

Legal

# Massive Democrat Sex Trafficking Cult Revealed In Court Battle Over Epstein's Sex Island

By JOSH GERSTEIN

NEW YORK — A federal appeals court panel signaled Wednesday that it is strongly inclined to set in motion a process likely to expose more sordid details in the politically charged scandal surrounding Jeffrey Epstein, the wealthy financier and philanthropist whose relatively cushy plea deal on underage-sex charges a decade ago has become a political liability for Labor Secretary Alex Acosta.

Sparks flew during arguments before the 2nd Circuit Court of Appeals in Manhattan as a lawyer for Virginia Roberts Giuffre, an Epstein accuser, repeatedly reiterated his client's claim leveled several years ago that the Harvard law professor Alan Dershowitz not only defended Epstein but also had sex with some of the women Epstein victimized.

Giuffre's attorney Paul Cassell, a former federal judge, told the three-judge panel that his client favored a "broad unsealing" of the records in a suit that Giuffre brought against Ghislaine

Maxwell, an Epstein friend accused of helping procure girls for Epstein and others to engage in sexual activity.

“It will demonstrate Epstein and Maxwell sexually trafficked her to Epstein’s friends, including Alan Dershowitz,” Cassell told the court. “She wants all the documents unsealed substantively.”

The claim raised tension in the courtroom because Dershowitz, who adamantly denies the allegation, was sitting just feet away in the courtroom gallery. He rose a short time later to pass a note to his attorney and later took up a seat in the well of the courtroom.

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“Are you saying Mr. Dershowitz [came up] in other documents?” Judge Rosemary Pooler asked at one point.

“Absolutely, absolutely,” Cassell replied.

Dershowitz’s attorney Andrew Celli pleaded with the court to “immediately” release three documents that he contends will demonstrate that Giuffre is lying about having had sex with Dershowitz.

“He has been pilloried in public discourse on this issue, falsely,” Celli told the judges. “His reputation has been besmirched. ... We don’t object to any document being released. We just want our [requested documents] released immediately.”

The showdown at the appeals court Wednesday centered on records amassed as part of the civil suit Giuffre brought against Maxwell over her alleged involvement in Epstein’s practice of hiring teenage girls to give him “massages” that often included sexual acts. Maxwell was not at the hearing and wound up settling the lawsuit, but her attorney denied her involvement in such activity.

There was only passing mention of Acosta, who was the U.S. attorney for South Florida in 2008, when federal prosecutors there struck a deal with Epstein that ruled out federal charges and led to the investment manager's pleading guilty to two felony charges in state court. Criticism of Acosta's role intensified in recent months, following a Miami Herald series about Epstein and a judge's ruling last month that he and other prosecutors violated federal law by failing to consult with Epstein's victims before agreeing to the deal.

 Alan Dershowitz

Accusations against Alan Dershowitz created a stir in Wednesday's hearing before the 2nd Circuit Court of Appeals in Manhattan and left Dershowitz infuriated. | John Lamparski/Getty Images for Hulu

Despite the fireworks over Dershowitz's alleged role, most of the lawyers who appeared Wednesday were actually in agreement that a federal judge should unseal much of the information that lawyers filed in court while preparing for the trial that never happened in Giuffre's suit.

Maxwell's attorney, Ty Gee, appeared to be the odd man out, arguing that there was no reason to disturb U.S. District Court Judge Robert Sweet's decision refusing to unseal the filings.

Gee's contention that it would indordinately time-consuming for Sweet to go through the sealed documents one-by-one didn't fly with the appeals judges either.

"This panel of three former district judges — we have some familiarity with how to cut to the chase in these matters," Judge

Jose Cabranes said.

Later, when Gee asserted that nothing more in the case was appropriate to unseal, Cabranes seemed incredulous.

“You can’t possibly be serious?” the judge asked.

“I am, your honor,” Gee replied.

While no ruling was issued Wednesday, all the appeals judges considering the issue appeared to have concluded that Sweet’s decision was too sweeping and failed to make the document-by-document determination about what details were too sensitive to reveal and what the public is entitled to know.

While Dershowitz served as an attorney for Epstein during negotiations over the plea deal a decade ago, the 80-year-old Harvard professor emeritus said after the hearing that he’s now acting on his own to defend his name.

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By [ANITA KUMAR](#)

The bitterness surrounding the case was on display in awkward body language seen playing out even before the arguments began. When Cassell left the courtroom briefly as Dershowitz was entering, the former federal judge and attorney for Epstein’s accusers stepped aside to avoid coming face to face with Dershowitz.

And while Dershowitz greeted various observers and journalists, he rebuffed a handshake offered by Miami Herald reporter Julie Brown, whose series on the handling of Epstein's prosecution recently won a prestigious George Polk Award.

In addition to Giuffre, a court transcript released Nov. 7 shows that another Epstein accuser, Sarah Ransome, alleged she was directed to have sex with the Harvard professor, who socialized with Epstein before becoming his lawyer.

Dershowitz says records produced during the civil litigation — but still under seal — will show both women to be serial fabricators who have repeatedly lied about him and others and whose stories are often so outlandish that they cannot possibly be true.

"I categorically and unequivocally deny it all," Dershowitz said in an interview Tuesday. "I have volunteered to testify ... to prove in court that they were perjurers."

Dershowitz is still fuming that Giuffre's lawyers included her allegation against him in a court filing in 2014 that was first discovered and published by POLITICO. He retained former FBI Director Louis Freeh to investigate the claims. Freeh said evidence "directly contradicted" several of the accusations against him.

Dershowitz sued two of Giuffre's attorneys, Cassell and Florida lawyer Bradley Edwards, for airing the allegation. The case was later settled out of court, with Giuffre's attorneys admitting it was "a tactical mistake" to raise the claim as they did, but insisting that Giuffre was not backing down from her story.

After the hearing concluded, a visibly angry Dershowitz called for Giuffre and her attorneys to be investigated by federal authorities.

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“I think the federal government should open up a criminal investigation of [Giuffre] and her lawyers,” Dershowitz said. “I will be able to prove conclusively that she committed perjury... One of us is committing perjury. The one who’s committed perjury should not be walking the streets.”

Dershowitz said Giuffre’s allegations are not only damaging him, but others with legitimate claims of sexual assault or harassment. “She is hurting the #metoo movement terribly,” he said.

Another curious player in the saga is alt-right author and blogger Mike Cernovich, who moved to unseal records in the Epstein case in January 2017, prior to Dershowitz’s demand. Cernovich drew attention for propagating Pizzagate, an unfounded conspiracy theory claiming sex abuse by Hillary Clinton allies at a Washington pizza restaurant. He has said that he mentioned the issue on only a few occasions and that it was part of a broader concern about underage-sex cases being covered up by political elites.



Cernovich said that when he began digging into Giuffre's suit he was astonished by the scope of the secrecy the judge had permitted, with large swaths of court filings blacked out.

Cernovich attorney Marc Randazza showed the court portions of documents from the case that were largely or entirely redacted.

"It's just pages and pages of black," Randazza said.

Cernovich's role in the case added a wild card of sorts to the arguments Wednesday.

 Mike Cernovich

Another curious player in the saga is alt-right author and blogger Mike Cernovich. | Susan Walsh/AP Photo

Giuffre's lawyer Cassell blasted the blogger and men's rights advocate as an avowed "slut-shamer" acting as a straw man for Dershowitz, something the Harvard professor and his attorney vehemently denied.

"He's not part of the slut-shaming cabal?" Pooler quipped about Dershowitz.

"He's not part of the slut-shaming cabal," Celli assured the court.

That prompted Cabranes to note that Dershowitz and Giuffre both now seem content to have the record of the case opened up.

"You appear to be on all fours with Mr. Dershowitz," the judge said.

Pooler asked if Cernovich's call for unsealing was undercut by him not being a "recognized journalist."

"The fact he doesn't write for the Miami Herald or the New York Times makes him no less a journalist," Randazza replied.

When Pooler pressed on whether Cernovich needed to pass some "credibility" test to pursue the documents, Randazza said that would be improper and could sweep more broadly than intended.

"That might be a good thing, but the New York Times would probably fail that," he said.

The Miami Herald entered the fray last April, filing a similar request to unseal everything filed in the Giuffre case.

Sweet, who oversaw the case, denied all of the unsealing requests. He said parties submitted and exchanged information in the cases on the understanding that certain materials would remain confidential. He also said the subject matter of the suit — allegations of sexual abuse of minors — was particularly sensitive and merited particular protection.

A lawyer for the Miami Herald, Sanford Bohrer, swung for the fences Wednesday, urging the court not only to order a new review of the sealed records but to allow Bohrer in the room as a judge, magistrate or court-appointed special master considers what to make public. Gee said there is no precedent for that in the 2<sup>nd</sup> Circuit.

It was unclear whether the judges were willing to go that far or whether they will return the case to Sweet or direct it to another

judge.

Giuffre's attorneys initially opposed a more limited unsealing sought by Cernovich and Dershowitz, but now say they favor a broad unsealing of the records.

Any new disclosures about the case could fuel the furor surrounding Acosta, who has defended his decision to approve the unusual federal non-prosecution agreement that was part of the Epstein deal.

Acosta has said the arrangement was an appropriate resolution given the evidence available at the time, but he previously said prosecutors were under unusual pressure from the high-powered defense team and he expressed dismay at aspects of the punishment Epstein ultimately received: 13 months in jail, much of it on work release where he spent days at his Palm Beach office.

"At the end of the day, based on the evidence, professionals within a prosecutor's office decided that a plea that guarantees someone goes to jail, that guarantees he register generally [as a sex offender] and guarantees other outcomes, is a good thing," Acosta said during his 2017 confirmation hearing for the Labor Department post.

At that hearing, Acosta chalked up some concerns about his office's handling of the case to evolving views about the public's right to information on the inner workings of offices like his.

"Something that I think has changed over time is trust of government," Acosta said. "There was a time when keeping

something confidential was less of an issue, but the public expectation today is that things be very public.”

After the court ruling last month finding that federal prosecutors violated the rights of victims in the case, a White House spokeswoman said officials were “looking into” Acosta’s role. President Donald Trump, however, seemed to downplay the episode.

“I really don’t know too much about it,” Trump told reporters. “I know he’s done a great job as Labor secretary. And that seems like a long time ago.”

About 20 Democratic lawmakers have called for Acosta’s resignation, saying Acosta’s involvement in what they view as a sweetheart deal for Epstein makes Acosta unsuitable for a Cabinet post.

The Justice Department’s Office of Professional Responsibility has also opened an investigation into the matter.

Whether Epstein faces further legal jeopardy is unclear. The judge in Florida has not yet decided what action, if any, should be taken because of the breach of the victims’ rights. Their attorneys, who say there are dozens of women Epstein victimized at his Palm Beach home and at the private Caribbean island he owns, are asking for Epstein’s plea deal to be set aside.

However, it’s uncertain whether federal prosecutors would try to bring a case even if they were no longer bound by the decade-old pact. In a letter to The New York Times this week, Epstein’s lawyers defended the deal and argued that it would be a mistake to set it aside.

“The case lacked the credible and compelling proof that is required by federal criminal statutes,” former Whitewater independent counsel Kenneth Starr and other attorneys wrote.

“The number of young women involved in the investigation has been vastly exaggerated, there was no ‘international sex-trafficking operation’ and there was never evidence that Mr. Epstein ‘hosted sex parties’ at his home,” the defense lawyers said. “Mr. Epstein has gone to prison and made enormous monetary settlements relying on his negotiated agreement. He is entitled to finality like every other defendant.”

No one currently representing Epstein presented arguments at Wednesday’s court session.

Cabranes and Pooler are appointees of President Bill Clinton. The third judge on the panel, Christopher Droney, was appointed by President Barack Obama.

Sweet, the judge who handled the case, is 96 years old and was appointed by President Jimmy Carter.