

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074
<http://oversight.house.gov>

December 20, 2019

Commissioner Richard L. Swearingen
Florida Department of Law Enforcement
P.O. Box 1489
Tallahassee, FL 32302-1489

Dear Commissioner Swearingen:

The Committee on Oversight and Reform is investigating the extremely favorable deal for convicted sexual predator Jeffrey Epstein and concealment of the deal from the survivors of Mr. Epstein's crimes. On September 24, 2007, Mr. Epstein reached an agreement with the United States Attorney for the Southern District of Florida to "defer federal prosecution in favor of prosecution by the State of Florida."¹

Under the terms of the 2007 agreement, Mr. Epstein pleaded guilty to two charges of prostitution in Florida state court and served just 13 months in county jail. Mr. Epstein received generous "work release privileges, which enabled him to leave the jail six days a week, for 12 hours a day, to go to a comfortable office that Epstein had set up in West Palm Beach."²

Earlier this year, United States District Judge Kenneth Marra ruled that federal prosecutors in the Southern District of Florida violated the Crime Victims' Rights Act by failing to appropriately notify the survivors of Mr. Epstein's abuse about the non-prosecution agreement (NPA) in 2007 and 2008. The judge found that prosecutors worked to "conceal the existence of the NPA and mislead the survivors to believe that federal prosecution was still a possibility."³ The court's decision prompted several Members of Congress, including on this Committee, to seek further information from the offices now investigating the deal about the NPA, the role of state or local officials in the investigation and eventual deal, Mr. Epstein's preferential treatment in jail in Palm Beach County, and the way information was withheld from survivors.

On August 6, 2019, Florida Governor Ron DeSantis issued Executive Order 19-183, initiating an investigation of the handling of the Mr. Epstein matter by the relevant authorities in Palm Beach County and Florida state. Specifically, the scope of the order includes "the

¹ *How A Future Trump Cabinet Member Gave a Serial Sex Abuser the Deal of a Lifetime*, Miami Herald (Nov. 28, 2018) (online at miamiherald.com/news/local/article220097825.html).

² *Id.*

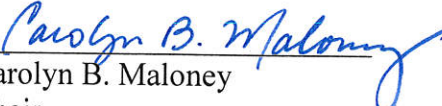
³ *Jane Doe v. United States*, No. 08-80736-CIV, 27-28 (S.D. Fla. Feb. 21, 2019) (order for summary judgment) (online at www.politico.com/f/?id=00000169-11f3-d0be-adfb-75fff4490000).

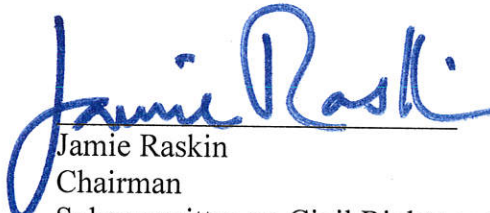
investigation, prosecution, and all matters related to allegations related to Jeffrey Epstein and his assigned work release program and other irregularities.”⁴ The order authorizes the Florida Department of Law Enforcement (FDLE) to “assume” the “criminal investigation concerning Jeffrey Epstein” initiated by the Sheriff for Palm Beach County.⁵

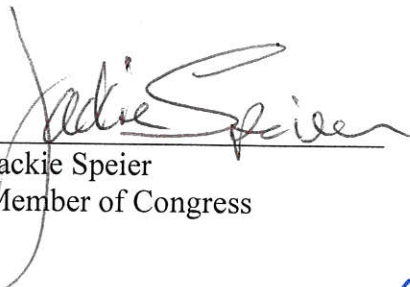
The Committee requests that FDLE produce, by January 3, 2020, all documents, including email communications, in its possession regarding the investigation and prosecution of Mr. Epstein, the NPA, and Mr. Epstein’s work release, including any documents collected or prepared as part of the investigation authorized by Executive Order 19-183. If the Sheriff for Palm Beach County has already collected information regarding these matters and provided it to FDLE, or if FDLE has collected this information itself, FDLE may begin its production to the Committee by producing those materials to the Committee.


The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. If you have any questions about this request, please contact Committee staff at (202) 225-5051.

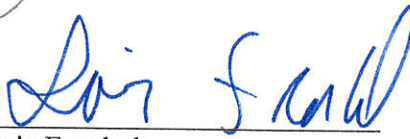
Sincerely,


Carolyn B. Maloney
Chair
Committee on Oversight and Reform


Jamie Raskin
Chairman
Subcommittee on Civil Rights and
Civil Liberties


Jackie Speier
Member of Congress


Debbie Wasserman-Schultz
Member of Congress


Lois Frankel
Member of Congress

⁴ Fl. Exec. Order No. 19-183 (Aug. 6, 2019) (online at www.flgov.com/wp-content/uploads/orders/2019/EO_19-183.pdf).

⁵ *Id.*

Commissioner Richard L. Swearingen

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Enclosure

cc: The Honorable Jim Jordan, Ranking Member
Committee on Oversight and Reform

The Honorable Chip Roy, Ranking Member
Subcommittee on Civil Rights and Civil Liberties