

Feds explain sweet deal for billionaire sex offender Epstein

By JANE MUSGRAVE
The Palm Beach Post

WEST PALM BEACH, Fla. — Federal prosecutors in Florida went on the offensive this month, denying allegations that they bowed to pressure from billionaire Jeffrey Epstein — a resident of the Virgin Islands and Palm Beach, Fla. — and his high-priced lawyers at the expense of dozens of teenage girls he sexually abused.



In their first public comment since 2007 — when they negotiated a deal that allowed Epstein to escape federal charges — prosecutors filed hundreds of pages of documents in U.S. District Court, explaining what led to the now infamous non-prosecution agreement that has been decried as “a sweetheart deal.”

Contrary to claims by attorneys

representing two of Epstein's victims in a lawsuit against the federal government, Assistant U.S. Attorney Marie Villafana said she and her superiors were trying to help the traumatized young women when they agreed to let Epstein plead guilty to state prostitution charges.

The now-64-year-old money manager, who spends most of his time on his estate Little Saint James in the territory, served 13 months of an 18-month sentence in the Palm Beach County Stockade. He was allowed to leave each day to go to work.

Hoping to persuade U.S. District Judge Kenneth Marra to throw out the lawsuit that accuses the government of violating the federal Crime Victims Rights Act, Villafana said she tried to keep Epstein's victims informed about the investigation and the eventual plea deal. But, she said, negotiations were sensitive and neither Epstein, his victims nor their attorneys made it easy.

For instance, she said, most of the young women were extremely

reluctant — or simply refused — to testify against Epstein, who had paid them to give him sexually-charged massages at his mansion. One of the women who is now suing the government insisted Epstein never abused her, Villafana wrote in a sworn affidavit. “I hope Jeffrey, nothing happens to Jeffrey because he's an awesome man and it would really be a shame,” the woman, identified only as Jane Doe 2, told FBI agents in 2007.

While Villafana said she didn't believe her, she also understood the young woman's suffering. Further, she knew she couldn't force her or Epstein's more than

two dozen other victims to testify against him.

Jane Doe 1, who is also suing the government, agreed to testify. But Villafana said one victim wouldn't have been enough to convict Epstein.

Rather than let Epstein use his considerable influence to evade prosecution, she and top officials at the U.S. Justice Department crafted the plea deal.

In exchange for pleading guilty to charges of solicitation of prostitution and soliciting minors to engage in prostitution in Palm Beach County Circuit Court, Epstein was not charged with any federal counts. As part of the agreement, Epstein had to register as a sex offender and agree to settle civil lawsuits that his roughly 30 victims filed against him.

Getting Epstein to agree to pay restitution to his victims and register as a sex offender were key, Villafana wrote. Prosecutors wanted to assure his victims that they would be compensated and that “other minors throughout the country” would be protected, she wrote.

But shortly after Epstein signed the agreement on Sept. 24, 2007, he began fighting it, she said. He and his legal team, including former U.S. Solicitor General Kenneth Starr, whose investigation led to President Bill Clinton's impeachment, contacted high-level

justice department officials. They challenged the terms of the non-prosecution agreement.

Fearing it was falling apart, Villafana said her office and the FBI resumed the investigation and informed the victims of that by letter in January 2008.

In their lawsuit, the victims' attorneys, Bradley Edwards and Paul Cassell, say the letter is evidence of their claim that prosecutors lied to the victims. They also claim that prosecutors never told Epstein's victims about the plea deal.

Villafana said she didn't tell the young women about the terms of the agreement, fearing Epstein's attorneys would use it to crush them if federal charges were filed and the case went to trial. Savvy attorneys would argue that the women were testifying against Epstein because federal prosecutors told them they would get paid restitution if they did, she said.

When she learned Epstein planned to plead guilty to the two charges in circuit court on June 30, 2008, Villafana said she immediately notified Edwards. She said she told him to alert his clients so they could attend the hearing. None did.

Cassell, a law professor at the University of Utah, shrugged off the government's new claims, calling them “meritless.” A written response will be filed at the end of July, he said.

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