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Local News Greater Palm Beaches and Treasure Coast

Judge: Palm Beach sex offender Jeffrey Epstein agreement to remain sealed

By MICHELE DARGAN
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A federal judge has ruled that a non-prosecution document under which the government agreed not to pursue federal charges against sex offender Jeffrey Epstein will remain under seal - at least for now.

The U.S. Attorney's Office and Epstein's lawyers reached the agreement before Epstein pleaded guilty to state felony charges, and the document is under seal in Epstein's state criminal file.

Representing two of Epstein's victims, attorney Brad Edwards asked to have the document unsealed as part of his federal lawsuit against the Manhattan money manager. Although Edwards and his victims have seen the agreement, Edwards says in his pleadings that the government has "inaccurately described the agreement ... creating a false impression that the agreement protects the victims."

U.S. District Judge Kenneth Marra ruled that the claims, even if true, haven't damaged Edwards' case.

"If and when such alleged mischaracterizations become relevant to an issue to be decided by the court, the parties will be given the opportunity to advance their positions and the court will resolve the issue," he wrote. "If disclosure of the agreement will be required for the court to resolve this issue, appropriate disclosure will be ordered."

Seeking to keep the agreement sealed, Assistant U.S. Attorney Dexter Lee argued that the agreement is not part of any case before Marra.

"The non-prosecution agreement has never been filed under seal in federal court," he wrote.

He also denied that the agreement has been inaccurately described.

Marra sided with Lee on the argument that the agreement was not filed in federal court "under seal or otherwise."

On Aug. 14, Marra ruled that the non-prosecution agreement would be unsealed for Edwards and any of the victims who want to see it. But the ruling bars Edwards and anyone else who sees the document from disclosing the terms to anyone else.

In his motion to unseal, Edwards said he wants to be able to discuss the terms of the agreement with other victims and their attorneys as well as with other victims' rights groups such as the National Alliance of Victims' Rights Attorneys.

The desire to discuss the agreement with third parties is not justification for unsealing the document, Marra ruled.

"If a specific tangible need arises in a civil case ... relief should be sought in that case," he wrote.

Epstein, 56, is serving 18 months in jail for soliciting prostitution and procuring a minor for prostitution.

Under the agreement, federal prosecutors will defer their decision on whether to prosecute Epstein on federal charges until 90 days after Epstein completes all requirements of his state sentence.

If he abides by all court conditions and restrictions, the federal case would be dropped.

In addition to the state criminal case, there are nine federal and seven state lawsuits pending against Epstein.

All contain similar allegations: The Manhattan money manager, through his employees and assistants, brought minor girls to his Palm Beach home at 358 El Brillo Way for erotic massages and sometimes sex.

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