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Miami U.S. Attorney's Office recuses itself from Jeffrey Epstein case

AG nominee Barr pledges to look into handling of Epstein case

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Sen. Ben Sasse questioned attorney general nominee William Barr about the Jeffrey Epstein case on January 15, 2019, getting the nominee to commit to having the Department of Justice look into the handling of that case if confirmed. **C-SPAN** Meta Viers

BY JULIE K. BROWN

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Just days before a Friday deadline, the Justice Department has reassigned the Jeffrey Epstein victims' rights case to the U.S. Attorney's Office in Atlanta, the attorneys representing Epstein's victims' attorneys said Tuesday.

Miami federal prosecutors, in letter to attorneys for the victims's lawyers on Monday, said they had recused themselves from the case, according to Brad Edwards and Jack Scarola, representing Epstein's victims.

 Byung Jin 'BJay' Pak, the U.S. attorney for the Northern District of Georgia, will inherit the existing Epstein case from Miami's U.S. Attorney's Office.

The reassignment means that the U.S. attorney for the Northern District of Georgia, Byung J. "BJay" Pak, will oversee the case for the government. Pak, a former Georgia lawmaker, was appointed Atlanta's chief federal prosecutor by President Trump in October 2017.

The Justice Department is still under a Friday deadline for prosecutors to confer with the victims' attorneys in an effort to settle the case. On Feb. 22, U.S. District Judge Kenneth A. Marra in Palm Beach ruled that federal prosecutors, under former Miami U.S. Attorney Alexander Acosta, broke the law when they [concealed a plea agreement from more than 30 underage](#) girls in Palm Beach who had been sexually abused by Epstein, a multimillionaire New York hedge fund manager.

Marra stopped short of voiding the agreement, which granted Epstein and an untold number of accomplices immunity from federal prosecution for sex trafficking crimes, provided Epstein plead guilty to minor charges in state court. At the time of the plea deal, federal prosecutors had gathered enough evidence against Epstein to write a 53-page federal indictment, court records show.

The story behind a Palm Beach sex offender's remarkable deal



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Emily Michot

An investigation by the Miami Herald, "[Perversion of Justice](#)," found that after Acosta met privately with one of Epstein's lawyers, the government agreed to seal the plea agreement so that no one — not the victims, not even the state court judge who sentenced Epstein — would know the full extent of his crimes. Epstein, now 66, was allowed to plead guilty to prostitution charges and served 13 months in the Palm Beach County jail, where he was given liberal work release, and allowed to travel to New York and his private island in the Caribbean during his subsequent house arrest. He was released in 2009, and now divides his time between New York, Palm Beach and the U.S. Virgin Islands.

The Herald interviewed four of Epstein's victims, who were as young as 13 at the time they were abused by Epstein. They said they felt betrayed by state and federal prosecutors, who treated them like prostitutes instead of victims. Two of them sued the federal government in 2008 under the Crime Victims' Rights Act, which grants crime victims the right to be informed about plea deals and to confer with prosecutors.

Marra, in a 33-page opinion, said prosecutors not only intentionally violated the Crime Victims' Rights Act, but they misled the girls into believing that the FBI's sex trafficking case against Epstein was ongoing — when, in fact, prosecutors had secretly closed it after sealing the plea bargain from the public record.

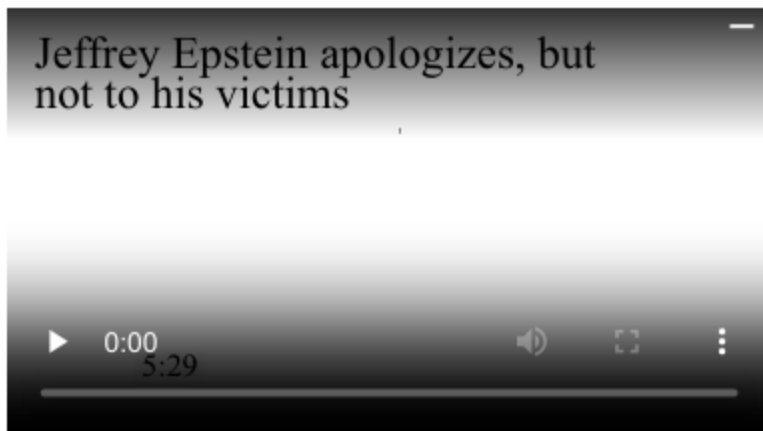
Marra, noting that he reviewed affidavits, depositions and interrogatories, said “Epstein worked in concert with others to obtain minors not only for his own sexual gratification, but also for the sexual gratification of others.”

The victims’ attorneys — Edwards, Scarola and Paul Cassell — have asked the Justice Department to throw out Epstein’s plea agreement and reopen the criminal investigation.

Edwards, who brought the victims’ rights case against the government, said transferring the case to another jurisdiction is a prudent decision.

“I think it’s good that we’re going to get fresh eyes and a fresh opinion on the way the case was handled,” Edwards said Tuesday. “We were obviously in an adversarial posture with the U.S. Attorney’s Office in Miami because they handled the case to begin with.”

Miami’s new U.S. Attorney, Ariana Fajardo Orshan — who was appointed by President Trump in September — did not respond to a request for comment.



Jeffrey Epstein apologizes, but not to his victims

Emily Michot

Edwards predicted that it would take some time for Pak’s office to review the case, which includes more than 500 docket entries and thousands of documents. He said If the sides can’t agree on a resolution, then Marra would likely have to come up with one. The case is being closely watched by crime victims’ rights advocates, as it will likely set a precedent.

Acosta, who was appointed by Trump as the U.S. secretary of labor in 2017, is the focus of a separate Justice Department investigation into whether there was any prosecutorial misconduct in the Epstein case. That probe, by the DOJ's Office of Professional Responsibility, was initiated in response to demands from a bipartisan group in Congress, led by Republican Sen. Ben Sasse of Nebraska and Democratic Rep. Debbie Wasserman Schultz of Florida.

In the meantime, a court hearing will be held at 4 p.m. Wednesday in New York in another Epstein-related case. A federal appeals court will hear oral arguments in a motion by the Miami Herald, supported by 32 other news organizations, asking the court to unseal documents that could reveal details about the extent of Epstein's crimes and any other people who may have been involved.

Three of Epstein's former attorneys — who helped negotiate his plea deal in 2008 — wrote a letter published in the New York Times on Monday, defending the plea bargain cut with Acosta as a fair deal. The letter was in response to a Times editorial that called on Congress and the Trump administration to hold Acosta and others involved in the case accountable.

Epstein's lawyers said the editorial's conclusions were "in profound conflict with the reality," noting that there was no evidence that Epstein committed federal sex trafficking offenses. The letter was signed by former Epstein lawyers Kenneth Starr, Jack Goldberger and Lilly Ann Sanchez, as well as Epstein's current attorney, Martin G. Weinberg.

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