
From: J <jeevacation@gmail.com>
Sent: Saturday, December 29, 2018 12:31 PM
To: Noam Chomsky
Subject: Re:

Great thx.
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On Sat, Dec 29, 2018 at 7:20 AM Noam Chomsky <[REDACTED]> wrote:

It's a powerful and convincing statement, but my feeling is that it would not be wise to submit it for publication. Taking the stance of a reader who comes to the matter from afresh, perhaps having heard some rumors but knowing nothing, the reaction I suspect will be of the "where there's smoke there's fire" kind. Few are willing to think through the arguments and factual details or to try to adjudicate conflicting claims. I've seen this happen over and over on other matters -- many years of having been accused of Holocaust denial, for example.. Ugly and bitter as it is, I suspect the best course now is not to stir the pot by raising the issue publicly, opening the door to charges and accusations that can no doubt be answered in the court of logic and fairness -- but that's not the public domain, where innuendo and suspicion and accusation reign.

The great work that you have been doing speaks for itself. My feeling is that you should keep at it, and simply develop a thick skin to fend off whatever ugliness breaks through now and then, diminishing over time.

On Sat, Dec 29, 2018 at 8:33 AM J <jeevacation@gmail.com <mailto:jeevacation@gmail.com>> wrote:

I'm considering submitting this to the oped of the Washington Post. I'd like your thoughts.

"Sweetheart-deal!" So goes the attack on the resolution of the more than a decade-ago federal investigation involving our client Jeffrey Epstein. The attack is profoundly misplaced, supported neither by the law nor the facts. Nor is it supported by the structure of our constitutional republic. To the contrary, Jeffrey was subjected to an extremely aggressive federal intrusion into what would typically be considered a quintessentially local criminal matter in south Florida. The offense investigated — at its core, sexual favors for hire — has long been treated as a matter entrusted to laws of the several States, not the federal government. The conduct — for which Jeffrey took full responsibility — was a classic state offense and was treated exactly that way by able, honest prosecutors in Palm Beach County. Nevertheless, without a request from the state prosecutors, the federal government intervened. For their own opportunistic reasons, many are now criticizing the federal decision-makers at the time, including now-Secretary of Labor Alex Acosta (then-United States Attorney in south Florida), for not going far enough.

The critics are wrong on the facts and the law. They also ignore a fact going to the heart of fundamental fairness: In the decade since paying his debt to society, Jeffrey Epstein has led a life characterized by responsible citizenship, numerous acts of generosity and good deeds.

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Here are the true key facts: Jeffrey Epstein, a =uccessful self-made businessman with no prior criminal history whatsoever,=engaged in illegal conduct that amounted to solicitation of prostitut=on. That conduct was wrong and a violation of Florida stat= law. Although no coercion, violence, alcohol, drugs or the like wer= involved, some of the women he paid were under the age of 18. =hose facts were carefully assessed by experienced state sex crime pro=ecutors who aggressively enforce state criminal laws. No one turned = blind eye to potential offenses to the public order. To the contrar=, the Palm Beach State Attorney's Office conducted an extensive fiftee=-month investigation, led by the chief of the Sex Crimes Division. M=. Epstein was then indicted by the state grand jury on a single felony cou=t of solicitation of prostitution.

During that intense inv=stigation, the state prosecutors extensively gathered and analyzed th= evidence, met face-to-face with many of the asserted victims, considered =heir credibility — or lack thereof — and considered the ex=ent of exculpatory evidence, including sworn testimony from=many that they lied about being eighteen years old to be allowed into Mr. =pstein's home. After months of negotiations, the state prose=utors believed they had reached a reasoned resolution of the matter that v=ndicated the public interest — a resolution entirely consistent wi=h that of cases involving other similarly-situated defendants. The s=stem worked as it should have.

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Then, in came the feds. The United States Attorney=#39;s Office extensively and aggressively investigated whether Mr. Epstein=had engaged in a commercial human trafficking ring, targeted minors, =r used the internet or traveled interstate in the process. But that=E2◆◆s not what this was and that's not what happened= That is precisely why the federal authorities' ultimat= decision to defer prosecution to the state was the right one.=C2◆

However, the=federally-demanded resolution was not without conditions. The federal pros=cutors insisted on various unorthodox requirements that Mr. Epstein=E2◆◆s experienced defense team had never seen imposed on any defendant=anywhere. Under the federally-forced deal, Jeffrey was required to re=uest that the state prosecutors demand the imposition of a thirty-month se=tence that included both jail time and the strictest condit=ons of probation: lifetime sex-offender registration. Those draconian meas=res were far more than warranted by the state grand jury's in=ictment and would not have otherwise been required under the previous=y agreed-upon state disposition. As part of this highly unusual deal,=the government required Jeffrey to pay for a highly experienced =roup of attorneys to bring claims against him on behalf of a governme=t list of asserted victims. Jeffrey was required to waive the right to cha=lege those claims without being provided the asserted victim's id=ntities by the government until after he was incarcerated. Important=y, the feds' decision to decline prosecution in deference to the state=C2◆in exchange for these extraordinary requirements was review=d and approved at the multiple levels of the U.S. Department of Justice.=C2◆ Jeffrey took full responsibility, complied with the feds=E2◆◆ demands, served his sentence, and in the process was treated exac=ly the same (including his time served) as any other state-incar=erated individuals. His conduct while in custody was exemplary, and =o characterized by the state custodial authorities.

Jeffre= Epstein has paid his debt to society. The challenges to his Agreemen= with the Government must also be understood as challenges to the mil=ions Mr. Epstein paid to the asserted victims and their lawyers pursuant t= that agreement. Amongst the beneficiaries of the Epstein-Federal Gov=rnment Agreement were the many victims who collectively received many mill=ions as a result of the conditions imposed on Mr. Epstein that prevented hi= from meaningfully contesting civil liability — moneys that would =e at issue if requests to invalidate the agreement were granted.=u>

=ur nation faces vitally important challenges, many involving the treatment=of women and basic human dignity. Voices are rightly being raised sp=aking truth to power, especially about women in the workplace. But J=ffrey's offenses of yesteryear, which were entirely outside of the=workplace, have long since been redressed by the criminal justice system.=C2◆ He fully and faithfully has performed every promise a=d obligation required of him by state and federal authorities. In th= spirit of the bedrock American belief in second chances and fundamental f=irness, that chapter in Jeffrey's otherwise-productive and charit=ble life should be allowed to close once and for all. =/u>

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