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Immunity Incorporated: All the Injustice that Jeffrey Epstein Can Buy

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DIGNITY
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EDITORIAL

IMMUNITY INCORPORATED: ALL THE INJUSTICE THAT JEFFREY EPSTEIN CAN BUY

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The Jeffrey Epstein story is a tale of the rape of hundreds of young girls complete with payoffs that muted his crimes, friends in high places who defended him, corruption of state and federal officials and the shocking history of impunity from which he benefited. It is also an account of spineless men who, one by one, would yield to Epstein's paid posse and run scared when his lawyers and politicians strong-armed the prosecutors.

Jeffrey Epstein's crimes should have generated a velocity force of media attention, but that didn't happen because Epstein and his allies were extraordinarily adept at silencing the victims and the media. This changed in November 2018, when the *Miami Herald* published an epic article that dug deep into Epstein's rape and sexual abuse of young girls.

These are some of the victims' stories and what happened to them. These are some of Epstein's friends in high places who protected him. And these are some of the hopeful signs that justice for the girls who are now women will finally be served, including a federal bill that will empower the Inspector General of the U.S. Justice Department to investigate mishandled prosecutions, which is awaiting Senate confirmation.

For many years, visitors to billionaire Jeffrey Epstein's Palm Beach Florida mansion who made it to the second floor would walk down a hallway filled with naked photographs of women and girls. Most of these visitors were young girls who were pimped into having sex with Epstein.

As told by 16-year-old AH in a statement to the police, each girl would be ordered to get naked and start with a back massage. Epstein would then roll over on his back, begin to masturbate himself, insert his fingers into the girl's vagina and then use a vibrator on her. Sometimes, Epstein would instruct the girl to have sex

with one of his female handlers. He took pleasure in watching, sometimes joining in, photographing the scene and displaying these photographs within the house.

AH stated: "Each time something new was introduced, additional monies were produced and offered…to allow these acts to happen." AH was adamant that no vaginal penetration would occur but at the end of the session, Epstein grabbed her, turned her over onto her stomach, and raped her as he held her down. When she screamed he stopped, apologized for his actions and subsequently paid her a thousand dollars (Palm Beach Police Department, 2005-2006).

Other girls described the pyramid scheme Epstein erected to keep the flow of girls coming to his house. A schoolmate persuaded 17- year- old Wendy Dobbs she could earn a lot of money in two basic ways. Either you "let him do things to you." Or, "you bring girls to him." Dobbs said, "He told me the younger the better (Patterson, 2016)."

Many of Epstein's victims were brave enough to contact the Palm Beach police department which took their stories seriously. "This was not a 'he said, she said' situation," Police Chief Michael Reiter explained. "This was 50-something 'shes' and one 'he' – and the 'shes' all basically told the same story."

Most girls were underage, had not completed high school, some were homeless, and most were vulnerable. Like many sexual predators, Epstein had a keen sense for ferreting out the girls' vulnerabilities and using these weak points for his own sexual gratification. He chose girls he thought would not be believed if they told what had happened to them.

The Company He Keeps

Jeffrey Epstein is a high flier. He flies between his numerous homes in Palm Beach, the U.S. Virgin Islands, and New York. Others, mostly men, often fly with him. Among those mentioned as frequent flyers are former President Bill Clinton, Harvard Professor Alan Dershowitz, and Prince Andrew of Britain.

Jean-Luc Brunel was one of Epstein's friends who traveled the world in search of beautiful women. Epstein and Brunel had used Brunel's modeling agency to bring girls into the United States, promising them jobs and setting them up in condos owned by Epstein. When investigators uncovered evidence that Epstein was involved in bringing 13-year-old girls from Brazil and Ecuador to attend his parties, his activities led to suspicions of sex trafficking.

In a sworn affidavit filed in 2015 by attorneys for Epstein's victims, Virginia Roberts who described herself as one of Epstein's sex slaves alleged, "I had sexual intercourse with Dershowitz at least six times. The first time was when I was about 16, early on in my servitude, and it continued until I was 19." She added that Dershowitz had sex with her at Epstein's homes in New York, Palm Beach, the U.S Virgin Islands and on his private plane (Jane Doe #1 & Janice Doe #2, 2015)." Dershowitz has denied that he ever had underage sex with anyone and has accused Roberts of perjury.

Dershowitz has been no legal protector of a woman's right to be free from all forms of sexual exploitation. For years, he has been on the pornographers' payroll as their go-to lawyer, defending them in the name of protected speech. In 1981, Dershowitz debated with Andrea Dworkin at the Schlesinger Library at Radcliffe College in Cambridge. I attended that debate, and Dworkin won it hands down.

Licking his wounds, Dershowitz claimed that lesbians with bicycle chains had threatened him during the event. There were no bicycle chains and no threats but there were probably a fair number of lesbians there, and the largely female audience did talk back and heckled him. As Dworkin has written, civil libertarians like Dershowitz defend what they call the "hecklers' veto," but "when women answer misogynistic insults with cogent, self-respecting speech, Mr. Dershowitz doesn't like speech so much anymore." Dershowitz also suppressed the tape of the debate by refusing to give permission for its distribution.

There are other men who were/are friends of Epstein and who frequented his gatherings and took rides on his plane tagged the "Lolita Express." British Prince Andrew was also implicated in Roberts' sworn statement, alleging that on three separate occasions, Epstein forced her to have sex with the Prince. One "orgy" took place at Epstein's home in the U.S. Virgin Islands that included herself, Epstein, and eight young girls who spoke little English. Afterwards, he paid Roberts $15,000 to "keep my mouth shut (Jane Doe #1 & Jane Doe #2, 2015)." Buckingham Palace has denied all these accusations.

Virginia Roberts testified that Jeffrey Epstein and socialite Ghislaine Maxwell, who has been called Epstein's madam, trained me to be "everything a man wanted me to be."

> It wasn't just sexual training — they wanted me to be able to cater to all the needs of the men they were going to send me to…They told to me to pay attention to the details about what the men wanted, so I could report back to them…Epstein specifically told me that the reason for him doing this was so that they would 'owe him,' they would 'be in his pocket,' and he would 'have something on them.' I understood him to mean… they owed him favors. I also understood that Epstein thought he could get leniency if he was ever caught doing anything illegal, or more so that he that could escape trouble altogether (Jane Doe #1 & Jane Doe #2, 2015).

These words would later turn out to be prophetic.

According to Epstein's flight logs, Bill Clinton flew on Epstein's plane 26 times, some of them without his Secret Service detail. On one of these flights, Clinton travelled in the company of a woman who acted in pornography movies and appeared in Epstein's address book under the heading of "massage." Federal prosecutors believed that another woman who joined Clinton on more than a dozen flights was probably Maxwell, who allegedly procured underage girls to sexually service Epstein and his friends (Pollack, 2017).

Donald Trump, who hasn't much in common with Bill Clinton, except for multiple allegations of rape and sexual assault, has said of Epstein: "I've known Jeff for fifteen years. Terrific guy. He's a lot of fun to be with. It is even said that he likes beautiful women as much as I do, and many of them are on the younger side. No doubt about it – Jeffrey enjoys his social life (Thomas, 2018)."

In 2016, a woman filed federal lawsuits accusing both Trump and Epstein of raping her in 1994 when she was 13 while attending a party at Epstein's house. After Trump tied her to a bed, "I loudly pleaded with Defendant Trump to stop, but he did not." Instead, Trump struck her in the face and "screamed he would do whatever he wanted." Subsequently, Trump threatened that if she revealed what had happened to her, she and her family would be "physically harmed if not killed

(Gerstein & Noah, 2016)." In 2016, she cancelled a press conference, claiming that threats to her life prevented her from appearing. She later dropped the lawsuit for the same reason. Trump dismissed the suit as "baseless, frivolous and irresponsible" (Gerstein & Noah, 2016).

Kenneth Starr has been a member of Epstein's legal defense team since 2007. He is well known for his investigation of President Bill Clinton in the 1990s, and for his disclosures about the sexual details of Clinton's relationships with Monica Lewinsky and Paula Jones. Later as President of Baylor University, America's largest Baptist school, Starr was involved in mishandling widespread sexual assault allegations from women students and was finally pressured into resigning his position as president.

A University Board contended that Starr and other administrators suppressed multiple charges of rape and sexual assault brought by women students. These assaults were committed by members of the football team who created a culture in which players lived by their own rules. Baylor was also using spies to infiltrate sexual assault survivor groups in an attempt to fashion the University's public relations strategy and to manage student protests in response to the women's charges.

Starr claimed that his resignation from Baylor was "a matter of conscience" and said he "willingly accepted responsibility" for his actions as "the captain [who] goes down with his ship." However, if he was truly remorseful and had learned from his mistakes, why would he defend one of the world's vilest sexual abusers? And later, Starr joined high-profile figures who sought no jail time for Christopher Kloman, a retired teacher at the K-12 Potomac School, who pleaded guilty to molesting five of his female students (Wikipedia, n.d.).

Suppressing the Evidence

In 2003, *Vanity Fair* published an article by Vicky Ward entitled "The Talented Mr. Epstein." Most of it was about Epstein's finances, business contacts, extravagant living and the mystery surrounding how he made his money. But there was a line tucked into the article that read: "Epstein is known about town as a man who loves women — lots of them, mostly young."

Journalist Ward could have written much more about Epstein's predilection for sexually exploiting young girls had Graydon Carter, her editor at *Vanity Fair*, not gagged her. Carter wouldn't allow Ward to print allegations that Epstein had tried to sexually seduce two young girls who were sisters (Ward, 2016).

Epstein mounted a campaign attacking both Ward and her sources, deluging Carter with a flood of telephone calls from himself and his friends, bullying Carter to suppress the allegations. Ward later responded in an article in *The Daily Beast* entitled, "I Tried to Warn You About Sleazy Billionaire Jeffrey Epstein in 2003."

In 2005 Palm Beach police began an 11-month investigation into the comings and goings at Epstein's mansion. Neighbors had reported many young women arriving at all hours. Police Chief Reiter recalled that Epstein had probably gotten wind of the investigation since he subsequently sent the department a donation of $90,000.

In the beginning of the investigation, Chief Reiter suspected that Epstein was using his mansion for prostitution. In the Chief's view, prostitution in private residences wasn't high on his list of priorities, because he believed the young women

coming to Epstein were all adults and that prostitution is common everywhere in America — in other words, not a big deal. But to him, sexual exploitation of minors was a different story.

When the Chief obtained his first testimony from one of the young girls who had been Epstein's prey, the case against him began to come together when other victims also came forward. The girls knew what they were talking about and told a shocking tale about Epstein's sexual depravities. Each girl interviewed told a story whose details of Epstein's "massage" routine were remarkably the same.

In a key interview with Jose Alessi, a former houseman employed at Epstein's mansion, he verified that girls brought into the house to sexually service Epstein appeared to be 16, 17 or younger. Another employee testified that his job was to wipe down the vibrators and sex toys (Palm Beach Police Department, 2005-2006). The police also obtained the cell and home telephone records of several more victims and witnesses, and later they were able to access Epstein's private phone information and flight logs on days when girls were slated to give him massages.

When Reiter determined he had all the evidence that he needed, he presented it to the state attorney, Barry Krischer. However, there was one problem. Krischer himself had been accused of sexual misconduct in 1992, allegedly groping, kissing and otherwise molesting a woman who worked as his legal secretary. Krischer denied the allegations (Patterson, 2016).

The police wanted to charge Epstein with felonies that would have placed him behind bars for years. They had assembled a powerful case for justice to prevail. A red flag was raised when Krischer indicated he had doubts about the credibility of the young women who had given evidence against Epstein.

In the meantime, Epstein's lawyers went to work drafting their own version of how the prosecutor should handle the case. They basically rewrote the charges and demoted Epstein's sentence to a mere misdemeanor, or five years of probation and a psychological examination. After the months of work and the credible evidence that had been assembled, Chief Reiter was furious.

In July 2006, a grand jury reached a verdict that outraged the police department, recommending that Epstein be indicted on only one felony count of solicitation of prostitution. The legal team had whittled Epstein's crimes down to a prostitution offense because they were aiming for the legal bottom of the penalty barrel.

In the legal pantheon of penalties, reducing a defendant's sentence to a prostitution charge says a lot about rich clients and well-financed lawyers and how, when caught, they can manage to dial down the sexual assault of women into a more lenient offense for the men involved. The system separates crimes of commercial sexual exploitation from the severity of other sexual assaults perpetrated against women and girls.

After condemning Krischer for not pursuing more serious charges against Epstein, the police chief referred the case to the FBI and the federal prosecutor's office. Reiter was hopeful when Alex Acosta, the U.S. Attorney in Miami, took on the case because Acosta had declared that one of his priorities would be prosecuting anyone guilty of sex crimes. Reiter's optimism was short-lived.

The Miami Herald article that dug deep into Jeffrey Epstein's sexual abuse of young girls revealed how the justice system consistently failed Jeffrey Epstein's victims. Journalist Julie Brown identified 80 of Epstein's victims, four of whom

spoke to her on record. The article brought renewed scrutiny to Epstein's crimes and produced public outrage.

What generated much of the outrage was the corrupt plea deal that Epstein's lawyers negotiated with Alex Acosta. In 2008, Epstein walked away from justice with a boondoggle of legal exemptions: pleading guilty to two lesser state prostitution charges, gaining immunity from four federal criminal charges, and stopping a probe into his involvement in an international sex trafficking operation. As part of the plea agreement, he was required to register as a sex offender, pay restitution to three dozen victims identified by the FBI, and serve 18 months in jail which was ultimately reduced to 13. The plea deal — a non-prosecution agreement — shut down any further FBI investigation into other likely victims and perpetrators.

Instead of being sent to the state prison, Epstein was detained in the more comfortable private wing of the Palm Beach County Jail where he was protected by his own personal body guards from other inmates who might try to enact their own prison justice meted out to sex offenders and pedophiles. Granted special "work release" privileges to travel to his office six days a week, 12 hours per day, he was allowed to freely come and go from jail. This approval was given in violation of a directive from the Sheriff's Department that sex offenders are not eligible for work release.

Ultimately, Alex Acosta and the other federal prosecutors bowed to pressure from Epstein's legal team. As one senator put it, the Department of Justice cut a "sweetheart deal with a sexual predator." A 53-page indictment against Epstein was sealed and Epstein's victims were never notified about the non-prosecution agreement. The agreement violated a federal law stating that crime victims must be informed about plea bargains related to their own cases. As the perpetrators and co-conspirators intended, the cover up would insure that any victims or witnesses would not appear in court to oppose the deal.

More unusual was a provision that "any potential co-conspirators," who were never identified, would be given immunity. This led to speculation that some very influential men feared that if this indictment was made public, they might be charged as Epstein's accomplices in crime or as actual perpetrators. Knowing that he could at any point implicate or blackmail them, they may have joined in buying Epstein the best deal that money could buy.

This shameful arrangement was a second pushback for Reiter who had handed the Epstein case over to federal prosecutors when the state attorney had wavered on filing serious charges. He said: "So many people, primarily the victims, paid so dearly for how this was handled by the government (Mazzei, 2018)."

Acosta whined he was the victim of Epstein's lawyers, calling the plea negotiations a "year-long assault on the prosecution and the prosecutors. I use the word assault intentionally, as the defense…was more aggressive than any which I…had previously encountered (Gerstein, 2017)." Pity the prosecutor! It was the victims who were truly assaulted.

FBI and court documents show that Acosta and his federal team not only caved under pressure but also actively worked with the defense to limit the charges. Records show the prosecutors repeatedly yielded to Epstein's demands and — even dodgier —strategized with the defense about how to settle the case with the least amount of public opposition (Levitz, 2018).

The Outcome

In the immediacy of his release from jail, Epstein admitted he "is not blameless" and has said that he has taken steps to make sure he will not repeat his crimes. His solution was to hire a male masseur and ask friends to become a board of directors to counsel him on his behavior!

In 2011, Epstein petitioned to reduce his sex offender status from a level three to a lower level classification and thus be designated a lesser safety risk. Prosecutors from the office of Manhattan District Attorney Cyrus Vance Jr. argued on Epstein's behalf. The judge denied the petition, saying she was incredulous that a New York prosecutor would make this kind of request on behalf of a serial sex offender who had harmed so many girls.

District Attorney Vance seems to have an aversion for prosecuting perpetrators of sexual assault who are rich, high-powered men. In 2012, Vance dismissed the case against French abuser Dominique Strauss Kahn (DSK) accused of raping Nafissatou Diallo, then-housekeeper at the Sofitel Hotel in Manhattan. In March of 2018, New York Gov. Andrew Cuomo directed the state attorney general to review why Vance in 2015 declined to prosecute movie kingpin Harvey Weinstein's alleged groping of Italian model, Ambra Battilana.

Lawyers for the victims are attempting to void Epstein's non-prosecution bargain and expose him to federal charges. The victims are willing and ready to talk. Some of Epstein's accusers argue that because their civil rights were ignored when they were not informed about the plea bargain, they are pushing for their day in court. Judge Kenneth Marra has been weighing the matter for over a year and, as of this writing, has not issued a ruling. Lawyers for Epstein's victims are asking Marra to either make a decision or set a date for a hearing on the motion to vacate the deal.

"The fact that this monster received such a pathetically soft sentence is a travesty that should outrage us all," Sen. Ben Sasse wrote to Justice Department (DOJ) Inspector General Michael Horowitz. Rep. Debbie Wasserman Schultz of Florida has also contacted the Inspector General seeking an investigation into the circumstances that precipitated this "extremely preferential deal." At least fifteen members of Congress of both parties have also asked for an independent investigation into this pretense of punishment. During U.S. Senate hearings into William Barr's candidacy for U.S. Attorney General, Senator Sasse pursued his earlier probe of Epstein's crimes by eliciting a promise from Barr that if he is confirmed, DOJ will follow through on reviewing its role in the Epstein case (C-Span, 2019).

One roadblock stands in the way of a Justice Department investigation. The DOJ Inspector General currently has no power to investigate mishandled prosecutions, but quick Senate passage of the Inspector General Access Act (House Bill 3154) would remedy this. The House unanimously passed this bill in November, and the Senate should do so as well.

The Epstein deal makes "prosecutorial discretion" a farce. Its message is: The more legal muscle, the more chance of unlimited immunity you will get for committing a crime. It is imperative that the new Democratic led House Judiciary Committee opens hearings into Epstein's plea deal.

Florida state senator Lauren Book, herself a survivor of child sexual abuse, has said: "Where is the righteous indignation for these women? Where are the

protectors? Who is banging down the doors of the secretary of labor, or the judge or the sheriff's office in Palm Beach County, demanding justice and demanding the right to he heard?"

It is hard to examine the facts of Epstein's sexual exploitation of at least 80 young girls without feeling total disgust for the man and his "massages." It is hard to believe that all the prominent men who visited Epstein's parties and various residences, or flew on his planes, were unaware of his sexual crimes. It is easy to believe, given the wholesale immunity given to unnamed "potential co-conspirators," that some of these men fear being outed for engaging in the rape of young girls.

Everything about the Epstein case is suspicious and invites the conclusion that federal prosecutors gave invisibility to some very visible men still hiding in plain sight.

AUTHOR BIOGRAPHY

Janice G. Raymond is a longtime feminist scholar-activist on violence against women and sexual exploitation. She is the former co-director of the Coalition Against Trafficking in Women (CATW). She is the author of many books and articles, most recently the book *Not a Choice, Not a Job: Exposing the Myths about Prostitution and the Global Sex Trade* (Potomac Press, US; Spinifex Press, Australia). Dr. Raymond is professor emerita of women's studies and medical ethics at the University of Massachusetts, Amherst (USA) where she taught for 28 years. In 2007, Dr. Raymond was awarded the International Woman Award from the Zero Tolerance Trust in Scotland.

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