was treated exactly the same as other state-incarcerated individuals. His conduct while in custody was exemplary, and so characterized by the state custodial authorities.

Jeffrey Epstein has paid his debt to society. He has also, upon the insistence of the federal authorities, paid out millions of dollars to the asserted victims and their lawyers. For over ten years, he has lived a good and law-abiding life, including carrying on his wide-ranging philanthropies.

Our nation faces vitally important challenges, many involving the treatment of women and basic human dignity. Voices are rightly being raised speaking truth to power, especially about women in the workplace. But Jeffrey, an exemplary employer, has long since been called to account by the criminal justice system for his misdeeds of yesteryear. He fully and faithfully has fulfilled every promise and obligation required of him by state and federal authorities. In the spirit of the bedrock American belief in second chances and fundamental fairness, that unhappy chapter in Jeffrey's otherwise-magnificent life should be allowed to close once and for all.

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