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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 UNITED STATES OF AMERICA,

4 v.

19 CR 490 (RMB)

5 JEFFREY EPSTEIN,

6 Defendant.

7 -----x

New York, N.Y.
August 27, 2019
10:30 a.m.

10 Before:

11 HON. RICHARD M. BERMAN,

12 District Judge

13 APPEARANCES

14 GEOFFREY S. BERMAN
15 United States Attorney for the
16 Southern District of New York

17 BY: [REDACTED]
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Assistant United States Attorneys

19 MARTIN G. WEINBERG, PC
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20 BY: MARTIN G. WEINBERG

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Attorneys for Defendant
22 BY: REID WEINGARTEN
MICHAEL MILLER

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1 (Case called)

2 THE COURT: Good morning, everybody. Please be
3 seated.

4 So just some housekeeping. We have a podium here for
5 both attorneys and others who may be speaking, and so we would
6 like you, attorneys and others who are speaking, to come up to
7 the podium. This room is a little cavernous. We thought the
8 podium over there would be more comfortable.

9 For starters, and for this you don't have to go up to
10 the podium, if you could just indicate your names. This table
11 in front to my left, your right, are defense counsel, and that
12 table to my right, your left, are government attorneys.

13 If we could just ask the attorneys to introduce
14 themselves.

15 MS. COMEY: Good morning, your Honor. [REDACTED]
16 and [REDACTED] for the government. Joining us at counsel table
17 are Special Agent [REDACTED] of the FBI and Detective Paul
18 Byrne of the NYPD.

19 MR. WEINGARTEN: Good morning, your Honor.

20 Reid Weingarten.

21 MR. WEINBERG: Martin Weinberg.

22 Good morning, your Honor.

23 THE COURT: Good morning.

24 MR. MILLER: Good morning, your Honor.

25 Michael Miller from Steptoe & Johnson on behalf of the

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1 defendant.

2 THE COURT: Great.

3 Again, good morning to all of you. This hearing that
4 we're having today considers the government's motion to dismiss
5 the indictment in this case.

6 I must add that it also serves as the opportunity for
7 me to thank all of you, the attorneys and the victims who are
8 here today, among others, for your very hard work and
9 dedication in this case.

10 We also have here today the U.S. Attorney for the
11 Southern District of New York, Geoffrey Berman, who has also
12 been very helpful and indispensable in this matter.

13 The news on August 10, 2019, that Jeffrey Epstein had
14 been found dead in his cell at the Metropolitan Correctional
15 Center, at the MCC, was certainly shocking. Most of you, and
16 myself for that matter, were anticipating that the next steps
17 in this case would be defense motion practice, including a
18 motion to dismiss, followed by a trial on the merits before a
19 jury, if the motions were not successful, and through which the
20 accusers and the accused would come face to face, allowing
21 everyone to get their day in court. Mr. Epstein's death
22 obviously means that a trial in which he is a defendant cannot
23 take place. It is a rather stunning turn of events.

24 The government's motion to dismiss the indictment
25 because of Jeffrey Epstein's death on August 10, 2019, is

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1 relatively straightforward. In my view, a public hearing
2 clearly is nevertheless the preferred vehicle for its
3 resolution.

4 Incidentally, while I'm on this subject, I got some
5 help today from the New York Law Journal from two professors
6 who write that a hearing is -- let me tell you exactly what
7 they said. They say, in part, that this is an odd moment for
8 transparency in a criminal case. I think that is an odd
9 sentence to hear about, transparency in a criminal case.

10 They go on to say that normally, if a prosecutor seeks
11 to dismiss an indictment for such an obviously worthy reason,
12 the court would simply grant the request. As to that
13 statement, I respectfully say it is incorrect as a matter of
14 law.

15 They go on to say the judge would not schedule a
16 hearing and he definitely would not allow the victims to speak.
17 If he did hold a hearing, whatever informational interests the
18 victims may have would be served by affording them a chance to
19 attend the hearing, not by giving them a speaking role.

20 I read it. It was incredulous. I'm still
21 incredulous. I don't quite understand at all. There is a
22 suggestion in the article that the reason they are making these
23 suggestions has to do with minimization of drama in this case.
24 In the Jeffrey Epstein case, there has not been much a
25 minimization of drama, and what little drama might happen

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1 today, I don't think it would be very significant.

2 On a somewhat more serious note, don't quote me on
3 this, but it is my understanding that one of the authors of
4 that article is himself counsel in one of the Epstein-related
5 cases. I was surprised to learn that very recently. I'm
6 certain it is true. I was also surprised that that aspect was
7 not disclosed in the Law Journal.

8 But in any event, I think you know where I'm heading.
9 I respectfully disagree with the Law Journal piece. I was
10 saying that the government's motion is relatively
11 straightforward, and in my view, a public hearing is clearly,
12 nevertheless, the preferred vehicle for its resolution. I'm
13 still convinced of that.

14 A few may differ on this, but public hearings are
15 exactly what judges do. Hearings promote transparency and they
16 provide the court with insights and information which the court
17 may not otherwise be aware of.

18 The victims have been included in the proceeding today
19 both because of their relevant experiences and because they
20 should always be involved before rather than after the fact.

21 Indictment 19 CR 490 charges Jeffrey Epstein with sex
22 trafficking and with conspiracy to commit sex trafficking. The
23 U.S. Attorney, on August 19, 2019, requested that the court
24 approve the government's proposed order of *nolle prosequi*. I
25 think that's a rough justice. That means *nolle prosequi*,

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1 discontinuance by the prosecutor of all or of a part of the
2 case that he or she has commenced.

3 The government in its motion concludes that Epstein's
4 death abates these proceedings. In accordance with Federal
5 Rule of Criminal Procedure 57(b), I determined to hold a public
6 hearing and I notified the victims that they would be given the
7 opportunity to be heard before any final action on the motion.
8 That is the purpose also of today's proceeding. I would do
9 that every time.

10 Also, recognized that Epstein, Mr. Epstein died before
11 any judgment of conviction against him had been obtained, and
12 that the government's proposed order appears, in form and
13 substance, to be appropriate.

14 Federal Rule of Criminal Procedure 48(a) codifies the
15 *nolle prosequi* process. It is entitled dismissal, and it
16 states in relevant part that the government may, with leave of
17 the court, dismiss an indictment, information, or complaint,
18 and that leave of the court proviso, you should know, was added
19 as an amendment to the original draft of Rule 48, which had
20 originally provided for automatic dismissal upon the motion of
21 the government.

22 This proviso, in my judgment, is clearly directed
23 toward an independent judicial assessment of the public
24 interest in dismissing the indictment. Thus, even whereas, in
25 this case, the standard of court review is deferential, the

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1 court must still make its own independent determination. A
2 conclusory statement from the government that dismissal is
3 appropriate does not satisfy the court's obligations.

4 It is also, in my view, required that the court
5 consider the views of the victims in the case at the hearing
6 and before deciding whether to grant the motion. This is being
7 done here both as a matter of law and as a measure of respect
8 that we have for the victims' difficult decisions to come
9 forward in this matter.

10 In a case called United States v. Heaton,
11 H-e-a-t-o-n-, the government filed a Rule 48 motion for leave
12 to dismiss a charge against a defendant who allegedly committed
13 a sexual offense against a young victim. Although I should
14 point out, very importantly, that that defendant was still
15 alive, which distinguishes it from our case.

16 Nevertheless, I think it is irrelevant because in
17 evaluating the Rule 48 motion, then district Judge Paul G.
18 Cassell -- who is now a law professor at the University of Utah
19 and is regarded to be a noted expert in victims' rights --
20 concluded that under the Crime Victims' Rights Act, victims
21 have broad rights that extend to a court's decision whether to
22 grant a government motion to dismiss under Rule 48.

23 I completely share that viewpoint in these
24 circumstances, even though the facts of our case, as I said,
25 are somewhat different from those in Heaton. I believe it is

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1 the court's responsibility, and manifestly within its purview,
2 to ensure that the victims in this case are treated fairly and
3 with dignity.

4 The fundamental substantive principle which applies in
5 considering the government's motion is termed the rule of
6 abatement. This principle originated in the English common
7 law. It was adopted by most U.S. federal courts, but more
8 recently, it has faced some appropriate criticism. The rule of
9 abatement is best explained in the Second Circuit case of
10 U.S. v. Wright.

11 In that Wright case, two defendants had pled guilty to
12 embezzlement and tax evasion. Both defendants appealed, but
13 one of the defendants died while his appeal was pending in the
14 Second Circuit. The Court of Appeals rule that under the rule
15 of abatement, the judgment of conviction against the deceased
16 defendant was required to be vacated and the indictment was to
17 be dismissed. The Wright court held that when a convicted
18 defendant dies while his direct appeal as of right is pending,
19 his death abates not only the appeal, but also proceedings had
20 during the course of the prosecution.

21 The Second Circuit incidentally has also held that
22 when a criminal conviction abates upon the death of a
23 defendant, any restitution ordered as a result of that
24 conviction must also abate, and it is also ruled the same with
25 respect to associated forfeiture orders.

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1 This latter application of the rule of abatement
2 regarding forfeiture has not been universally accepted among
3 federal courts, but it certainly is the law in this circuit.
4 Some of you may be interested to know that some United States
5 courts, state courts, have criticized the rule of abatement,
6 particularly in the face of growing recognition of victims'
7 rights in the criminal justice system, including the Crime
8 Victims' Rights Act.

9 It has been written and contended in the Brooklyn Law
10 Review -- I can give you the cite later -- that when courts
11 abate criminal convictions, they reimpose a burden on victims
12 that legislatures intended to alleviate through these victim
13 rights statutes. The state Supreme Court has even concluded
14 that the expansion and codification of victims' rights provides
15 the changed conditions needed for overruling the rule of
16 abatement. It has also been stated that Alaska's statute and
17 its constitution now require the criminal justice system to
18 accommodate the rights of crime victims. Further, that the
19 abatement of criminal convictions has important implications
20 for these rights.

21 But coming back to our case, which is what you are
22 concerned about and I am as well, it is appropriate to conclude
23 that if the rule of abatement applies to a convicted defendant
24 as in the Wright case, it should also apply *a fortiori* in the
25 Epstein case, which was still in the pretrial phase when

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1 Mr. Epstein died, when there had been no conviction.

2 So that's just some background I wanted to share with
3 you. At this point in time, I would like to turn to the
4 government prosecutors to hear from them in support of their
5 Rule 48 application to dismiss the Epstein indictment.

6 MS. COMEY: Thank you, your Honor.

7 Would you like me to address the court from the
8 podium?

9 THE COURT: If you wouldn't mind.

10 MS. COMEY: Thank you, your Honor.

11 I believe your Honor has accurately summarized the
12 state of the law, as set forth in our papers, in light of the
13 clear Second Circuit law, that upon the death of a defendant
14 before a final entry of a judgment of conviction, all
15 proceedings must be abated.

16 In light of that clear law, the government is legally
17 obligated to seek dismissal of the pending indictment against
18 Jeffrey Epstein, and we respectfully submit, likewise, that the
19 entry of the proposed order is similarly required by law.

20 A few notes to make about that, though, your Honor.
21 To be very clear, dismissal of this indictment as to Jeffrey
22 Epstein in no way prohibits or inhibits the government's
23 ongoing investigation into other potential coconspirators, nor
24 does it prevent the bringing of a new case in the future or the
25 prosecution of new defendants.

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1 It also does nothing to prevent the government from
2 continuing to explore the possibility of seeking civil
3 forfeiture of any assets that were used to facilitate the
4 crimes charged in this indictment. Indeed, as has been stated
5 publicly, investigations into those matters have been ongoing,
6 remain ongoing, and will continue following dismissal of the
7 indictment here.

8 I would also like to note that, as the government has
9 previously mentioned, this dismissal in no way lessens the
10 government's resolve to stand up for the victims in this case,
11 both those who have come forward and those who have yet to do
12 so. We agree with your Honor's sentiment that those victims
13 should be respected, and we appreciate your Honor's recognition
14 of that.

15 One housekeeping matter that I did want to reference
16 for your Honor. The protective order in this case requires
17 destruction or return of any and all discovery material upon
18 conclusion of the case. We have been in communication with
19 defense counsel, who have confirmed that they have returned all
20 physical copies that they have of discovery that the government
21 has produced to date, and they are in the process of deleting
22 any copies that they may have made. So the parties are in
23 compliance with the protective order.

24 Finally, I just wanted to say a word about the victims
25 in this case, and particularly those who are here in court

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1 today. I'll note that in light of the court's order indicating
2 that the victims and their counsel would be permitted to be
3 heard in court here today, the government has endeavored to
4 provide notice to all known victims of today's proceeding. We
5 did so either directly where a victim was not represented by
6 counsel or through counsel where a victim is represented by an
7 attorney.

8 The government does not know exactly how many victims
9 or their attorneys are here today and we do not know how many
10 of them or their counsel would like to speak. To the extent
11 any individuals do wish to speak, we do not know the substance
12 of what they would like to say. We have left that entirely up
13 to the individual decisions of the victims and their attorneys.

14 I will note, though, that throughout this case, the
15 government has endeavored and done our utmost to fulfill our
16 obligations under the Crimes Victims' Rights Act. We have done
17 so by trying to keep as many victims as we are aware of up to
18 date about the ongoing case and about any developments in the
19 case.

20 We will continue to provide services and offer
21 services to any of the victims in this case, even after the
22 indictment is dismissed. Both the U.S. Attorney's office and
23 the FBI have been in touch with all known victims or have
24 attempted to be in touch with all known victims, either again
25 directly where victims are not represented by counsel or

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1 through counsel where they have attorneys. We have expressed
2 to them that services are available for those who wish to take
3 advantage of them.

4 Unless the court has any questions for me, the
5 government will otherwise rest on its papers.

6 THE COURT: I just have one question.

7 The protective order, is that self-executing or do I
8 need to do something?

9 MS. COMEY: It is self-executing, your Honor.

10 THE COURT: Thanks very much, Ms. Comey.

11 MS. COMEY: Thank you, your Honor.

12 THE COURT: Yes.

13 I'll turn to counsel for the defense at this time.
14 Mr. Weingarten, I'm happy to hear from you.

15 MR. WEINGARTEN: Thank you.

16 Your Honor, I think it is an understatement of the
17 year to say the world looks and feels differently today than it
18 did the last time I was before you. For us, the elephant in
19 the room is what happened to our client. I would like to tell
20 you how we see the world and where we are on that subject.

21 We start with the Attorney General's statements,
22 public statements, that there were very serious improprieties
23 in the jail. We obviously read the press. We see that the
24 warden has been taken out. We see that the guards on duty at
25 the time have been put on leave. We understand guards are

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1 refusing to cooperate with the investigation. We have heard
2 allegations that people at the time who had responsibility for
3 protecting our client falsified information. We understand
4 that there were orders out there that Jeffrey Epstein was never
5 to be left alone and that the orders were ignored by many of
6 the employees of the prison.

7 In a word, yikes. In addition, obviously we followed
8 the medical examiner's report, or we haven't followed the
9 report, we haven't seen it, but heard conclusions, initially
10 not enough evidence to come to a conclusion, wanted to see
11 more. We assumed she was talking about the videotapes, but
12 then came to the conclusion that it was suicide.

13 We report to the court that --

14 THE COURT: Suicide by hanging --

15 MR. WEINGARTEN: Yes.

16 THE COURT: -- was her conclusion?

17 MR. WEINGARTEN: Yes.

18 And we report to the court that we had a doctor there
19 at the time, and we also have been in receipt of a tremendous
20 amount of medical and scientific evidence volunteered to us
21 opining that the injuries suffered, as reported, were far more
22 consistent with assault than with suicide, and we are happy to
23 supply the court with all the information that we have.

24 Now, in addition, as the court noted, we were underway
25 with our pretrial motions, and as the court obviously

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1 understands, the NPA and the role of the NPA was going to be
2 critically important. And I would simply like to report that
3 we went pretty far along.

4 We interviewed all of the relevant lawyers on the
5 defense side who participated in the NPA, and we were satisfied
6 that we had a very strong argument that every one of those
7 lawyers believed with an objective basis that the deal was
8 global. That is, at the time --

9 THE COURT: I'm sorry, that?

10 MR. WEINGARTEN: The deal of the NPA was global. That
11 is, more specifically, at the time, the Florida prosecutors and
12 agents knew of conduct in New York, and that no competent
13 defense counsel negotiating in good faith with the prosecutors
14 would have ever agreed to a deal back then that allowed New
15 York prosecutors to indict for precisely the same conduct in
16 the future, which, of course, is what happened.

17 In addition, we have come up with very powerful
18 evidence, we believe, that Florida prosecutors, who
19 participated in the deal, steered the victims and the alleged
20 victims to New York on more than one occasion because they did
21 not want to suffer the sleights of attacks against them. So we
22 have advanced the ball on this very subject and we are prepared
23 to completely report to the court as to where we are and what
24 we've done.

25 Another point. We obviously had contact with our

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1 client at or around the time of his death, and obviously the
2 attorney-client privilege survives death and we are not going
3 to forfeit the privilege, but we will report to the court, with
4 as much specificity as the court may want, that at or around
5 the time of his death, we did not see a despairing, despondent
6 suicidal person. Details to follow, if the court wishes.

7 The 800-pound gorilla, for us, of course, are the
8 video surveillance tapes. Obviously we assume there is a tape
9 that leads directly to the door where Jeffrey Epstein was
10 housed. If that tape reports for 12 hours before his death
11 that no one went in and out of that room, then the suggestion
12 that there was something other than a suicide seems
13 preposterous.

14 But there is no such evidence that has surfaced to
15 date. Just the opposite. We have heard, and we actually read
16 in the press, that the tapes were either corrupted or not
17 functioning. Talk about a yikes. If, in fact, the system was
18 broken for six months before Jeffrey Epstein was housed, I
19 mean, that would be stunning incompetence. If it was allowed
20 to continue to be inoperative when Jeffrey Epstein was housed,
21 it would be incompetence times ten. But what if the tapes only
22 broke down or were inoperative or were corrupted on the day he
23 was killed or the day he died? Then we're in a completely
24 different situation.

25 So where does this lead? I think where it leads,

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1 Judge, is there are incredibly important questions that remain
2 open. The public interest in this matter is obvious from this
3 courtroom. There are conspiracy theories galore. We are all
4 for finding the truth. We believe this court has an
5 indispensable role to play.

6 Whether or not this indictment is dismissed, I think
7 this court has the inherent authority to find out what happened
8 on its watch. Obviously, when the court detained Jeffrey
9 Epstein, the court did not anticipate that weeks later he would
10 be dead in his cell. I think given the inherent authority of
11 the court, the court should make inquiry.

12 This could come in many forms. Obviously the court
13 made inquiry as to what happened in the first incident. When
14 there was an allegation of an attempted suicide, the court made
15 inquiry. The court obviously was interested.

16 I recall your language. You talked about that being
17 one of the several open questions indicating an interest on the
18 court for the others as well. Obviously, the ultimate question
19 is what happened to the client.

20 THE COURT: You're talking about the July 23, 2019
21 incident?

22 MR. WEINGARTEN: Yes.

23 The court obviously could hold hearings. The court
24 could assign a lawyer to help the court. I think this is an
25 area where there is intense public interest. We have complete

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1 confidence in the prosecutors in the Southern District and the
2 FBI to do a competent investigation. But these are allegations
3 against serious components of the United States Department of
4 Justice. Sometimes the appearance of justice is just as
5 important as justice itself.

6 I think the court supervising, or at least keeping an
7 interest in this proceeding, is incredibly important for the
8 public to have confidence in the ultimate findings, and
9 certainly for us to have confidence in the ultimate findings.

10 One more issue, Judge. The conditions of the jail, in
11 a word, they were dreadful. Not just for Jeffrey Epstein, but
12 for many of the prisoners over there. This is a prison within
13 the shadows of this courthouse. The situation is rife with
14 vermin. The abuse and the conditions in that prison, in a
15 word, are a disgrace and everybody knows it.

16 A person with authority told us, someone with
17 knowledge, that the prisoners in Guantanamo -- and he spoke
18 with personal knowledge -- are treated better than the
19 prisoners right across the way. The feds certainly know how to
20 run a disciplined, clean prison. I've been in 20 of them.
21 They know how to do it just fine. And the question is, why in
22 the world does it not happen down the road? I think that is a
23 perfectly legitimate subject for the court to make inquiry.

24 In a word, we want the court to help us find out what
25 happened. The court has a role to play. It is the institution

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1 that most people have confidence in in these very troubled
2 times.

3 So whether or not you dismiss the indictment, to us,
4 is beside the point. We want you to stay on the case, we want
5 you to conduct an investigation, and we want to know what
6 happened here.

7 Thank you, your Honor.

8 THE COURT: Just so it is clear, so your view on the
9 motion directly on its merits of the *nolle prosequi* order and
10 application by the U.S. Attorney, do you have a view on that?

11 MR. WEINGARTEN: I think if the court felt that the
12 case had to stay alive for the court to continue, we would
13 oppose it. I think --

14 THE COURT: I'm sorry, if what?

15 MR. WEINGARTEN: If the issue, if you took the
16 position for you to conduct the investigation or lead the
17 investigation or participate in the investigation, then we
18 want, the role we want you to play, if the indictment has to be
19 alive, we would oppose the motion.

20 I don't think you need to do that. I think you can
21 dismiss the indictment.

22 THE COURT: So you're suggesting that you support the
23 government's motion, just viewed in the context of --

24 MR. WEINGARTEN: Yes, of course.

25 THE COURT: Great.

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1 MR. WEINBERG: Judge, if I can just supplement?

2 THE COURT: Absolutely.

3 MR. WEINBERG: Thank you, sir.

4 Thank you, as an out-of-town lawyer for the privilege
5 to appear in front of you, your Honor.

6 THE COURT: It's my pleasure.

7 MR. WEINBERG: First, as to the conditions, we think
8 your Honor trusted the government, the Bureau of Prisons, to
9 keep our client safe and keep him in civilized conditions. The
10 government will again ask, as to other defendants, that they be
11 detained at the MCC, some subset of them will end up in the SHU
12 unit.

13 It is a horrific. I've called it medieval. There's
14 vermin on the floor. There is wet from the plumbing. There is
15 no sunlight. There is limited exercise. It is simply
16 conditions that no pretrial detainee -- and I would go farther
17 as a criminal defense lawyer -- no United States defendant
18 should be subjected to.

19 Certain judges have taken views of the conditions. We
20 would urge your Honor, the government talks about and we talk
21 about transparency, to see what kind of conditions there exist
22 within 50 or 100 yards of one of the great United States
23 district courts.

24 Second, in terms, we have a profound problem with the
25 conclusions of the medical examiner. There are for three

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1 reasons, your Honor.

2 One is the timing of Mr. Epstein's demise. It was on
3 August 10. On August 12, a bail pending appeal motion was
4 being filed in the Second Circuit. On August 12 or 13, the
5 United States Attorneys were going to respond to our request
6 for the preservation and production of documents that would
7 have facilitated and furthered our efforts to demonstrate
8 communications between the Southern District of Florida, the
9 Northern District of Georgia, which was standing in the shoes
10 of the Southern District of Florida main justice and the
11 Southern District.

12 In other words, we were beginning the process
13 discharging our responsibilities. There had been no new
14 evidence that Mr. Epstein had committed any offense against a
15 minor after 2005. The subject matter of the New York
16 prosecution was squarely within the heartland of the Florida
17 NPA. We had a significant motion to dismiss. This was not a
18 futile, you know, defeatist attitude.

19 Third, we had all the discovery motions that your
20 Honor had scheduled. So the timing for a pretrial detainee to
21 commit suicide on August 10, when his bail pending appeal
22 motion is being filed on August 12, strikes us as implausible.

23 Second, we had an independent doctor who was present
24 at the autopsy which occurred on August 11. On August 11, the
25 city medical examiner's findings were inconclusive. We are

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1 told by a very experienced forensic pathologist that the broken
2 bones in Mr. Epstein's neck, in his larynx, are more consistent
3 with external pressure, with strangulation, with homicide, if
4 you will, than with suicide. It doesn't exclude suicide, but
5 the pure medical forensic evidence creates profound issues
6 about what happened to him.

7 Also the time of death. Our medical examiner's
8 opinion is it occurred at least 45 minutes and probably hours
9 before 6:30 a.m. on August 10, when he was first found, if you
10 will, according to the reports. Yet he was moved, something
11 that is not ordinary in these circumstances.

12 I would also --

13 THE COURT: Excuse me. He was moved?

14 MR. WEINBERG: Instead of having the cell in the
15 condition it was found, if he had been dead for 45 minutes or
16 two hours or four hours, there were efforts to move him and,
17 therefore, make it more difficult to reconstruct whether or not
18 he died of suicide or some other cause.

19 I spoke to Stacey Richmond, who is a responsible
20 member of this court who represents the family of Mr. Epstein.
21 She spoke to the medical examiner on the Friday after
22 Mr. Epstein's death and asked why, if the conclusion was made
23 late in the afternoon on Friday that week. She specifically
24 asked about what extrinsic nonmedical evidence caused the
25 medical examiner to go from uncertain to suicide, and she was

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1 told that the medical examiner had seen nine minutes of one
2 video which was on a stairwell between floors at the MCC. She
3 was told that the principal video that would have showed the
4 whole hall was corrupted. It was in DC with the FBI to see if
5 they can reconstruct it.

6 And I asked the same questions that my co-counsel did,
7 you know, was the dysfunction of the critical pivotal video, in
8 the most secure prison east of Florence, out in Colorado known
9 to the MCC before August 10, or was this corruption occurring
10 on August 10, which would again cause us to be skeptical of the
11 servitude of the medical examiner's conclusions that this was
12 suicide rather than some other cause.

13 So with my co-counsel, we ask your Honor, it is not a
14 question of trust or not trust. They ask you to detain people
15 and you trust the Bureau of Prisons. And it is within your
16 inherit authority, your Honor, to find out what happened to our
17 client.

18 We are angry about the conditions he was held in. And
19 we're also angry, quite frankly, your Honor, that the only
20 source of information that we get as to what happened to him is
21 through the media rather than through the United States
22 Attorney's office. We've made requests informal. We have
23 made Touhy requests. We've been told there is a pending
24 investigation.

25 But we trust your Honor and the judiciary, and with

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1 all due respect, we believe there is an inherent and central
2 role, a pivotal role in your Honor to find out what happened to
3 a defendant in a case before the court, whether or not the
4 court grants the *nolle pros* today or whether it holds it
5 pending an investigation into Mr. Epstein's death.

6 We're not here without significant doubts regarding
7 the conclusion of suicide. We are not here to say what
8 happened. We don't know what happened. But we deeply want to
9 know what happened to our client.

10 Thank you, sir.

11 THE COURT: And you, as Mr. Weingarten, have the same
12 view of the *nolle prosequi* motion?

13 MR. WEINBERG: Yes, your Honor.

14 THE COURT: OK.

15 MS. COMEY: Your Honor, may I respond to some of those
16 points?

17 THE COURT: Sure.

18 MS. COMEY: Thank you, your Honor.

19 Just briefly. With the exception of the noting that
20 the defense does not have an objection to the government's
21 motion, virtually everything else that defense counsel just
22 argued, respectfully is completely irrelevant to the purposes
23 of today's proceeding and to the motion that is pending before
24 your Honor.

25 As an initial matter, the question --

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1 THE COURT: Well, it may be. Well, I don't know. You
2 say irrelevant.

3 It is a public hearing, and I think it is fair game
4 for defense counsel to raise its concerns.

5 MS. COMEY: Certainly, your Honor. But it is
6 irrelevant to whether or not the motion should be granted.

7 THE COURT: Right. I get that.

8 MS. COMEY: I would also note that the question of
9 Mr. Epstein's death is the subject of an ongoing and active
10 investigation, as has been publicly noted, by a separate team
11 of Assistant United States Attorneys from the Southern District
12 of New York, separate from the team who is handling this
13 prosecution, as well as a separate team of FBI agents.

14 There is an ongoing and active grand jury
15 investigation into the circumstances surrounding Mr. Epstein's
16 death. It is the function of a grand jury and of the Federal
17 Bureau of Investigation to investigate crimes in the federal
18 court system. It is not the purview, respectfully, of the
19 court to conduct an investigation into uncharged matters.

20 So respectfully, we disagree with defense counsel's
21 suggestion that the court has some authority to conduct an
22 independent investigation. To the extent any other defendants
23 who are detained in the MCC have concerns about the conditions
24 or believe that the conditions are relevant to a future or
25 current bail determination, it is for those defendants and

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1 their counsel to raise those arguments and for the judges
2 hearing those arguments to evaluate those claims. It is not
3 relevant to today's proceedings.

4 Thank you, your Honor.

5 THE COURT: In those other cases, Ms. Comey, judges do
6 have authority to investigate, but don't here?

7 MS. COMEY: Not to investigate, your Honor, but to
8 hear arguments about the conditions of confinement in the MCC
9 as they may relate to any bail determination. I believe that
10 was the argument that was made.

11 The bigger picture here, your Honor, is that the focus
12 of today's proceeding, as we understand it, is to allow the
13 victims who have gathered here today to be heard and to comment
14 upon the case and to comment upon the motion that is pending,
15 and to bring this case to a close.

16 THE COURT: Got it.

17 MR. WEINGARTEN: May I?

18 THE COURT: Sure.

19 MR. WEINGARTEN: We obviously saw this as, perhaps,
20 the last opportunity to be before you, and we wanted to take
21 advantage of the opportunity to say our peace and thank you for
22 allowing us.

23 There is precedent here. Ted Stevens, the Senator
24 from Alaska case in Washington, DC, Judge Emmet Sullivan
25 ordered an independent investigation by a private lawyer when

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1 he was deeply troubled by the alleged Brady violations. I
2 represented the prosecutors in that case, so I'm very, very
3 familiar with it.

4 It is analogous. It is a situation where there was
5 tremendous controversy over what happened in the case and
6 whether or not the prosecutors went off the reservation. Judge
7 Sullivan -- and there were three or four independent -- not
8 independent, DOJ inquiries into the very same matter. But
9 Judge Sullivan wanted his own opportunity to make a judgment
10 with his own independent investigation.

11 THE COURT: OK.

12 MR. WEINBERG: If I could just add one precedent, your
13 Honor.

14 The Chief judge in the District of Massachusetts or
15 the Chief Judge at the time, Judge Wolf, in a case called
16 U.S. v. Fleming, when the conditions at Walpole, which is a
17 state prison where federal prisoners were being held -- we
18 don't have a federal MCC in Boston -- went to the prison,
19 stayed in the prison to determine whether or not the complaints
20 about the conditions were authentic.

21 I think your Honor has the inherent authority to go to
22 the ninth floor and see how the MCC houses pretrial detainees.

23 Thank you.

24 THE COURT: Are you saying that whether or not the
25 motion is granted that is pending before us?

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1 MR. WEINBERG: Yes, your Honor.

2 I think, like when appeals are taken, bail issues
3 remain before the district court. Jurisdiction is not
4 completely divested. Your Honor issued a pretrial detention
5 order and your Honor has the power, the inherent authority,
6 they are not going to refuse to allow you to go look at the
7 ninth floor. They are going to count on you to make decisions
8 in the future.

9 I just trust that the executive branch is not going to
10 prevent the judicial branch from looking into the death of
11 Jeffrey Epstein or the conditions in the SHU unit at the MCC,
12 sir.

13 THE COURT: Great. Thank you.

14 MS. COMEY: May I, your Honor?

15 Just very briefly, your Honor. I would note that upon
16 the dismissal of the indictment, which I believe the parties
17 agree is appropriate in this case, there would be no case.
18 There would be no jurisdiction for the court to conduct any
19 sort of inquiry, even if the court had such authority.

20 THE COURT: Right.

21 OK. I think we've heard enough.

22 It is at this point in the hearing that I would like
23 to call upon victims' counsel, plural, for any remarks they may
24 have and they may wish to make. Also, to introduce their
25 clients, those of them who wish to be heard.

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1 It would be helpful if, in doing that, if counsel --
2 Mr. Edwards and I see and I see Mr. Boise as well -- I know
3 they are counsel to several, at least several of the victims.
4 It would be helpful if whoever is speaking, both Mr. Edwards
5 and Mr. Boise, would indicate to the court whether or not they
6 have discussed the pending motion with their clients, that is
7 to say and the rule of abatement, etc., etc. with them prior to
8 today's hearing.

9 Are we going to hear from Mr. Edwards first, is that
10 right?

11 MR. EDWARDS: Thank you, your Honor.

12 THE COURT: You bet.

13 It would be helpful, Mr. Edwards, if you would state
14 and spell your name for the court reporter.

15 If you are going to introduce someone else, which I
16 trust that you are, if you could state and spell their name as
17 well.

18 MR. EDWARDS: Yes, your Honor.

19 May it please the court. Brad Edwards, B-r-a-d
20 E-d-w-a-r-d-s, with the law firm of Edwards Pottinger.

21 I have in the courtroom today 15 victims that I
22 represent and have represented over the years. There are at
23 least 20 more who didn't make this hearing today for a
24 multitude of reasons, some out of fear of public exposure,
25 others because the way in which this case ended will never

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1 bring full justice, and they decided it was best for them not
2 to talk today.

3 Some of my clients are going to address the court that
4 are here today. Others are not. Some are going to use their
5 names, and have in the past, and others wish to remain
6 anonymous. And I have instructed each of them to inform the
7 court reporter that they will be proceeding as Jane Doe so that
8 the court reporter can take them down.

9 THE COURT: For those who wish to remain anonymous?

10 MR. EDWARDS: Exactly, your Honor.

11 THE COURT: And that is satisfactory, as far as I am
12 concerned.

13 MR. EDWARDS: Before we do that, I would like to
14 address a couple of the things that have occurred this morning.

15 First of all, whether relevant or not, I personally,
16 and on behalf of my clients, do appreciate the presentation
17 that Mr. Weingarten made and Mr. Marty Weinberg made.

18 I have tremendous respect for Mr. Weinberg. I've
19 worked with him through this and related cases for years, and I
20 understand the reason why they made the presentation that they
21 made.

22 There is two things of interest to our clients in that
23 respect. One is, because of the tragic ending, that none of my
24 clients wanted, nor did I, nor did anyone else, if there is
25 some civil rights violation and there is some civil remedy for

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1 Mr. Epstein that goes to the estate, certainly the victims are
2 interested in that as they might help to repair the damage
3 done.

4 Second, Mr. Epstein's untimely death, the timing is
5 curious to us. But more so, it makes it absolutely impossible
6 for the victims to ever get the day in court that they wanted
7 in court and to get full justice. That now can never happen.
8 I know that Mr. Epstein's attorneys say he wanted it, and they
9 know, we did too. And there are a lot of people here today
10 that are very sad by the way that this ended for both
11 Mr. Epstein and the fact that full justice was robbed from
12 them, once again.

13 The second issue I wanted to address was the Law
14 Review or the Law Journal article that your Honor referenced,
15 which is troubling because the opinion seems to say that
16 transparency is not appropriate in the criminal system and is
17 not appropriate at this point in time.

18 That's tough to swallow, especially in this case,
19 given the long history of this case. Personally, it is tough
20 to swallow, and on behalf of my clients, I can say that is very
21 concerning. Transparency is the only way that the justice
22 system works. We know this because there was a similar
23 investigation of Mr. Epstein many years ago, from 2005 to 2008.

24 My personal involvement in this case was because a
25 young female came into my office named [REDACTED] and she

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1 came to me not asking to file a lawsuit against Jeffrey
2 Epstein, but simply asking for the government to talk to her.
3 She was cooperating in an FBI investigation and wanted the
4 government to speak with her, and I thought that was going to
5 be an easy task.

6 It was only a few months later that we learned that
7 this investigation that was represented to my client in written
8 form, that it would be a long investigation, and to be patient.
9 Basically, to hang tight. It was resolved by way of a secret
10 deal that never allowed any of the more than 30 victims who had
11 been identified of Mr. Epstein's abuse in Florida to ever
12 participate in a single hearing. There was a hearing. They
13 were never notified.

14 I then went on to represent many of them in civil
15 cases and also in extensive pro bono work. And I can tell your
16 Honor that while Jeffrey Epstein's abuse of them hurt them and
17 harmed them for many years, the feelings they had was
18 aggravated exponentially by the facts that they had no rights
19 in the criminal justice system, by the fact that they were
20 treated as if they didn't matter. They were not allowed their
21 rights under the Crime Victims' Rights Act to meaningfully
22 confer with prosecutors, to be treated with fairness, to be
23 treated with dignity. That is what this is supposed to be
24 about, and to have notice of hearings.

25 So I do want to thank your Honor, and especially the

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1 prosecutors who have worked this investigation and this case,
2 which is very different in experience for all of my clients and
3 the other Epstein victims in this case, because they were
4 allowed to be a part of the process. While some of them
5 elected not to be here today, that opportunity should always be
6 allowed for them.

7 In 2008, we filed that case under the Crime Victims'
8 Rights Act because our clients' rights were violated, and as
9 your Honor knows, a federal judge has ruled in our clients'
10 favor that their rights were violated. So this hearing today
11 means a lot to them. The fact that they may never get their
12 chance to speak in court, they may never get complete closure,
13 and all of us have to wonder, if their rights had been afforded
14 them the first time, would any of us be here right now. Or
15 wouldn't it more likely be the case that everyone, including
16 Jeffrey Epstein, would have turned out better for it?

17 Today, I have not only represented, but met and become
18 very close with many of these victims. Many of these
19 survivors. They are very strong people. They are people who
20 have persevered through a lot of adversity. It's been a roller
21 coaster of emotions that has led us to where we are today. And
22 while they have all been cast over the years because of the
23 secrecy of the first investigation, in the shadow as victims,
24 you can't put them all in one bucket and say one size fits all.
25 They are each individual people who were harmed differently and

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1 distinctly through not only the abuse, but the system.

2 And on behalf of all of them, I would like to thank
3 your Honor for the fairness with which they've been treated,
4 and the United States Attorney's office for the way in which
5 you have handled this investigation, and especially how you
6 have treated the victims in this case.

7 Like I said, I have many who want to speak. Some that
8 can't. This is a very difficult day for them. But we
9 appreciate the opportunity and the invitation.

10 The first client that I have that is going to address
11 your Honor is the one who walked into my office in 2008 asking
12 just to be heard, [REDACTED].

13 THE COURT: Hold on one second. Did you all want to
14 be seated?

15 You don't need to be standing. Whatever is more
16 comfortable until you're ready to give some comments. It's up
17 to you.

18 Ms. [REDACTED], if you could spell your name for the court
19 reporters, please.

20 MS. [REDACTED], last name [REDACTED],
21 [REDACTED].

22 (Continued on next page)

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1 MS. [REDACTED]: My name is [REDACTED], and I'm a victim
2 of Jeffrey Epstein. Jeffrey Epstein sexually abused me for
3 years, robbing me of my innocence and mental health. Jeffrey
4 Epstein has done nothing but manipulate our justice system,
5 where he has never been held accountable for his actions, even
6 to this day.

7 Jeffrey Epstein robbed myself and all the other
8 victims of our day in court to confront him one by one, and for
9 that he is a coward.

10 I want to thank the U.S. Attorney's for seeking
11 justice that has been long over due, and most importantly,
12 given us, the victims, our day in court to speak our peace and
13 find some sort of closure. I feel very angry and sad that
14 justice has never been served in this case. Thank you.

15 THE COURT: Thanks very much.

16 MR. EDWARDS: I believe my next client who is going to
17 speak is probably going to speak as Jane Doe.

18 JANE DOE NO. 1: Yes, Jane Doe.

19 THE COURT: We'll say Jane Doe No. 1, just for the
20 record.

21 JANE DOE NO. 1: Okay. Thank you for allowing us to
22 speak today. I've shifted what I want to say in hearing
23 what's already been said, and just about the question of
24 Jeffrey's death. I don't know what the relevance is to this
25 hearing, but I do know that it is profoundly relevant to my

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[REDACTED]

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1 life, as a victim. I don't like that word, but I still feel
2 like I am learning the ways that he's impacted me as a complex
3 situation, but he was also a major part of my life. As
4 destructive as that relationship was and as much of a villain
5 as we have created him to be -- based on facts we've created
6 him to be a villain -- he's a complex villain and actually all
7 of that is irrelevant. Anybody deserves -- an investigation is
8 the right thing to do. Like, we do need to know how he died.

9 It felt like a whole new trauma all over again, and I
10 don't know why, you know, because I -- I'm trying to defend
11 myself against him at this point in my life, but it still does
12 not feel good. It didn't feel good to wake up that morning and
13 find out that he had allegedly committed suicide. Okay. But I
14 also wanted to say to the press, I'm reading -- I read my story
15 in the paper. I read so many other girls' stories that are so
16 similar to my own, and everything that's been focused on is not
17 the most important part of it.

18 There was -- the problem with focusing on these, the
19 facts of the situation, that were out of the ordinary and like
20 because he was such a grand person, and it was just a unique
21 situation. I know that that's the more interesting side of the
22 story, but I don't want to be used as entertainment. And the
23 problem, the fundamental problem of the whole situation is the
24 element of exploitation and coercion, and these are things that
25 so many girls can relate to.

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[REDACTED]

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1 And even though this Jeffrey Epstein brought it to a
2 grand scale, on some level, a lot of girls could relate to the
3 trauma that we are talking about, and even though this whole
4 situation sucks, I would like to think that it may be possibly
5 a catalyst for change because, obviously, as we're seeing with
6 the "Me Too" movement, change needs to happen and it's -- what
7 I'm seeing in the papers is not a common story, but it's so
8 much more common than you realize. That's all. Thank you.

9 THE COURT: Thank you very much.

10 MR. EDWARDS: I believe that the next client is going
11 to also be a Jane Doe; so I think for the purposes of the
12 record it will be Jane Doe 2.

13 THE COURT: Yes.

14 JANE DOE NO. 2: Good morning, your Honor.

15 THE COURT: Good morning. How are you?

16 JANE DOE NO. 2: Doing okay. I hadn't prepared any
17 words to speak today, but there is something that was on my
18 mind this morning when I got here. It's been on my mind in
19 reading through the press and through the people that I've
20 spoken to about it, friends, family. It's something that's
21 bothered me because I think it has a lot of blame in it, as
22 well, a little bit of what my friend, who was up here, was
23 speaking about.

24 I think that a lot of people asked why we spent so
25 much time, why we stayed. It's an experience that's really

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1 hard to explain to people who haven't gone through it. I think
2 there's a writer, Thomas Nagel, who wrote an essay called "What
3 is it like to be a bat?" And I think that he touches on it
4 pretty strongly and if you haven't experienced something, it's
5 very hard to fully understand why someone makes the decisions
6 they do and what the circumstances were.

7 I don't want to speak for all of the victims. I think
8 each of us has a different story and different circumstances
9 for why we stayed in it, but for me, I think he was really
10 strategic in how he approached each of us. Things happened
11 slowly over time. We didn't -- it almost was like, putting it
12 like that analogy of a frog being in a pan of water and slowly
13 turning the flame up. You didn't realize it was happening, and
14 it just -- I don't think anyone can fully understand the
15 experience, but I just -- the blame feels very strong.

16 There's a lot of support as well, but I just want
17 people to try and understand that we aren't bad people. We
18 weren't trying to -- it wasn't a situation where we were trying
19 to extort money from someone. A lot of us were in very
20 vulnerable situations and in extreme poverty, circumstances
21 where we didn't have anyone on our side, to speak on our
22 behalf, and that's really scary.

23 You start to blame yourself because, at first, you
24 don't tell anyone what's happening, and it becomes your deep,
25 dark secret that you tried to keep from everyone. And I didn't

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1 even know I was a victim until I spoke with my lawyers. I had
2 no idea. I had so much self-hatred and doubt and just guilt
3 for everything. I still do. I still don't feel like I deserve
4 to say I'm a victim, and I think that's a big problem with our
5 society right now, that people are still blaming victims, and I
6 think that does need to change.

7 I hope that today people understand that each of us
8 has a story, has a past, has a family and just give us a chance
9 to -- you know, that's basically all I just wanted to say.

10 THE COURT: Thank you so much.

11 JANE DOE NO. 2: Thank you so much.

12 THE COURT: Okay.

13 MR. EDWARDS: Okay. I think that the next person who
14 is going to speak is also going to be speaking as Jane Doe; so
15 for the purpose of the record, Jane Doe No. 3.

16 JANE DOE NO. 3: Thank you for allowing us to speak
17 today. I came to New York City 15 years ago to pursue modeling
18 from a small town. I signed on with an agency and was excited
19 to pursue my passion and my dream. Several months later, I met
20 a female who told me about Mr. Epstein. She portrayed him as
21 an amazing man who genuinely cared for people and that he was
22 going to be able to help me in a modeling career.

23 I was excited to meet him, after hearing her talk
24 about him. He sounded like an amazing person. An introduction
25 was made at his New York home, and it is there that I was

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1 sexually assaulted. I left his home, after he threw me,
2 basically put money on the table, and I was ashamed. I was
3 embarrassed. This was not the way I was brought up, and I
4 couldn't believe this had happened to me.

5 I left and my world kind of spiraled after that. I
6 stopped going on modeling castings. I gained weight. I became
7 depressed. I stopped going out with my friends, and only five
8 months after I had been in New York City to pursue my dream, I
9 left. I left the modeling industry, and I left New York City,
10 and I totally switched my career paths.

11 I buried this deep within me, and all of the new
12 occurrences that have come up in the media is what brought it
13 back up for me. And I feel sickened and saddened that it took
14 so many years, and God knows how many victims, for this to
15 finally come out, but I'm thankful it did. And I'm just angry
16 that he's not alive anymore to have to pay the price for his
17 actions. So I thank you for your time.

18 THE COURT: You're very welcome.

19 MR. EDWARDS: Your Honor, Jane Doe No. 4, I believe,
20 is going to speak now.

21 JANE DOE NO. 4: Good morning, your Honor.

22 THE COURT: Good morning.

23 JANE DOE NO. 4: I just have something very short to
24 say. I met Jeffrey Epstein at a very vulnerable place in my
25 life, and whatever the outcome is with everything, I just

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1 wanted to express that we, the victims, we will always carry
2 irreparable damage and pain throughout our lives after this.
3 It's something that's never going to go away.

4 You know, whoever we marry in our life, whatever
5 future we have in our life, it's always going to be something
6 that's always there for us. And I'm very nervous right now.
7 And Jeffrey Epstein, he took away the chance I had at having
8 the future I had envisioned for myself as a young girl, and I
9 think many of us here today will never fully heal from that
10 pain and the heartache that we'll continue carrying with us.

11 So I just wanted to say that. It's something that
12 it's irreparable. I can't even really use a better word to
13 describe that. So thank you for hearing us today.

14 THE COURT: You're very welcome.

15 MR. EDWARDS: Your Honor, Jane Doe No. 5 would like to
16 speak.

17 JANE DOE NO. 5: This is a letter that I wrote; so
18 it's going to be: Dear Jeffrey, I think you are a mentally
19 disturbed human being. You used your power to make me believe
20 at a young age that I could have my dreams of being a model.
21 You paid for your freedom. You violated my rights. You should
22 have to pay for them, just as anyone else. You got a plea deal
23 that no one else would have been able to get. You used your
24 money to get out of paying the price for your actions.

25 Also, as a victim, I never got to see what the

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1 agreement was or why the special treatment got approved. I
2 think you should have been in jail for several years in
3 population and live like everyone else that is mentally
4 disturbed like you. You paid for yourself to get special
5 treatment while you were in jail. I don't even think you spent
6 a day in a jail as a normal human being.

7 You had investigators come to my house and also went
8 to my friend's house to question them. I will never be able to
9 over -- I will never be able to get over the overwhelming
10 emotions and embarrassment I experienced from that trauma. I
11 needed therapy several times a week and had high stress and
12 anxiety levels.

13 You paid your way to make the public think that the
14 girls had nothing in life going on for them. You wanted to try
15 and blame that we were lower class and that was the problem
16 with the girls. I was from a middle class family and did well
17 in school. I lived the American girl dream -- or the American
18 girl life. I went on family vacations around the world, grew
19 up in a good city, and my parents are still married to this
20 day. Basically, everything you said that we didn't have in our
21 life, I did.

22 It all came down to I was told I was making \$200 in an
23 hour. Being young, that was a lot of money, and I didn't know
24 any better. Sadly, you were the one with an illness that you
25 should have to go and see a doctor and also have a mentor group

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[REDACTED]

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1 for the sickness you have. I will continue with writing my
2 book about that secret life, with all the newspaper articles of
3 the case, my high school agenda book of official dates. I'm
4 basing that proof that I deposited cash after leaving
5 Jeffrey's. I still have all of the information, articles that
6 I collected over the years.

7 You mentally and physically traumatized me. I went to
8 therapy, and it was the best thing I did for myself. If anyone
9 only learns one thing from this case, I hope is that money
10 should not let you buy your way free. A crime is a crime and a
11 victim is a victim. Thank you.

12 THE COURT: Thank you. Thank you very much.

13 MR. EDWARDS: Your Honor, my next client is [REDACTED]
14 [REDACTED]

15 MS. [REDACTED]: I met Jeffrey Epstein through my first
16 massage teacher, a man who took me in as his apprentice to
17 teach me a practice I wanted to learn while in desperate search
18 to find a cure for a debilitating neurological disorder that I
19 have, which manifests into violent vomiting attacks, largely
20 triggered by stress. It's called Cyclic Vomiting Syndrome.

21 I was recruited by Ghislaine Maxwell. Upon my first
22 meeting of her, I wouldn't know I had been recruited until many
23 years later, when I would read it in a headline. Ghislaine and
24 Jeffrey took me in. They sent me to school. They gave me a
25 job. They flew me around the world, introduced me to a world I

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1 had only dreamt of and made me feel as though I had become a
2 part of their family, another thing I was desperately searching
3 for.

4 But on my third or fourth time meeting them, they
5 brought me to Jeffrey's island for the first time, and on the
6 first night there, [REDACTED] came tapping on my door late at
7 night to inform me Jeffrey was ready for another massage. My
8 instincts told me this didn't feel right, but I got up and
9 followed her to a villa I hadn't yet seen. Jeffrey and
10 Ghislaine's villa.

11 I began my massage, trying not to let him smell my
12 fear and obvious discomfort, but before I knew what was
13 happening, [REDACTED]

14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]

18 [REDACTED].

19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]

23 I spent two weeks vomiting, almost to death, in a
24 Los Angeles hospital after that first encounter. Jeffrey's
25 abuse would continue for the next three years, and I allowed it

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[REDACTED]

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1 to continue because I had been taken advantage of my entire
2 life and had been conditioned to just accept it.

3 It took me a long time to come forward, too long
4 maybe, and all it took to bring -- and all that it took to
5 bring this man to justice has been robbed by his death. Every
6 day, every week I've spent in the hospital since, I've suffered
7 and he has won. Every job offer that's been offered to me and
8 then retracted because of my connection to this case, I have
9 suffered and he has won. Every public humiliation I have
10 endured, I have suffered and he has won. Every relationship
11 that I've had to end because of the abuse that I have endured
12 by the hands of this man, I have suffered and he has won.

13 Every woman sitting in this room today, and all of the
14 women who have yet come forward and who have not yet to come
15 forward and whose lives have been affected by Jeffrey Epstein's
16 sick abuse of young girls, we have all suffered, and he is
17 still winning in death.

18 I refuse to let this man win in death. I couldn't
19 fight back when Jeffrey Epstein sexually abused me because I
20 hadn't yet found my voice. Well, I have found my voice now,
21 and while Jeffrey may no longer be here to hear it, I will not
22 stop fighting, and I will not be silenced anymore. I needed
23 him to hear the pain he's caused, what I've gone through
24 because of him. I wrote a 350-page book of all the pain that I
25 have endured at the hands of this man that I really needed him

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[REDACTED]

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1 to hear. His death has robbed me of that justice.

2 Please don't rob us of justice again. Thank you.

3 THE COURT: Thank you.

4 MR. EDWARDS: Your Honor, I think I have one more
5 client that is going to speak today, [REDACTED].

6 THE COURT: Would you spell that?

7 MS. [REDACTED]: Good morning, your Honor.

8 THE COURT: Good morning.

9 MS. [REDACTED]: My name is spelled [REDACTED]
10 [REDACTED].

11 Thank you, your Honor, for giving us the opportunity
12 to be heard this morning.

13 THE COURT: Sure.

14 MS. [REDACTED]: When I was introduced to Jeffrey
15 Epstein, I was young and full of hope and the foolishness of a
16 teenager. I was idealistic, and I saw the good in people.
17 Jeffrey Epstein manipulated me, coerced me and sexually abused
18 me.

19 Something I think is very important to communicate is
20 that loss of innocence, trust and joy is not recoverable. The
21 abuse, spanning several years, was devaluing beyond measure and
22 affected my ability to form and maintain healthy relationships,
23 both in my work and my personal life. He could not begin to
24 fathom what he took from us, and I say "us" because I am every
25 girl he did this to, and they're all me. And today we stand

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1 together, those that are present and those that aren't.

2 I was a victim, and it has taken me many, many years
3 to stand here and say, yes, it was me. I was a victim, but I
4 will not remain a victim and be silent for one more day.
5 Although I think it's tragic when anybody dies before their
6 time, I'm extremely relieved that Jeffrey Epstein will not be
7 in a position to hurt anymore children or anymore women, and
8 I'm glad to be part of a group of women who are now bonded
9 forever in the trauma that we endured at the hands of this man.
10 Thank you.

11 THE COURT: Thank you.

12 MR. EDWARDS: Your Honor, we had one client who was
13 not able to be here but sent a message through a letter. Her
14 name is [REDACTED]; last name,
15 [REDACTED]. And Brittany Henderson, of my office, is going to
16 read her letter as instructed.

17 THE COURT: Sure.

18 MS. HENDERSON: Thank you, your Honor.

19 THE COURT: Yup.

20 MS. HENDERSON: What happened to me occurred many
21 years ago when I was in high school, but it still effects my
22 life. I was told then that Jeffrey Epstein was going to be
23 held accountable, but he was not. In fact, the government
24 worked out a secret deal and didn't tell me about it. The case
25 ended without me knowing what was going on, without him being

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[REDACTED]

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1 held responsible, without any explanation and without a chance
2 for my voice to be heard. I was treated like I did not matter.

3 Many years later, he was arrested again. These
4 investigators and attorneys representing the United States have
5 been completely different. I am still mad, concerned and
6 confused about how he committed suicide and escaped
7 responsibility again, but I know it is not the fault of the
8 judge or the government attorneys.

9 I was allowed to be a part of the process this time.
10 My attorney was able to tell me what was going on at every
11 stage because they kept him informed. Thank you for inviting
12 me. It means more to me than you can ever know. I was not
13 able to be here this time, but I know that I was allowed to be
14 and I had the chance to attend this hearing, which is helping
15 me in my healing process. The fact that I mattered this time
16 and the other victims mattered is what counts. For that, I am
17 grateful.

18 THE COURT: Thank you.

19 MR. EDWARDS: Your Honor, finally, in 2008 when I
20 filed the case under the Crime Victims Rights Act, it wasn't me
21 alone. I did it with Paul Cassell and Jay Howell.

22 Paul Cassell is here today, and I think your Honor
23 even cited to a piece of -- an opinion of his from when he was
24 on the bench, and he has some remarks to make.

25 Once again, your Honor, I really do believe that this

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1 is a model for how victims should be treated in a criminal
2 process, and we really do appreciate it. Thank you.

3 THE COURT: Thank you.

4 MR. CASSELL: I'll be very brief because I know there
5 are others that want to speak here. I'm Paul Cassell,
6 C-a-s-s-e-l-l, previously served as a federal judge at the
7 District of Utah, currently a law professor, where I teach
8 crime victims rights at the University of Utah, College of Law.

9 I just wanted to take one minute to address some
10 suggestion that there would be no need for a hearing this
11 morning. I think, having heard already from these powerful
12 victims and recognizing how important giving those statements
13 will be in the trajectory of their lives, makes clear that your
14 Honor has followed exactly the right path. Legally, there is
15 one precedent, which is *U.S. v. Heaton*, a case that you cited
16 that I wrote about a decade ago, and as explained in that
17 opinion, victims have important interests in the criminal
18 justice system that can only be recognized if they're given
19 their day in court.

20 With all due respect to other law professors that have
21 recently written an article, I think transparency is one of the
22 overriding objectives in our criminal justice system, and the
23 one substantive action that I would urge your Honor to take
24 today is to publish your remarks as a published opinion. The
25 Heaton case is, to my knowledge, the only reported decision on

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1 this particular issue, even though it's more than a decade old
2 and, yet, we can see today that these problems recur in many
3 other cases. Your remarks today, I think, should be published
4 so that they can serve as a guide for other judges around the
5 country.

6 I would encourage you to add into your remarks a
7 reference to the Crime Victims Rights Act. The Crime Victims
8 Right Act promises victims the right to be treated with
9 fairness, dignity and respect, and the process that we see
10 unfolding this morning is a clear example of how victims can be
11 treated with fairness, dignity and respect.

12 So I know that your Honor is wondering what is the
13 appropriate action here. Unfortunately, it seems like there
14 are no other legal options, but there was a legal option for
15 you to decide to exercise, which was to allow these victims to
16 come forward. And if there's been one positive thing that has
17 come out of the tragedies, the abuse, the other events of this
18 case, it's been your decision to allow these victims to be
19 heard this morning, and I encourage you to publish your
20 decision and to encourage other judges to follow what is
21 clearly a model for crime victims rights and is clearly an
22 example that should be followed in other cases down the road.

23 THE COURT: Thank you very much. I appreciate your
24 being here. I had no idea that you would be here when I wrote
25 the remarks, but it was clear from the literature that you are

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1 the leading expert formerly of the District Court of Utah, I
2 believe, and it's a pleasure to have you here today.

3 MR. CASSELL: Thank you, your Honor.

4 THE COURT: Thanks.

5 Mr. Boies?

6 MR. BOIES: Thank you, your Honor. David Boies of
7 Boies Schiller Flexner. We have with us today five of the
8 victims that we represent. There are a number of additional
9 victims who either were unable to attend or are still unwilling
10 to come forward publicly. This has been an enormously
11 traumatic aspect of their lives, something that, as you've
12 already heard and will hear more today, is something that they
13 can never entirely escape from.

14 I want to, as prior counsel have, commend both the
15 Court and counsel for the Department of Justice for the
16 consideration and respect and attention that they have paid to
17 the victims. We believe that that is not only right, as a
18 matter of human dignity, but we think that is exactly what the
19 law requires and intends.

20 I will be more blunt than the Court has been, or
21 Professor Cassell has been about Professor Green's article.
22 That is an article that cites no authority, and I believe there
23 is no authority for his proposition. I entirely respect his
24 right to advocate on behalf of his client Alan Dershowitz, who
25 has retained him in connection with litigation that we've

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1 brought against Mr. Dershowitz, but I would have expected that
2 the Law Journal or Professor Green himself would have disclosed
3 that connection, which I think is a conflict.

4 But regardless of the appropriateness of his
5 disclosure, or lack of disclosure, I think that his article
6 opposing allowing the victims to have a voice in this
7 proceeding is inconsistent not only with the policy that
8 underlies the Crime Victim Rights Act and the very statute that
9 Mr. Epstein is being prosecuted under, but it ignores the
10 actual language of those statutes, and many other statutes, in
11 which Congress has made clear that the purpose of the criminal
12 law is no longer simply to punish the individual defendant, but
13 it is to find some way of trying to mitigate the damage that
14 has been done to the victims through restitution and economic
15 mitigation, but also through the ability to confront and to
16 have the court system and the justice system and the
17 prosecutors treat these victims as they are victims, as they
18 are human beings, and they are entitled to the respect that our
19 society needs to give every human being. So I think that this
20 is not only commendable, but I think it is what the law
21 requires.

22 In response to the question the Court asked, I have
23 discussed this hearing with my clients. I have told them that,
24 under the applicable law, the government has no alternative but
25 to move to dismiss this case, and I believe under the

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1 applicable law in this circuit, the Court has no alternative
2 but to grant that motion.

3 I think the current law is outdated, as the Court
4 suggested in some of its remarks. I think there will come a
5 time when either an Appellate court or the Congress will make
6 clear that, just as it's possible to continue civil cases
7 against someone after they have deceased, it is possible, at
8 least for purposes of things like restitution, to continue
9 criminal cases, but we are not there now. And, fortunately, in
10 this case, there are other ways and perhaps even more efficient
11 ways to vindicate the interests of the victims here.

12 We greatly appreciate the remarks of the
13 representative of the Department of Justice today, and we, too,
14 on behalf of the victims, are not going to stop when we walk
15 out of this courtroom. We are going to continue to seek
16 vindication against Mr. Epstein's estate and, in some senses,
17 perhaps even more important, against the people who worked with
18 him and enabled him.

19 As you have already heard, and will hear more,
20 Mr. Epstein did not act alone. He could not have done what he
21 did, on the scope and the scale of what he did, for as many
22 years as he did it without the activities and support and the
23 co-conspirator activity of a number of other key individuals,
24 and those individuals also need to bear their share of
25 responsibility, and those people need to have a reckoning as

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1 well.

2 My partner Sig McCawley, who's been working with me
3 for more than five years on this case, is going to, with the
4 Court's permission, introduce five of our clients who will
5 speak briefly to your Court. Thank you very much.

6 THE COURT: Thank you very much, Mr. Boies. Pleasure
7 to have you here.

8
9 MS. McCAWLEY: Thank you, your Honor, the first victim
10 that would like to speak today is [REDACTED].

11 THE COURT: Can we have the spelling of your name?

12 MS. McCAWLEY: Sure. Sigrid, S-i-g-r-i-d, and the
13 last name is M-c-C-a-w-l-e-y, and I'm a partner at Boies
14 Schiller Flexner.

15 THE COURT: Thank you.

16 MS. [REDACTED] Good morning.

17 THE COURT: Good morning.

18 MS. [REDACTED]: Thank you, prosecutors and Judge, and the
19 Court. My name is [REDACTED]. I note today I do feel
20 respected and listened to; so I appreciate that, and I have to
21 say that I commend the boldness of the New York prosecutors for
22 pursuing a man that has, you know -- and others, that have
23 clearly taken a lot from a lot of people.

24 17 years ago I knew him only as "Jeffrey." I was
25 recruited and brought from California to New York, and that

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1 experience for the last 17 years has been a dark corner in my
2 story, in my life, in my life story and that has been
3 definitely made worse by my own self-shame and that -- and
4 anger for normalizing all of the red flags. I feel like we are
5 conditioned to do that, and that's something that needs to
6 change.

7 So I'm here today, you know, I'm coming forward
8 because it is time to bring light to that darkness, and it's
9 time to replace that darkness with light. And I am a survivor
10 of this, and I do aim to progress further from being a
11 survivor, you know. I feel I've worked hard, quite hard, to
12 get to where I'm at now, and I'm definitely at a place in my
13 life where I will no longer cover up. I'll no longer cover up
14 what needs to be brought to light.

15 Jeffrey is no longer here, and the women that helped
16 him are, Ghislaine Maxwell. My experience is with Ghislaine
17 Maxwell and [REDACTED], and they definitely need to be held
18 accountable for helping him, helping themselves, helping one
19 another carry on this huge, almost like a system. So they need
20 to be held accountable, all of them, and I would like to see
21 that, certainly on behalf of myself and for everyone here.
22 Thank you.

23 THE COURT: Thanks so much.

24 MS. McCawley: Our next client, who is going to speak
25 this morning, is [REDACTED].

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1 MS. [REDACTED]: Good morning, your Honor.

2 THE COURT: Good morning. How are you?

3 MS. [REDACTED]: Okay. Thank you. My name is [REDACTED]

4 [REDACTED], that's [REDACTED]

5 [REDACTED]

6 I am a victim of Jeffrey Epstein and Ghislaine Maxwell
7 in the dark and cruel and criminal acts they committed against
8 me and hundreds of other girls and young women for years and
9 years and years, unstopped.

10 Thank you for allowing me to address the Court and
11 speak the truth. I commend the prosecutors from the Southern
12 District of New York for the ongoing investigation and its
13 pursuit of justice for us victims. It has given me hope, and I
14 will not let go of that hope.

15 When I was recruited by Ghislaine Maxwell at
16 Mar-a-Lago, just before I was 17, I thought I was given a big
17 break, and I'd be able to reset my life and become an actual
18 real massage therapist. My hopes were quickly dashed, and my
19 dreams were stolen. Jeffrey Epstein is no longer alive, but
20 this is not about how he died. This is about how he lived.

21 He will not have his day in court, but the reckoning
22 of accountability has begun, supported by the voices of these
23 brave and beautiful women in this courtroom today. The
24 reckoning must not end. It must continue. He did not act
25 alone and we, the victims, know that. We trust the government

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1 is listening and that the others will be brought to justice.

2 Thank you, your Honor.

3 THE COURT: Thank you very much.

4 MS. McCAWLEY: The next client of ours that will be
5 speaking this morning is [REDACTED].

6 MS. [REDACTED]: Thank you, your Honor. My name is [REDACTED]
7 [REDACTED]. I'm a victim of Jeffrey Epstein and
8 Ghislaine Maxwell's international sex trafficking ring.

9 I would like to thank the Court for the dignity and
10 the respect you are showing me here today, as well as the other
11 victims. I would also like to acknowledge and extend my
12 gratitude to the prosecutors from the Southern District of
13 New York for pursuing justice on behalf of the victims.
14 Please, please finish what you have started. I struggled to
15 find the words to adequately say how important your work is to
16 us.

17 For a very long time Jeffrey Epstein gamed the system
18 at every level, and when he realized he couldn't do that any
19 longer, he showed the world what a depraved and cowardly human
20 being he is by taking his own life. But we, the victims, are
21 still here, prepared to tell the truth, and we all know he did
22 not act alone. We are survivors, and the pursuit of justice
23 should not abate. Thank you, your Honor.

24 THE COURT: You're very welcome.

25 MS. McCAWLEY: Our next client who is going to be

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1 speaking this morning is [REDACTED].

2 MS. [REDACTED]: Good morning, your Honor.

3 THE COURT: Good morning.

4 MS. [REDACTED] [REDACTED].

5 I had the opportunity to speak at Jeffrey Epstein's
6 bail hearing, and I really appreciate that you heard me and
7 listened to me that day. I am so sorry that others will not
8 have the opportunity to stand before him the way that I did.
9 But I'm here today to speak on behalf of my sister, [REDACTED]
10 [REDACTED], who could not be here.

11 Jeffrey Epstein, Ghislaine Maxwell not only assaulted
12 her, but as we're hearing from so many of these brave women
13 here today, they stole her dreams and her livelihood. She
14 risked her safety in 1996, so many years ago, to report them,
15 to no avail, and it is heartbreaking to her and to me that all
16 this destruction has been wrought since that time.

17 We were deeply disappointed and disturbed by Epstein's
18 death and the fact that that was allowed to happen while he was
19 in the government's custody, and I'm encouraged to hear that
20 there will be a full investigation as to how that was allowed
21 to happen.

22 But it is extremely important, as others are saying,
23 that he did not act alone and that the other people that were a
24 part of what he did are held accountable and that that
25 investigation continues.

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[REDACTED]

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1 I believe that we have a real problem in this country
2 with perpetrators of sexual abuse and sexual assault being held
3 accountable. There are so many roadblocks to victims being
4 heard, to cases being investigated thoroughly, and then to
5 those cases being prosecuted. And so I think this is a really
6 important signal to send a message to victims out there that
7 people will take you seriously, people will follow through, and
8 that even those in power, as we have unfortunately seen, that
9 has not been often are able to escape that, that even those in
10 power will be held accountable. Thank you.

11 THE COURT: Thanks so much.

12 MS. McCAWLEY: Our next client, who's going to address
13 the Court is [REDACTED]. She says it much more
14 beautifully than I do; so I'll let her say it.

15 MS. [REDACTED]: My first name is spelled,
16 [REDACTED]; last name is [REDACTED].

17 My name is [REDACTED], and I am a victim of
18 Jeffrey Epstein and the sophisticated sex trafficking operation
19 he ran, where he allegedly was to be a financier.

20 I was 20 and previously modeled and was living in the
21 West Village. I met a young woman named [REDACTED] through a mutual
22 friend. We were friends for a few months. She was an amazing
23 artist and liked to party. One day she called me and asked if
24 I was interested in meeting a friend of hers. She told me he
25 wanted to meet me and really liked blonds, and I thought he was

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1 our age and liked to do the same things we did at that age; so
2 I agreed.

3 On a sunny, crisp day, we took the train together to
4 the Upper East Side. She then began to talk a little bit about
5 him on our way to his house. I was at his house. I was
6 sexually assaulted by both [REDACTED] and Jeffrey Epstein in his
7 mansion. It left me feeling both disgusted and betrayed.

8 As we walked home to the subway afterwards, she
9 continued to tell me about the man who had just abused me with
10 her participation. She seemed exhilarated from the horrific
11 experience. I was shocked and in a daze. This is a few things
12 that she had told me. She told me he went to Cooper Union. He
13 was a mathematical genius. That he had favorite girls that he
14 would take to Chanel for 15-minute, all-you-can-buy shopping
15 trips. She told me his right-hand person had connection to the
16 arts and the fashion world, and she could help me.

17 This is not my complete story. I'll stop here. I'm
18 in a good, stable place in my life, and I had decided to come
19 forward to be a voice to the victims who may not be able to
20 tell their story, or at least not yet. I feel like I am a
21 survivor.

22 Thank you, Judge Berman, for inviting victims to speak
23 today before you. We hope the government is listening very
24 closely to the words we are saying.

25 THE COURT: Thank you very much.

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1 MR. BOIES: Your Honor, just very briefly.

2 THE COURT: Sure.

3 MR. BOIES: I would like to express to the Court how
4 proud I am of all of these women who have come forward. It's
5 taken an enormous amount of strength and courage for them to do
6 so. Thank you.

7 THE COURT: Thanks, Mr. Boies. Hold on one second.

8 (Pause)

9 MS. LERNER: Thank you, your Honor. My name is
10 Kimberly Lerner, of Lerner and Lerner, and your Honor, with
11 your permission, I would like my client, [REDACTED], to
12 stand next to me.

13 THE COURT: Sure.

14 MS. LERNER: Would that be okay?

15 THE COURT: Absolutely.

16 MS. LERNER: Your Honor, I would like to begin by
17 saying that I am in awe of all of these beautiful women. I
18 just want to let you know, on behalf of [REDACTED] and myself, we
19 admire you, we respect you, and we applaud you, and you are
20 brave survivors. And [REDACTED] heart is with all of you, and
21 we thank you so much for coming forward.

22 [REDACTED] when she went public, she thought she was
23 one of the only ones, and to see all of these faces is, I know,
24 amazing for her.

25 Jeffrey Epstein was a predator, a pedophile and a sick

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1 individual. However, he was also a thief. He stole [REDACTED]
2 childhood dreams, her innocence and her self-confidence. She
3 was 14 years old. What he could not buy, he forcibly took.
4 Why? Because he surrounded himself with a network of powerful
5 people who not only looked the other way, but also actively
6 facilitated and participated in his sexual abuse of children.

7 Jeffrey Epstein thought he was above the law, and
8 essentially he was until now. The system let [REDACTED] and the
9 other victims down, but it does not have to end here. We ask
10 the U.S. Attorney's Office and the FBI to bring all of
11 Epstein's enablers and co-conspirators to justice.

12 It has taken [REDACTED] 18 years to find her voice, and
13 again, Jeffrey Epstein has tried to silence her. While she
14 will never have her chance to face him in court, he no longer
15 has any power over her. Today, this brave survivor will be
16 heard.

17 MS. [REDACTED]: Thank you for allowing me to be able to
18 have my chance in court today, to be able to tell you what this
19 horrific man did to my life. You can't even imagine how much
20 it affected my childhood, all the way through my adult life.
21 He robbed me of my dreams. He robbed me of my chance to pursue
22 a career I always adored. He stole my chance at really feeling
23 love because I was so scared to trust anyone for so many years
24 that I had such severe anxiety. I didn't want to leave my
25 house let alone my bed.

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[REDACTED]

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1 The fact that he felt entitled to take away my
2 innocence, the fact that he felt that he could do whatever he
3 wanted, regardless of the laws, hurts me so very much. It took
4 me years to tell anyone what Epstein did to me because I was so
5 ashamed and embarrassed at what people would say or think of me
6 until I found out there were other victims, girls just like me.
7 I knew I could no longer keep my silence no matter how ruthless
8 and powerful Epstein was, and still is even after his death.

9 The fact I will never have a chance to face my
10 predator in court eats away at my soul. Even in death, Epstein
11 is trying to hurt me. I had hoped to at last get an apology,
12 but this evil man had no remorse or caring for what he did to
13 anyone. I felt let down by the people who were supposed to
14 watch him in prison. They let this man kill himself and kill
15 the chance of justice for so many others in the process, taking
16 away our ability to speak.

17 Out of all the damages and side effects that Epstein
18 caused by his heartless and selfish acts, it's very hard to put
19 my feelings and emotions into words, trying to let his
20 horrendous actions go and attempting to forgive him, has been
21 so difficult for me. Yet, as hard as it's been to come so
22 publicly forward, I refuse to let Epstein take me as a victim
23 anymore.

24 I am a survivor. The many that stand before me here
25 today that have shared the horrific experiences with this

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1 deplorable human being, because even though this weak, evil
2 coward tried to steal all of our childhoods, tried to steal all
3 of our innocence and tried to steal all of our means of
4 justice, he will never steal our inner strength, and he will
5 never, ever, ever steal our voice. Thank you so much.

6 THE COURT: You're welcome.

7 MS. GIBBS: Good morning, your Honor. Teri Gibbs,
8 T-e-r-i, G-i-b-b-s. For the record, I am a California
9 attorney. I'm not admitted to the New York State bar. I am
10 here to make a statement on behalf of New York attorney, Lisa
11 Bloom. I work for her firm, The Bloom Firm.

12 Lisa Bloom represents four of Jeffrey Epstein's
13 victims, Jane Doe 6, for the record, Jane Doe 7 and Jane Doe 8.
14 I am so proud of all of you victims who are here today and are
15 able to voice yourselves today. I will not and cannot comment
16 on the criminal case, or Ms. Bloom's communications with her
17 clients.

18 Ms. Bloom would like to share three of her client's
19 statements for the record. Here are the statements. Statement
20 of Jane Doe 6.

21 To the Honorable Richard M. Berman. Jeffrey Epstein
22 stole my innocence. He gave me a life sentence of guilt and
23 shame. I do not consider myself a victim. I see myself a
24 survivor. The abuse that I endured cannot continue. Let's
25 stop this before it happens to other young women. Jane Doe.

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1 Statement of Jane Doe 7. To the Honorable Richard M.
2 Berman. I used to be relatively carefree, inquisitive, hopeful
3 and excited about life, but my life changed because of Jeffrey
4 Epstein. My perspective on life became very dark when I was
5 unknowingly recruited by one of his agents. Jeffrey Epstein
6 ruined me. His recruiter ruined me. The far-reaching
7 consequences of that day ruined my family's lives.

8 I've chosen to remain anonymous in order to protect my
9 family from unwanted media attention.

10 I was just trying to figure out my path in life when I
11 encountered Jeffrey Epstein in his New York City mansion. I
12 cannot even begin to summarize the many detriments this
13 experience of sexual assault has had on my life. Immediately
14 following the incident, I was unable to function and be around
15 other people. My parents had to rescue me and bring me home,
16 where I became a recluse for years.

17 I was changed forever and buried my assault deep down,
18 where the darkness couldn't hurt me anymore, but of course, it
19 has always been here, lingering and affecting me unconsciously.
20 At the time, I was mired in shame, guilt and humiliation. I
21 had somehow tricked myself into thinking that I had allowed the
22 assault to happen, that I did it to myself, that I don't
23 deserve to be alive or to be loved. I believed that I was a
24 disgusting, shameful person who does not deserve to ever be
25 happy. These are the thoughts I've lived with on a daily

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[REDACTED]

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1 basis.

2 Furthermore, because I couldn't tell anyone, out of
3 fear of judgment, blame or retaliation, keeping this secret
4 completely hindered my ability to uncover why these issues
5 existed for me, which could have led to a path of healing over
6 the years.

7 It is time for those of power to do the right thing.
8 It is time for compassion toward our fellow human beings to
9 reign over money, power and greed. We need to protect our most
10 vulnerable to allow them a chance at a normal life, and nothing
11 should come in the way of that. I believe that for future
12 generations, including my own children, this case will set a
13 precedent that victims must no longer suffer in silence on our
14 own or be shamed for coming forward to seek protection.

15 This case should demonstrate to those who want to harm
16 others that there will be a reckoning, and they will pay dearly
17 for the harm they inflict on innocent people. Judge Berman, I
18 thank you for from the bottom of my heart for this forum and
19 opportunity.

20 To all of those survivors who came before me, I
21 commend your bravery. There is no way I could have done this
22 without you.

23 Thank you to the public following this story, for your
24 outrage and desire for answers, which will hopefully move this
25 case forward so that victims can stop having to relive their

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1 experiences every day and move on to begin to heal.

2 God bless the victims, their families, the
3 investigators and public servants working so diligently to find
4 those answers and to right all these wrongs. Jane Doe 7.

5 (Continued on next page)

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1 THE COURT: Thanks very much.

2 MS. GIBBS: One more. Statement of Jane Doe 8.

3 In the past few weeks, I have had to reflect on my
4 interaction with Jeffrey Epstein and realized that, though I
5 have yet to put it all behind me, I am still a victim. I say
6 this because I have to come to terms with it in an effort to
7 truly get past the abuse I suffered at the hands of Epstein.

8 Pursuing criminal penalties against him and having an
9 opportunity to address the egregious crimes he committed
10 against me and other young woman would have helped my recovery
11 process. This all came to an abrupt halt when he took his own
12 life. This point of disclosure is lost.

13 I cannot say that I am pleased he committed suicide,
14 but I am at peace knowing he will not be able to hurt anyone
15 else. However, a sad truth remains. I, along with other
16 people, will never have an answer as to why. I will never have
17 an apology for the wrongdoing. And most importantly, Epstein
18 will not be justly sentenced for his crimes. Now I sit in my
19 home questioning the well-being of those girls like myself. In
20 choosing death, Epstein denied everyone justice.

21 Any efforts made to protect Epstein's name and legacy
22 send a message to the victims that he wins and that he is
23 untouchable. I understand his case may be dismissed or closed,
24 but this makes me feel as though I, and anyone else who fell
25 pry to his hands, simply do not matter.

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1 I ask that you very seriously consider the final
2 decision, because it will undoubtedly affect all other facets
3 of this case, including any future charges brought against the
4 recruiters or third parties to his crimes. I do not want the
5 narrative to be, Those poor girls. I want to send a message to
6 anyone who would consider engaging in similar acts to think
7 twice beforehand. I want some sort of closure for those of us
8 who relive those horrible moments where we were assaulted,
9 abused, and taken advantage of by Epstein.

10 You have the opportunity to help us seek that closure.
11 I appreciate your time and consideration and ask for your
12 continued support in dealing with this case to illustrate that
13 we, Epstein's victims, do matter.

14 Sincerely, Jane Doe 8.

15 On behalf of Lisa Bloom and The Bloom Firm, thank you,
16 your Honor.

17 THE COURT: Thank you, Ms. Gibbs.

18 Did we have any other victim's counsel or victims?

19 Ms. Allred.

20 MS. ALLRED: Good morning, your Honor.

21 THE COURT: Good morning. How are you?

22 MS. ALLRED: Fine. Thank you.

23 Allred, Maroko & Goldberg by Gloria Allred,
24 G-l-o-r-i-a A-l-l-r-e-d.

25 Your Honor, thank you so much for this opportunity to

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1 afford the victims their voice, because many of them have never
2 spoken before. They never spoke in Florida. They never spoke
3 anywhere. They never told their mother. They never told their
4 father. They never told their family members. This is an
5 opportunity for them to be heard. We thank you for that.

6 Your Honor, for 43 years my firm has been the leading
7 women's rights private law firm in the United States. We have
8 helped thousands of victims. And I, as an officer of the
9 court, and as a believer in the system, have tried to encourage
10 the victims to have confidence in the system that should
11 provide them access to justice that should help them to assert
12 and vindicate their rights in a court of law. It has been
13 increasingly difficult in this case for me to say to my clients
14 that they should have confidence in the system of justice given
15 what has occurred in this case, People v. Jeffrey Epstein.

16 Having said that, I am encouraged by the fact that
17 this court, essentially, in an unprecedented situation where
18 the defendant is deceased, is still affording these victims an
19 opportunity to be heard. So we thank you for that. It is some
20 encouragement.

21 Your Honor, you also asked do our clients wish to be
22 heard in reference to some of the issues that have been raised
23 this morning, including what should happen into this case.
24 Your Honor, there has been a suggestion that the court should
25 investigate the circumstances of the death of Mr. Epstein. I'm

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1 not going to repeat the arguments made by counsel, but I would
2 say that if there is jurisdiction, and I know that is a legal
3 issue which has been previously argued, that certainly it would
4 increase the confidence of my clients. Not just my clients,
5 but victims all over, and some are, by the way, located in
6 other parts of the world, to have the court oversee the
7 investigation.

8 We are encouraged by the sensitivity of the attorneys
9 for the United States Attorney's office for the Southern
10 District of New York and the investigation that is going on
11 with the separate team. However, and, of course, the defense
12 is also conducting its own investigation. But I do think the
13 greatest confidence would be if the court in some way would be
14 able to oversee an investigation because the court is a neutral
15 party. And although the court certainly has a stake in finding
16 out what happened to defendants who are in the custody of the
17 federal system and who should be there to face the prosecutors
18 and the charges against them, but now are not because clearly
19 the system has failed.

20 And the United States Attorney has admitted that, and
21 even before he admitted that, everybody knows the system
22 failed. Failed the victims, failed the court, failed everyone.

23 In any event, your Honor, having seen so many
24 thousands of victims of gender violence, sex harassment, sexual
25 assault, I've dealt with child sex trafficking, child

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1 molesters, I mean, this is a unique case because there are so
2 many victims and so many failures of the system. At this
3 point, what we would really ask for is not just words, but
4 words have been helpful, but deeds, and that is very important.

5 In addition, I would like to say, throughout this case
6 is the running theme of the betrayal of trust. Betrayal of
7 trust by Jeffrey Epstein. Betrayal of trust by the system.
8 And betrayal of trust to the victims who had a right to
9 justice. And the Crime Victims' Act should not just be words,
10 it should have meaning and it should be enforced.

11 In essence, we are asking, although you may need to,
12 of course, grant this motion to dismiss, I think because the
13 court has shown sensitivity to victims and victims' needs, if
14 there is a way to at least keep the record open so that victims
15 who have not been able to be physically present in the
16 courtroom today and who have not been able to submit to the
17 court any letters, victim impact, and who have not been able to
18 secure attorneys or speak to attorneys yet -- so, for example,
19 I'll still hearing from victims who I have not been able to
20 meet with yet because they just recently are now contacting
21 me -- so if they could submit, at least for the record, their
22 victim impact statements, that, I think, would be a very
23 important assistance to them. So that would be, at least they
24 would know that what they are sharing is on the record.

25 So, in summary, I would say that they are looking

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1 forward to the very serious investigation by the United States
2 Attorney of who may have conspired in this case, and that is
3 very hopeful, and we're hoping that everyone who may have a
4 role to this criminal prosecution will submit that evidence.

5 This is about power. This is about many victims
6 having lived in fear -- fear of the rich, the powerful, the
7 famous, fear that the system will not afford them justice. So
8 fear of not coming forward. And fear, of course, is a weapon
9 that the rich, powerful, famous, and sexual predators used to
10 silence the victims. But that is gone for a lot of victims
11 because they refuse to suffer in silence.

12 Finally, it does take courage to speak truth to power.
13 We thank this honorable court for giving these victims a voice.
14 We thank them, even after the death of the defendant, for
15 showing respect for the victims, allowing them dignity,
16 allowing them a voice. We do want truth, we do want justice,
17 we do want accountability, and we do want those conspirators to
18 face the justice system.

19 Your Honor, right now we have two of our clients who
20 would like to address the court.

21 THE COURT: Sure.

22 MS. ALLRED: Then I have a couple of statements on
23 victims who do not wish to address the court.

24 As they come up, we'll give them the opportunity to
25 say either their name or Jane Doe.

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1 By the way, thank you, your Honor, for allowing some
2 of these victims to be called Jane Doe. What number the court
3 affords to them, we'll accept whatever that is.

4 Thank you.

5 THE COURT: We're up to nine.

6 MS. ALLRED: Thank you.

7 MS. [REDACTED]: Hello. My name is [REDACTED]. That is

8 [REDACTED].

9 I was going to start this statement by saying that I
10 was a victim of Jeffrey Epstein. But that's not the case. I'm
11 still a victim of Jeffrey Epstein. I'm still a victim because
12 the fear of not being heard stopped me from telling my story
13 for so many years. This lingering fear almost stopped me from
14 attending this monumental movement of strength and power.

15 I'm still a victim because I am fearful for my
16 daughters and everyone's daughters. I'm fearful for their
17 future in this world, where there are predators in power, a
18 world where people can avoid justice if their pockets run deep
19 enough.

20 I'm still a victim because the 17-year-old [REDACTED] was
21 manipulated into thinking she had found someone who cared,
22 someone who wanted to help. Jeffrey knew I had nowhere to go.
23 He knew I was vulnerable, and he took advantage of that poor
24 girl, who will never be the same.

25 I cannot eat at the thought that Jeffrey Epstein -- I

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1 cannot eat at the thought of Jeffrey Epstein not serving the
2 time he needed to realize the pain and suffering he caused so
3 many vulnerable young girls. He thought he was untouchable,
4 and honestly, so did I. I thought he was the most powerful
5 person I would ever meet.

6 But the end is here and here I stand becoming more
7 powerful than he will ever be. Thank you.

8 THE COURT: Thank you.

9 JANE DOE: Jane Doe.

10 Um, in 2004, when I was 15 years old, I flew on
11 Jeffrey Epstein's plane to Zorro Ranch, where I was sexual
12 molested by him for many hours. What I remember most vividly
13 was him explaining to me how beneficial the experience was for
14 me and how much he was helping me to grow. Yikes.

15 I remember feeling so small and powerless, especially
16 after he positioned me by laying me on his floor so that I was
17 confronted by all the framed photographs on his dresser of him
18 smiling with wealthy celebrities and politicians.

19 After he finished with me, he told me to describe in
20 detail how good my first sexual experience felt. That was the
21 first of many lies I was forced to carry for him, the weight of
22 which proliferated my trauma. I felt powerless not merely
23 because one man wanted to strip me of my innocence, but because
24 I was the victim of a system that just enfranchises human
25 beings, making them vulnerable to pedophilic exploitation.

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1 As unjust as what happened to me was, I believe that
2 experience to be a symptom of insidious and pathological
3 violence that extreme wealth yields, a violence which
4 ultimately stays hidden through channels of extreme power that
5 serve it.

6 I first identified with this feeling the night after I
7 was molested by Epstein, when another girl and I took out two
8 of his ATVs and raised them across the mesa. I crashed mine
9 and expressed my concern to the other girl of getting in
10 trouble, which she replied to me, Don't worry, no one gets in
11 trouble for anything here.

12 Even as a child, I understood, in a sad and precocious
13 way, what I hoped we have the ability of changing now. Even
14 though Epstein is dead, there is still justice to be brought
15 for the crimes we felt powerless against concealing for him and
16 the system that supported him for all these years.

17 Thank you.

18 THE COURT: You're very welcome.

19 MS. ALLRED: Thank you.

20 Your Honor, may it please the court. I would like to
21 read a statement for Jane Doe, my client, who is present in
22 court, but requested that I read it.

23 We only have one opportunity at childhood. One
24 opportunity to develop. One opportunity to find direction for
25 our lives. Jeffrey Epstein robbed and denied me at each

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1 opportunity he had.

2 I came from a small Texas town, not far from the New
3 Mexico border. My mother died when I was 11, after suffering
4 from cancer for many years. My father was devastated, as were
5 my siblings and I. My father was saddled with debt. My only
6 hope for college was to get a scholarship.

7 When I was 15, I was a blossoming freshman in high
8 school and was trying to carry on my mother's dream. She
9 wanted me to master the violin. After school, I would often go
10 to a mall in a nearby city. A lady approached me and saw I had
11 a violin case with me and asked if I was any good. We talked
12 about the violin, my family, and why I had clothes that looked
13 like hand-me-downs.

14 The lady told me she works for a very rich man who had
15 a home close by and that he would pay to hear me play. I was
16 told that if I could get away, she could arrange for
17 transportation to and from his place and have me back before
18 anyone knew I was gone. After some hesitation, I agreed. This
19 decision was the beginning of the end of my childhood.

20 The man who only identified himself as J or Jeff had
21 asked if I would give him a massage, and over four visits,
22 eventually progressed to forced [REDACTED]. The money he
23 gave me further placed my young soul into a perverse sense of
24 hell.

25 I was so utterly disgusted with myself and what he did

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1 to me that I stopped going to see him. I had documented the
2 events with a Texas rape crisis center about the man I know now
3 as Jeffrey Epstein.

4 Epstein targeted and took advantage of me, a young
5 girl, whose mother had recently died a horrific death and whose
6 family structure had deteriorated. His actions placed me, a
7 young girl, into a downward spiral to the point where I
8 purchased a gun and drove myself to an isolated place to end my
9 suffering.

10 A voice that could only have been from my mother told
11 me, quote, I am not the victim, I am the victor, and I dare not
12 pull the trigger." I returned the gun days later.

13 Epstein is a coward. He lived his life leaching off
14 the souls of inspiring, young girls due to the fact that he
15 could never know how it feels inspired to live. Like a leach,
16 once Epstein had his fill, he would unlatch and seek out
17 another victim.

18 The only sense of justice I had hoped to see was
19 Epstein being sentenced. However, Epstein died as he lived,
20 taking the easy way out without any responsibility.

21 Your Honor, the next statement is also a statement of
22 a Jane Doe. May it please the court.

23 I was a 16-year-old virgin when Jeffrey Epstein first
24 raped me. I was naive and gullable. He was a pillar of
25 finance and a giant in the world that I was an insignificant

J8RsEPS3

1 part of. I was so impressed that this great man would even
2 talk to me and impart any of his wisdom on me. I gladly jumped
3 at the chance to meet him again, when he told me how impressed
4 he was with my personal story and maturity for my age.

5 When I was in his presence, he made an effort to call
6 celebrities and influential people on speakerphone, like
7 Academy Award-winning actresses and super models, who always
8 answered his calls. Sadly, I was impressed.

9 He was friends with former and future heads of states
10 and every other fixture in the New York social scene and
11 beyond. He knew important people in my own world that I looked
12 up to and revered, but he spoke about them like they were sweet
13 distractions far beneath his stature. He could easily reach
14 down from his position and influence the people directly
15 involved with my daily life and future prosperity. I was the
16 perfect victim.

17 My whole life was extremely turbulent. But one of my
18 mother's greatest wishes was that all her children would
19 graduate from respectable universities. He promised me that he
20 would write me a letter of recommendation for Harvard if I got
21 the grades and scores needed for admission. His word was worth
22 a lot, he assured me, as he was in the midst of funding and
23 leading Harvard's studies on the human brain, and the president
24 was his friend.

25 The fact that all of you already know these next

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1 details, which I'll share, should ignite fire instead of induce
2 the complacency they did in the past, when heard repeatedly
3 over the years, but yes, an innocent massage turned sexual
4 almost immediately.

5 "Here, come. Come help me with a kink in my shoulder
6 while we finish our discussion." [REDACTED] and a couple
7 of hundred dollars, disgust and dirty secret, more praise and
8 imparted wisdom from a godlike figure, a deliberate diabolical
9 depression of grooming and submission for his pleasure and
10 release. Even if I resisted, I was no match for him. I felt
11 powerless, ashamed, and embarrassed. I wanted to vomit
12 remembering these moments.

13 What I learned in those depraved sessions, staring up
14 at the dome ceiling in his private massage room, tore a violent
15 hole through any normal sexual awakening. I'm haunted forever,
16 having learned everything there is to know about sex through a
17 vile criminal. Every time a new molestation would bring a new
18 lesson, the progressive and constant unwinding. I was nothing
19 more than a teenage prostitute. I was his slave.

20 I had never even kissed a boy before I met him, and
21 never throughout the horrific abuse did Jeffrey Epstein kiss me
22 even once. [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED].

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[REDACTED]

[REDACTED] That was my first time.

I got a few hundred dollars, as usual, as he led me out of his mansion with assurances that I was on the right path guided by him. I lied to myself and tried to believe him. I became a hollow shell. If I missed an appointment, he threatened me and let me know who was in charge. "Do you know how important my time is? I'll bury you. I owe this -- I won't say the word -- F'ing town." He would hang up.

I would stand there frozen in the street, terrified that his assistant would call to reschedule. I made sure to stay in line and not disobey him. I was in complete denial. Being paid after every scheduled meeting felt routine and disgusting. He was the master of the universe and the world bent to his will.

He would eventually brag to his assistants about my ability to please him sexually right in front of me, leaving me feeling grotesque and worthless. Everything in my outside life was falling apart. I distanced myself from friends and grew further away from my family. I felt less human after each ordeal. My psyche broke down completely and wouldn't let me continue.

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1 One day I walked out of his residence and passed a
2 girl similar to myself. When I turned around, she was entering
3 Jeffrey's residence. He no longer even tried to schedule his
4 appointments with other girls in secrecy from me. Maybe he
5 never did. I was too stupid to see.

6 My world shattered. I had been so naive. I had an
7 epiphany in a calvary of desperation. I realized I was just
8 one of many young girls he had in rotation come to perform for
9 him for money. I went into a deep depression and never lifted
10 completely. I wanted to inflict pain on myself. I was
11 humiliated, angry, and suicidal. I locked myself away from
12 everything. I cut myself off forever from the world I had
13 known.

14 I endured the daily agony of knowing my life would
15 never be the same. I could never go back to New York City and
16 the wonderful life I had taken for granted before I met this
17 demon named Jeffrey Epstein.

18 This creature had manipulated and outwitted the whole
19 system, including some of the most intelligent scientists,
20 political people, prosecutors, and power players. How easy was
21 it to manipulate a 16-year-old virgin who never had a boyfriend
22 and came from a background of hardship with no parental
23 guidance or support.

24 I went to therapy and was given antidepressants for
25 severe anxiety and depression. My only solace, years later,

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[REDACTED]

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1 was my desire to succeed on my own terms. I immersed myself
2 into my studies and was accepted to every college I applied to,
3 graduating from a top university. To this day, there is still
4 an ache in my being that I did not apply to Harvard in fear of
5 his influence there.

6 They say you never forget your first. I'm in a
7 never-ending nightmare trying to do just that. I'm forever
8 suffering because everything reminds me of that horror. This
9 new wave of worldwide publicity only worsens my despair.

10 It was only many years later that I was finally
11 intimate with a man again, and those moments were marred by my
12 actions as a child with Jeffrey Epstein. Even now is
13 impossible to separate his treachery from any care of a good
14 man.

15 For one brief moment there was elation when he was
16 recently arrested. I would finally get my chance to see him
17 again face to face and show him what I had become, that I had
18 succeeded on my own, that I was worth something in spite of his
19 abuse, and that I had surmounted the monumental obstacles he
20 laid before me throughout my entire life since falling prey to
21 him.

22 I had hoped humanity would prevail, but it seems to me
23 that he outsmarted everyone so far, and his ghost is still
24 laughing at us. I appeal to all of those just and true that
25 his evil legacy and his death not stand in the way of

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1 resolution and justice for all of his underaged victims.

2 Thank you, your Honor.

3 And then just one last one, and this is much shorter.

4 Statement of Jane Doe, also my client.

5 I was a model in another country when I came to the
6 United States. I was told by a booker that I needed to meet
7 with a man named Jeffrey Epstein, who was the owner of
8 Victoria's Secret. The booker told me that Mr. Epstein could
9 help me get into Victoria Secret's world.

10 It was my childhood dream to be a Victoria's Secret
11 model. So I went one day in the afternoon and I met
12 Mr. Epstein in his office in his mansion in New York. A woman
13 introduced herself and suggested to me that I should be
14 extremely nice to Mr. Epstein, because if he liked me, he would
15 probably have photographers shooting photos of me right away.

16 The told me to go upstairs and directed me to Jeffrey
17 Epstein's office. Mr. Epstein had a white robe on and we
18 chatted very briefly. I had my portfolio of photos, but he
19 didn't even look at it. Suddenly, he took his robe off and got
20 close to me. I got up to leave, but the door was locked.

21 I didn't know what was going on. It was my first
22 official meeting to be cast in the United States. I was a
23 young girl and confused. He got very close to me, and I had a
24 skirt on. [REDACTED]

25 [REDACTED]

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[REDACTED]

At that point, I ran to the door again and figured out how to get out of there. A girl outside asked me where I was going and she said to be careful. She said that Mr. Epstein knew a lot of powerful people, including Bill Clinton, and that if I didn't do what Mr. Epstein wanted, I would not be able to have any job in the industry.

I was so scared. I couldn't wait to get out of there, and I left. I took the train home. I had spent all of my savings getting Victoria's Secret lingerie to prepare for what I thought would be my audition. But instead, it seemed like a casting call for prostitution. I felt like I was in hell.

Thank you, your Honor.

Thank you.

THE COURT: Thank you, Ms. Allred.

Was there anybody else, any victim's counsel or any of the other victims who have not been heard and wish to be heard?

Well, OK then. All I have to say, really, is thank you, all of you, for your participation in today's remarkable hearing. I think everybody has benefited greatly from your input, and especially from the testimony of victims here today and who have had the courage to come forward.

We have also benefited throughout these proceedings, however brief altogether, from the attorneys' legal advocacy and their written and oral submissions. I'm grateful to them

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1 as well, both for the government and the defense and those
2 representing the victims.

3 Finally, we're also grateful to the press for their
4 very diligent coverage of seemingly every detail of this case.

5 That concludes our work for today and we stand
6 adjourned.

7 Thanks.

8 (Adjourned)

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