

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA

CA FLORIDA HOLDINGS, LLC,
Publisher of *THE PALM BEACH POST*,

CASE NO.: 50-2019-CA-014681-AG

Plaintiff,

v.

SHARON R. BOCK, as Clerk and
Comptroller of Palm Beach County, Florida,

Defendants.

**PLAINTIFF'S MOTION FOR RECONSIDERATION OF THE
TRIAL COURT'S FEBRUARY 29, 2024 ORDER**

Plaintiff CA Florida Holdings, LLC, publisher of *The Palm Beach Post*, for its Motion for Reconsideration of the Trial Court's February 29, 2024 Order states:

1. *The Palm Beach Post* ("PBP") is a daily community newspaper published by CA Florida Holdings, LLC.
2. In 2019, PBP commenced this action seeking a declaration authorizing the release of testimony and related evidence presented to the Palm Beach County grand jury in 2006 during the first Jeffrey Epstein ("Epstein") sex abuse investigation.
3. On December 21, 2021, the trial court entered a Final Judgment dismissing PBP's First Amended Complaint on the ground the Court lacked the statutory authority, under Florida Stat. section 905.27, to order the release of the Epstein grand jury materials.
4. On May 10, 2023, the Fourth District Court of Appeal reversed the Final Judgment and remanded the case to the Circuit Court to conduct an *in camera* inspection of the Epstein grand

jury materials to determine whether public disclosure would be “furthering justice” as defined by Fla. Stat. section 905.27.

5. During the pendency of the *in camera* inspection, the Florida Legislature passed Bill HB 117 to amend Fla. Stat. section 905.27 to enable the release of the Epstein grand jury materials.

6. On February 29, 2024, this Court issued an order that denied PBP’s motion for release of the Epstein grand jury materials on the ground that release would not be “furthering justice” as defined by Fla. Stat. section 905.27.

7. In recognition of the Florida Legislature’s unanimous passage of Bill HB 117, and Gov. Ronald DeSantis’ signing of the Bill into law on February 29, 2024 at a public ceremony in Palm Beach, Florida, the Court’s February 29, 2024 Order authorized PBP to file a motion for reconsideration.

8. On May 17, 2024, this Court granted PBP’s motion to amend its complaint to (1) include the amendment to Fla. Stat. section 905.27 as a new basis for disclosing the Epstein grand jury materials, (2) drop the State Attorney for Palm Beach County, Florida as a defendant from the case style, and (3) substitute the current Clerk of the Court for the prior now retired Clerk of the Court. Also on May 17, 2024, PBP filed its Second Amended Complaint.

I. THE 2024 AMENDMENTS TO SECTION 905.27 CLEARED ALL LEGAL IMPEDIMENTS FOR RELEASE OF THE EPSTEIN GRAND JURY MATERIALS

9. It should be undisputed that the 2024 amendments to Fla. Stat. section 905.27 were intended to remove all prior statutory hurdles to disclosure of the Epstein grand jury materials.

10. In the official press release of Gov. DeSantis, he explained his reasons for his signing of Bill HB 117 into law. Gov. DeSantis stated:

“The public deserves to know who participated in the Jeffery Epstein sex trafficking. Nobody should be protected from facing justice due to their wealth, or status, and those who harm children should be exposed and punished to the fullest extent of the law.”

Gov. DeSantis further stated that the previous State Attorney who prosecuted Epstein empaneled a grand jury to keep the numerous sexual abuse accusations against Epstein secret, against the requests of the Town of Palm Beach Police Department that had recommended Epstein be charged with multiple sexual abuse felonies.

A copy of Gov. DeSantis’ press release is attached hereto as Exhibit “A”.

11. Gov. DeSantis also referenced the amendments to section 905.27 and stated that:

“HB 117 will allow disclosure of grand jury testimony if the following conditions are met:

- The subject of the grand jury inquiry is dead.
- The investigation was about sexual activity with a minor.
- The testimony was previously disclosed by a court order.
- The State Attorney is notified.

Because all of the above applies to the Jeffrey Epstein Florida case, this legislation [HB 117] will authorize release of the Epstein grand jury documents when it takes effect on July 1, 2024.” See, Exh. “A”.

12. Gov. DeSantis, prior to his signing of Bill HB 117 into law, added that:

“All files related to Jeffrey Epstein’s criminal activity should be made public.”

A copy of the *Florida Politics* article reporting Gov. DeSantis’s statement is attached hereto as Exhibit “B”.

13. At the signing ceremony on February 29, 2024, Gov. DeSantis emphasized that:

“There needs to be a mechanism in some of these circumstances where people can get the truth. This is in the interest of justice to disclose [the Epstein grand jury materials]. We don’t think we can turn a blind eye.”

Gov. DeSantis’ remarks as reported by *U.S. News* are attached as Exhibit “C”.

14. One of the sponsors of HB 117, Rep. Peggy Gossett-Seidman, stated prior to the legislative vote in favor of passage of the Bill that:

“The public and the victims have a right to know if the [State Attorney’s] Office steered the [grand] jury away from indicting Epstein of serious charges, why they interviewed only one of many victims, released [Epstein] on time served to expand his predatory behavior worldwide, and if the system worked or failed.”

A copy of Rep. Gossett-Seidman’s remarks in favor of passage of HB 117 as reported by *Florida Politics* are attached as Exhibit “D”.

15. Therefore, the 2024 amendments to Fla. Stat. section 905.27 remove all legal impediments to the release of the Epstein grand jury materials.

II. THE PUBLIC INTEREST REQUIRES DISCLOSURE OF THE EPSTEIN GRAND JURY MATERIALS

16. The 2024 amendment to Fla. Stat section 905.27(1)(c) provides that grand jury testimony must be disclosed for the purpose of:

“Furthering justice, which can encompass furthering a public interest when disclosure is requested pursuant to paragraph (2)(c).”

17. The above amendment expands the definition of “furthering justice” found in the prior version of section 905.27(1) by requiring consideration of “a public interest.”

18. PBP has provided undisputed evidence in its Second Amended Complaint that disclosure of the Epstein grand jury materials will further a public interest. The evidence demonstrates that Epstein's defense counsel supplied the then State Attorney with materials that the State Attorney used to undermine the credibility of a minor victim of Epstein's sex abuse and which he also used to reduce the potential charges from serious sexual abuse felonies.

19. The State Attorney's actions create a strong inference of favoritism and a corresponding disregard for the rights of the minor victims of Epstein's sex trafficking.

20. Access to the grand jury materials serves the public interest in that the public needs to know if the grand jury was misused to shield Epstein and his co-conspirators from criminal liability.

21. Gov. DeSantis and the Florida Legislature recognize that release of the Epstein materials furthers a "public interest."

III. PBP FULFILLS THE REQUIREMENTS OF SECTION 905.27(2)(c), AS AMENDED

22. The amendments to section 905.27(2)(c) state:

"When a court orders disclosure of [Grand jury] testimony pursuant to subsection (1) in response to a request by the media or an interested person, regardless of whether that purpose is for use in a criminal or civil case, it may be disclosed so long as the subject of the grand jury is deceased, the grand jury inquiry related to criminal or sexual activity between the subject of the grand jury investigation and a person who was a minor at the time of the alleged criminal or sexual activity, the testimony was previously disclosed by court order, and the state attorney is provided notice of the

request. This paragraph does not limit the disclosure of testimony including but not limited to, redaction.”

23. As emphasized by Gov. DeSantis and Rep. Gossett-Seidman, all conditions for release of the Epstein grand jury materials have been met. Epstein was the target of grand jury testimony relating to criminal sexual activities between an adult and a minor, Epstein is deceased, the Fourth District Court of Appeals ordered release of the grand jury materials for an *in camera* review, which has been completed, and the current State Attorney was a party to this litigation and ultimately adopted a neutral position concerning disclosure.

24. Should this Court consider redactions of the grand jury transcript, PBP requests that the redactions be limited to protecting the identity of victims and non-victim witnesses who wish to remain anonymous.

WHEREFORE, PBP respectfully requests that its Motion for Reconsideration be granted, and this Court order the Clerk to disclose the 2006 Epstein grand jury testimony and related materials in the Epstein Florida criminal prosecution and grant such other relief that the Court deems just and proper.

Respectfully submitted,

/s/ Stephen A. Mendelsohn

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*Counsel for Plaintiff CA Florida Holdings,
LLC, Publisher of The Palm Beach Post*

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and accurate copy of the foregoing has been electronically filed with the Florida E-File Portal for e-service on all parties of record herein on June 12, 2024.

/s/Stephen A. Mendelsohn

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EXHIBIT A

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[Governor Ron DeSantis Receives One Bill from the Florida Legislature](#) [Governor Ron DeSantis Signs One Bill](#)

Governor DeSantis Signs Legislation to Authorize the Release of Jeffrey Epstein Grand Jury Documents

On February 29, 2024, in [News Releases](#), by Staff

PALM BEACH, Fla. — Today, Governor Ron DeSantis signed HB 117, which allows for the public release of grand jury documents, such as those related to the 2006 Florida investigation into Jeffrey Epstein. Two victims of Epstein joined Governor DeSantis in Palm Beach to celebrate the justice that was being delivered.

“The public deserves to know who participated in Jeffrey Epstein’s sex trafficking,” said **Governor Ron DeSantis**. “Nobody should be protected from facing justice due to their wealth or status, and those who harm children should be exposed and punished to the fullest extent of the law.”

“Palm Beach County and the victims suffered from Epstein’s vile behavior before the world ever knew his name,” said **Representative Peggy Gossett-Seidman**. “I followed the story as we parents kept our kids close, but we never stopped seeking the truth. The police investigated relentlessly, and now the Governor opens up the last chapter of this sordid story.”

After a 2006 investigation into Jeffrey Epstein, the Palm Beach Police Department asked the State Attorney to charge Epstein with multiple felony charges, including unlawful sexual activity with a minor and lewd or lascivious molestation. Rather than charge Epstein directly, the State Attorney at the time chose to present evidence to a grand jury—ensuring the names of those involved and the details of the accusations were kept sealed.

HB 117 will allow disclosure of grand jury testimony if the following conditions are met:

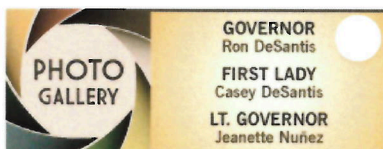
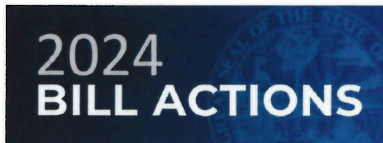
- The subject of the grand jury inquiry is dead.
- The investigation was about sexual activity with a minor.
- The testimony was previously disclosed by a court order.
- The state attorney is notified.

Because all the above apply to the Jeffrey Epstein Florida case, this legislation will authorize release of the Epstein grand jury documents when it takes effect on July 1, 2024.

###



Comments are closed.



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EXHIBIT B

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Legislature passes bill to release Jeffrey Epstein grand jury evidence

Source: Florida Politics

By: Jesse Schekner

2/21/24

'The public and the victims deserve to know.'

Florida lawmakers have approved legislation to finally provide answers for how **Jeffrey Epstein** secured a "**sweetheart deal**" that allowed him to continue operating an underage sex-trafficking ring for more than a decade after his first arrest.

The narrowly tailored measure (**HB 117**) will ease the unsealing of records from 2006, when former Palm Beach State Attorney **Barry Krischer** referred Epstein's case to a grand jury rather than pursuing charges himself.

Krischer's questionable decision ensured that testimony in the case would be kept from the public. And it has been ever since, despite repeated attempts to unseal the case's records and bring closure to victims, their families and the community — or justice to those who let Epstein get off easy.

"The public and the victims deserve to know if prosecutors steered the jury away from indicting Epstein on more severe charges. There is also a compelling public need to know if the system worked or failed," said Boca Raton Democratic Sen. **Tina Polsky**, the bill's **Senate sponsor**.

"We understand the sanctity of the grand jury process and the importance of maintaining secrecy of grand jury records to protect both victims and grand jury witness testimony. However, there should be a process to check and balance (the process with) peer review so the public can trust that the system worked."

Senators voted 37-0 for the bill Wednesday, six days after it **passed with unanimous support** in the House.

Shortly thereafter, Gov. **Ron DeSantis** confirmed he **will sign the bill** once it reaches his desk.

"All files related to Jeffrey Epstein's criminal activity should be made public," he said on X. "While the federal government continues to stonewall accountability, I'm glad the Legislature has taken action to release the grand jury material from the Florida state case."

"I will sign the bill into law."

HB 117 goes into effect July 1. But the proverbial clock has been ticking for years, according to the bill's sponsor, Highland Beach Republican Rep. **Peggy Gossett-Seidman**.

"Last year, two (of Epstein's) victims committed suicide. Many other victims are suffering in my county and around the world," she said last week. "Epstein could have been stopped right here in Florida. Instead, he was released to dehumanize girls for another 13 years. We need to know why."

The bill, which came at the urging of Palm Beach Clerk **Joe Abruzzo**, is designed specifically to apply to Epstein. It provides the court with a clear path to release records on the 2006 case while retaining full discretion over what is revealed.

It amends [Florida Statutes, Section 905.27](#) by expanding a "furthering of justice" exception to grand jury secrecy to include "furthering a public interest."

But it comes with several conditions that Epstein's case uniquely meets, including that the subject of the grand jury inquiry must be dead, the inquiry must have involved crimes or sexual activity with a minor, and that the testimony must have been previously disclosed under a court order.

A court could still limit the disclosure of grand jury records, including redacting documents and testimony.

Palm Beach County police began investigating Epstein in 2005 for sexually abusing minors, including girls attending Lake Worth Middle School and Royal Palm High School. Police asked Krischer to charge Epstein with four felonies, including unlawful sexual activity with a minor and lewd and lascivious molestation, the following year. Krischer instead referred the case to a grand jury, which determined there was only sufficient evidence to charge Epstein with procuring a child for prostitution and soliciting a prostitute, offenses to which he pleaded guilty in 2008 and served just 13 months in a private prison wing.

Just one of nearly two dozen women and young girls who said they were abused at Epstein's mansion in Palm Beach testified before the grand jury. Oddly, Assistant State Attorney **Lanna Belohlavek** undermined that witness, [quizzing the 14-year-old girl](#) about "suggestive" posts she made on her Myspace page that Epstein's lawyer, **Alan Dershowitz**, shared with Krischer's Office.

Alex Acosta, then the U.S. Attorney for the Southern District of Florida, eventually took over the case. But he declined to pursue federal charges. Former President **Donald**

Trump, who employed Dershowitz as a lawyer, later appointed Acosta as U.S. Labor Secretary. Acosta [resigned in July 2019](#) amid renewed scrutiny over the Epstein case. In 2021, the Palm Beach Post sued the State Attorney and Clerk's Offices to obtain a court-ordered release of the grand jury testimony. But Judge **Donald Hafele** ruled against the Post and denied the testimony's release.

The Post appealed, and a court [reversed the 2006 decision](#) last May, ordering Circuit Judge **Luis Delgado** to review the testimony transcripts and decide if releasing them would further justice.

Epstein was again arrested on July 6, 2019, and indicted by a grand jury for "[dozens](#)" of underage girls brought to his mansion for sexual encounters. Epstein died of an apparent suicide in his jail cell while awaiting trial. Twelve of Epstein's accusers [sued the Federal Bureau of Investigation](#) last week, alleging the agency failed to protect them.

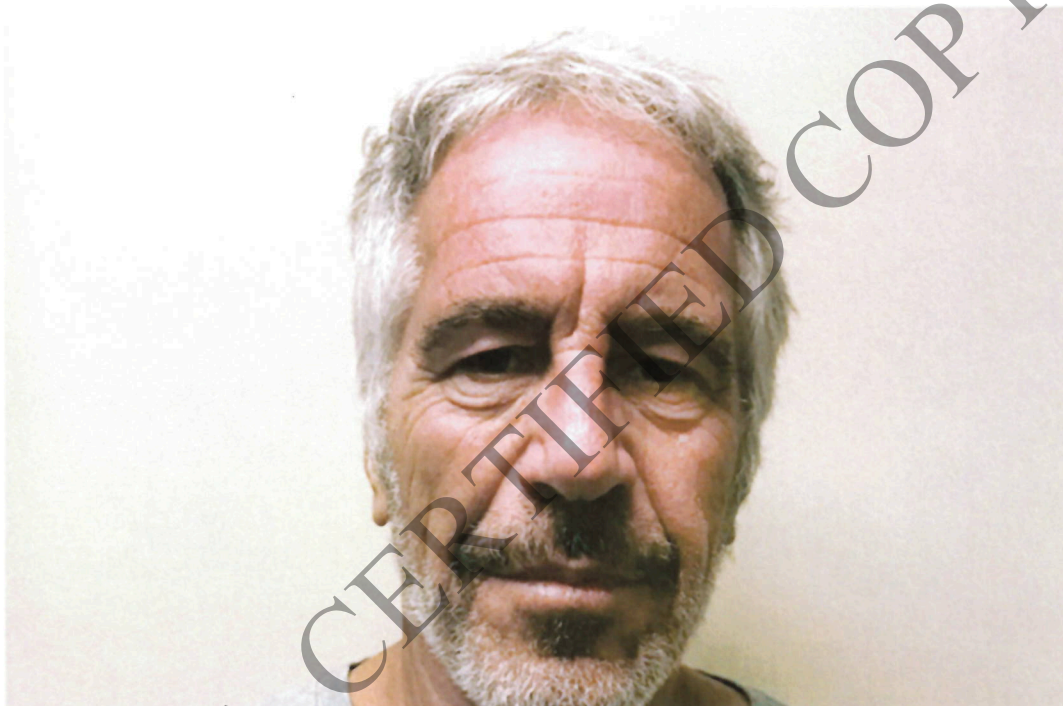
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EXHIBIT C

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U.S. NEWS

Jeffrey Epstein grand jury records from underage girl abuse probe to be released under Florida law



BY CURT ANDERSON

Updated 2:44 PM EDT, February 29, 2024

Grand jury transcripts from a 2006 Florida investigation into Jeffrey Epstein's abuse of dozens of underage girls will be released publicly later this year under legislation signed into law Thursday by Gov. Ron DeSantis. A local judge cited the new law in denying release of the records for now.

The measure, which takes effect July 1, would carve out a limited exception to the secrecy that generally shrouds grand jury testimony in specific cases such as that involving Epstein, DeSantis said at a signing ceremony in Palm Beach, Florida, where many of the crimes took place at Epstein's home.

"There needs to be a mechanism in some of these rare circumstances where people can get the truth," the Republican governor said. "This is in the interest of justice to disclose this. We don't think we can just turn a blind eye."

Epstein, a wealthy financier, cut a deal with South Florida federal prosecutors in 2008 that allowed him to escape more severe federal charges and instead plead guilty to state charges of procuring a person under 18 for prostitution and solicitation of prostitution. He was sentenced to 18 months in the Palm Beach County jail system, followed by 12 months of house arrest. He was required to register as a sex offender.

"What happened was clearly wrong and the punishment was wholly inadequate for the crime," DeSantis said.

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The jurors in Trump's hush money trial are getting a front row seat to history — most of the time

AP

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Haley Robson, who was victimized by Epstein as a 16-year-old high school student in Florida, said she and others like her are grateful for the closure that release of the grand jury records would mean. The Associated Press does not generally report names of sexual assault victims unless they consent, and Robson appeared at the governor's news conference to share her thoughts publicly.

"I can't express enough how we've all been so affected by all of this," Robson said. "This is not something we should be forgetting about."

Although some material could still be edited out, most of the grand jury transcripts should be released fairly soon after the new law's July 1 effective date once a petition is filed seeking them, DeSantis said.

"I don't think it should take forever and a day," the governor said.

Also Thursday, mentioning the new law, a state judge decided not to release the grand jury records as part of a lawsuit filed by The Palm Beach Post and said he would consider any petition seeking them once the law takes effect in July. Circuit Judge Luis Delgado said he can't order the release under today's statutes.

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"The release of the records will not further justice as our law currently prescribes," Delgado wrote in a ruling denying that they be made public for now.

Joseph Abruzzo, the Palm Beach County court clerk and comptroller, said in a statement that the legislation, which lawmakers formally sent to DeSantis on Wednesday, was essential for "full transparency" in the Epstein case given the judge's position on current law.

"Without the legislation that our office championed for the past three years, there would not be an avenue to release the grand jury records in the Jeffrey Epstein case," Abruzzo said.

While in Palm Beach sheriff's custody, Epstein was allowed to stay in an isolated cell at the county's minimum-security stockade, where he roamed freely and watched television. Epstein was also allowed into the county's work-release program, working from his office on his financial consulting business and his foundation.

So many questions remain unanswered about how such a lenient punishment was imposed, Robson said.

"Why was Jeffrey Epstein given such grace and mercy for his inhumane crime?" she said. "It's going to shed light on what I've known this entire time."

EXHIBIT D

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House passes bill to ease release of Jeffrey Epstein grand jury evidence

Source: Florida Politics

By: Jesse Schekner

2/16/24

'We need to know why (and) if justice was served or perverted.'

Evidence revealing how hedge fund billionaire **Jeffrey Epstein** avoided appropriate punishment and continued operating an underage sex-trafficking ring for more than a decade after his first arrest could soon come to light under legislation now one vote from passage.

House lawmakers unanimously approved a bill ([HB 117](#)) to ease the opening of records from 2006, when then-Palm Beach State Attorney **Barry Krischer** declined to charge Epstein and instead referred his case to a grand jury.

Krischer's decision ensured that testimony in the case would be kept from the public. And it's remained so ever since, despite repeated attempts to unseal the case's records and provide answers to victims, their families and the community.

HB 117, which came at the urging of Palm Beach Clerk **Joe Abruzzo**, is tailored specifically to apply to Epstein. Along with its twin companion ([SB 234](#)), scheduled for a Senate floor vote next week, the measure would provide the court with a clear path to release records on the 2006 case while retaining full discretion over what is made public.

"The public and the victims have a right to know if the prosecutors steered the jury away from indicting Epstein on serious charges, why they interviewed only one of many victims, released him on time served to expand his predatory behavior worldwide, and if the system worked or failed," said Highland Beach Republican Rep. **Peggy Gossett-Seidman**, the bill's sponsor, before the vote Thursday.

The bill, if passed, would amend [Florida Statutes, Section 905.27](#) by expanding a "furthering of justice" exception to grand jury secrecy to include "furthering a public interest."

But it comes with several conditions that Epstein's case uniquely meets:

- The subject of the grand jury inquiry must be dead.
- The inquiry must have involved crimes or sexual activity between the subject and a person who was a minor at the time.
- The testimony must have been previously disclosed under a court order.

– The State Attorney must be notified.

The measure provides that a court may still limit the disclosure of grand jury records, including redacting documents and testimony, and prohibits those materials from being released before the grand jury receives them.

Palm Beach County police began investigating Epstein in 2005 for sexually abusing minors, including girls attending Lake Worth Middle School and Royal Palm High School. In 2006, police asked Krischer to indict him on four felony charges, including unlawful sexual activity with a minor and lewd and lascivious molestation. Krischer instead referred the case to a grand jury, which determined there was only sufficient evidence to charge Epstein with procuring a child for prostitution and soliciting a prostitute, offenses to which he pleaded guilty in 2008 and served just 13 months in a private prison wing.

Just one of nearly two dozen women and young girls who said they were abused at Epstein's mansion in Palm Beach testified before the grand jury. Oddly, Assistant State Attorney **Lanna Belohlavek** undermined that witness, [quizzing the 14-year-old girl](#) about "suggestive" posts she made on her Myspace page to which Epstein's lawyer, **Alan Dershowitz**, provided Krischer's office links.

Alex Acosta, then the U.S. Attorney for the Southern District of Florida, eventually took over the case from Krischer, but he declined to pursue federal charges. Former President **Donald Trump**, who employed Dershowitz as a lawyer, later appointed Acosta as U.S. Labor Secretary. Acosta [resigned in July 2019](#) amid renewed scrutiny over the Epstein case.

In 2021, the Palm Beach Post sued the State Attorney and Clerk's offices to obtain a court-ordered release of the grand jury testimony. But Judge **Donald Hafele** ruled against the Post and denied the testimony's release.

The Post appealed, and a court [reversed the 2006 decision](#) last May, ordering Circuit Judge **Luis Delgado** to review the testimony transcripts and decide if releasing them would further justice.

Epstein was again arrested on July 6, 2019, and indicted by a grand jury for "[dozens](#)" of underage girls brought to his mansion for sexual encounters.

Epstein died of an apparent suicide in his jail cell while awaiting trial. The suspicious circumstances around Epstein's death led to federal investigations of [broken cameras](#) outside his cell and [since-dropped indictments](#) of correctional officers assigned to guard him on the night of his death.

"Last year, two (of Epstein's) victims committed suicide. Many other victims are suffering in my county and around the world," Gossett-Seidman said. "Epstein could

have been stopped right here in Florida. Instead, he was released to dehumanize girls for another 13 years. We need to know why (and) if justice was served or perverted." HB 117 received one "no" vote on its way to the House floor from Shalimar Republican Rep. **Patt Maney**, a retired Okaloosa County judge, who opposed the measure during a House Judiciary Committee meeting on Feb. 7. He did not debate the bill that day, nor did he offer a reason why he voted against it.

Florida Politics requested an explanation from Maney, who switched to a "yes" vote on the bill Thursday during the House floor session, but did not receive a response by press time Friday.

Gossett-Seidman and Boca Raton Democratic Sen. **Tina Polsky**, the sponsor of SB 234, carried nearly identical bills last year. Both measures died after clearing only one of three committees to which they were referred.

Twelve of Epstein's accusers sued the Federal Bureau of Investigation this week, alleging the agency failed to protect them.