

Trafficking Victims Protection Act of 2000 (P.L. 106-386)

Authored by Congressman Chris Smith

Application of the Trafficking Victims Protection Act of 2000 in United States v. Epstein

Count One: Sex Trafficking Conspiracy.

Statutes Applied:

18 U.S.C. § 371. Conspiracy to commit offense or to defraud United States.

18 U.S.C. § 1591 (a) and (b) (2). Sex trafficking of children or by force, fraud, or coercion.

Statutes Respectively Created by:

Ch. 645, 62 Stat. 701, June 25, 1948.

Victims of Trafficking and Violence Protection Act of 2000, Public Law. 106–386.

Statutory Allegation:

“20. From at least in or about 2002, up to and including in or about 2005, in the Southern District of New York and elsewhere, JEFFREY EPSTEIN, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, sex trafficking of minors, in violation of Title 18, United States Code, Section 1591 (a) and (b).”

21. It was a part and object of the conspiracy that JEFFREY EPSTEIN, the defendant, and others known and unknown, would and did, in and affecting interstate and foreign commerce, recruit, entice, harbor, transport, provide, and obtain, by any means a person, and to benefit, financially and by receiving anything of value, from participation in a venture which has engaged in any such act, knowing that the person had not attained the age of 18 years and would be caused to engage in a commercial sex act, in violation of Title 18, United States Code, Sections 1591 (a) and (b) (2).”

Count Two: Sex Trafficking.

Statute Applied:

18 U.S.C. § 1591 (a) and (b) (2). Sex trafficking of children or by force, fraud, or coercion.

Statute Created by:

Victims of Trafficking and Violence Protection Act of 2000, Public Law. 106–386.

Statutory Allegation:

“24. From at least in or about 2002, up to and including in or about 2005, in the Southern District of New York, JEFFREY EPSTEIN, the defendant, willfully and knowingly, in and affecting interstate and foreign commerce, did recruit, entice, harbor, transport, provide, and obtain by any means a person, knowing that the person had not attained the age of 18 years and would be caused to engage in a commercial sex act, and did aid and abet the same, to wit, EPSTEIN recruited, enticed, harbored, transported, provided, and obtained numerous 11 individuals who were less than 18 years old, including but not limited to Minor Victim-1, as described above, and who were then caused to engage in at least one commercial sex act in Manhattan, New York.”

Source:

United States v. Epstein, 1:19-cr-00490, (S.D.N.Y. Jul 02, 2019) ECF No. 2 - Sealed Indictment

Application of the Trafficking Victims Protection Act of 2000 in United States v. Maxwell

Count Five: Sex Trafficking Conspiracy.

Statutes Applied:

18 U.S.C. § 371. Conspiracy to commit offense or to defraud United States.

18 U.S.C. § 1591 (a) and (b) (2). Sex trafficking of children or by force, fraud, or coercion.

Statutes Respectively Created by:

Ch. 645, 62 Stat. 701, June 25, 1948.

Victims of Trafficking and Violence Protection Act of 2000, Public Law. 106–386.

Statutory Allegation:

“23. From at least in or about 2001 , up to and including in or about 2004 , in the Southern District of New York and elsewhere, GHISLAINE MAXWELL, the defendant, Jeffrey Epstein, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, sex trafficking of minors, in violation of Title 18, United States Code, Section 1591(a) and (b).”

24. It was a part and object of the conspiracy that GHISLAINE MAXWELL , the defendant, Jeffrey Epstein , and others known and unknown, would and did , in and affecting interstate and foreign commerce , recruit, entice, harbor, transport, provide, and obtain, by any means a person, and to benefit financially and by receiving anything of value, from participation in a venture which has engaged in any such act, knowing that the person had not attained the age of 18 years and would be caused to engage in a commercial sex act , in violation of Title 18 , United States Code , Sections 1591(a) and (b) (2).”

Count Six: Sex Trafficking of a Minor.

Statute Applied:

18 U.S.C. § 1591 (a) and (b) (2). Sex trafficking of children or by force, fraud, or coercion.

Statute Created by:

Victims of Trafficking and Violence Protection Act of 2000, Public Law. 106–386.

Statutory Allegation:

“27. From at least in or about 2001 , up to and including in or about 2004 , in the Southern District of New York and elsewhere, GHISLAINE MAXWELL, the defendant, willfully and knowingly, in and affecting interstate and foreign commerce, did recruit, entice, harbor, transport, provide, and obtain by any means a person, knowing that the person had not attained the age of 18 years and would be caused to engage in a commercial sex act, and did aid and abet the same, to wit, MAXWELL recruited, enticed, harbored, transported, provided, and obtained individuals who were less than 18 years old, including but not limited to Minor Victim- 4, as described above, and who were then caused to engage in at least one commercial sex act with Jeffrey Epstein, and aided and abetted the same.”

Verdict and Sentence on Count Five and Six

Count Five: Found Guilty. Multiplicitous, not sentenced.

Sount Six: Found Guilty, Sentenced to 240 Months Imprisonment (20 Years)

Sources:

United States v. Maxwell, 1:20-cr-00330, (S.D.N.Y. Mar 29, 2021) ECF No. 187 – Second Superseding Indictment
United States v. Maxwell, 1:20-cr-00330, (S.D.N.Y. Jun 29, 2022) ECF No. 696 – Judgment

***18 U.S.C. § 1591 and its Creation from the
Trafficking Victims Protection Act of 2000***

DIVISION A- Trafficking Victims Protection Act of 2000

SEC. 112. Strengthening Prosecution and Punishment of Traffickers

§ 1591. Sex trafficking of children or by force, fraud or coercion

(a) Whoever knowingly-

(1) in or affecting interstate commerce, recruits, entices, harbors, transports, provides, or obtains by any means a person; or

(2) benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in violation of paragraph (1),

knowing that force, fraud, or coercion described in subsection (c)(2) will be used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act, shall be punished as provided in subsection (b).

(b) The punishment for an offense under subsection (a) is-

(1) if the offense was effected by force, fraud, or coercion or if the person transported had not attained the age of 14 years at the time of such offense, by a fine under this title or imprisonment for any term of years or for life, or both; or

(2) if the offense was not so effected, and the person transported had attained the age of 14 years but had not attained the age of 18 years at the time of such offense, by a fine under this title or imprisonment for not more than 20 years, or both.

(c) In this section:

(1) The term "commercial sex act" means any sex act, on account of which anything of value is given to or received by any person.

(2) The term "coercion" means-

(A) threats of serious harm to or physical restraint against any person;

(B) any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or

(C) the abuse or threatened abuse of law or the legal process.

(3) The term "venture" means any group of two or more individuals associated in fact, whether or not a legal entity.