



## Maxwell Family Starts Website to Show Ghislaine's Innocence – As Questions About Due Process Arise

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For those who believe in due process, the case of Ghislaine Maxwell is worth examining.

Of course, the public has, by and large, decided she is guilty — ineligible for due process rights such as the presumption of innocence, the right to confront her accusers, have effective assistance of counsel, and the right to participate in her own defense.

But this is when we need to monitor due process the most closely. If it can be taken away from a much-hated defendant on some novel theory, it will be later used against others, many others. The

erosion of liberty happens this way.

For my own part, I presume, along with the letter of the law, that Maxwell is innocent until a jury of 12 unanimously agree she is not, or that she admits guilt.

I have not studied her case extensively, although that may be impossible since there are many hidden matters and I suspect misleading “facts” that have been “revealed” or not, making any conclusion of guilt or innocence nothing more than a hasty conclusion.

Maxwell, 59, is charged with sex trafficking minors, in conspiracy with the late Jeffrey Epstein, when she was in her thirties. These are old crimes – and she became a criminal defendant only after Epstein died.

She may be guilty. She may be the monster she is described to be — but, as always in circumstances like this, I need more proof. Maxwell is also charged with perjury based on sworn statements in a 2016 deposition in a civil case where she denied “recruiting” girls for Epstein or taking part in orgies and other activities. She professed her innocence in a civil case and the federal government has charged her for perjury – for they say she is not innocent.

## **Epstein Remains Legally Innocent**

While dozens of women made claims that Epstein sexually abused them when they were minors, going back to the 1990s and into the early 2000s, Epstein is legally innocent of sex

trafficking charges the feds leveled against him July 2019. That's because a month later on August 10, 2019, the US government was permanently precluded from persuading a jury that he was guilty beyond a reasonable doubt when he died in his prison cell.

The government was quick to blame Epstein – saying he committed suicide. But there is evidence that the government is lying. We will get into that in a later post.

A Rasmussen Reports survey in 2020 showed that only 21% of Americans believe the government's official story that Epstein killed himself; 27% were undecided, and more than half — 52% believe that Epstein was murdered [because he had damaging information about powerful men, presidents, royalty and billionaires, etc.].

That the US government is not trusted by a majority of the governed about how the most notorious defendant in their own criminal justice system wound up dying in custody is perhaps the most potent argument I can offer for the necessity of preserving due process.

After Epstein died, Maxwell was substituted and the same government entities who oversaw the arrest, prosecution and protection of Epstein, were in charge of these tasks for Maxwell.

## **Maxwell Defense Is Stymied**

The case against Maxwell consists of the accusations of four anonymous women who allege Maxwell was Epstein's procurer of underage girls between 1994-2004. Epstein was allegedly the

principal abuser of the girls. She denies having such a role. She was indicted on July 2, 2020, almost a year after Epstein's death. Until that time, she had not been charged or indicted in any jurisdiction with these crimes which date back 25 years. Her trial is scheduled for July 12.

The central figure, Epstein, is alleged to have engaged in deviant misconduct with dozens, if not hundreds, of alleged victims. Curiously, the U.S. Government did not charge Epstein with any of these alleged crimes they have charged Maxwell with, when he was alive.

## **Secret Accusers?**

In any world that is not a product of the mind of George Orwell, or part of the fabric of Communist China or like tyranny states, what I am about to share with you ought to be horrifying:

Forget that you hate Maxwell and Epstein.

Just consider the idea of due process for a moment and specifically the 6th Amendment right to confront your accusers.

*It reads: In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.*

The government has refused – and is supported by the judge – to reveal the identities of the accusers to Maxwell.

That's right – Maxwell does not know who is accusing her of deeds she allegedly did 20-25 years ago.

If we are talking due process, she has the absolute right to know the names of her accusers. She also has the right to receive copies of specific evidence, all dates, and details underpinning the charges.

As it stands now, the defense has to speculate as to which individuals are the victims in the indictment. If it is true that the late and perhaps conveniently dead Epstein abused hundreds of girls, and the government has four that tie Maxwell in his crimes. How will Maxwell know who they are if the government does not tell her?

You might argue that she doesn't need to know. She is guilty anyway so why waste the court's time with a trial.

But the 6th Amendment states that she has the right “*to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him [her]*”

We cannot suspend the U.S. Constitution because we hate someone.

Maxwell's **request for Discover** to learn the identity of her accusers so she could mount an effective defense, by investigating and adequately preparing for trial, was denied by the **Judge's Order**.

Judge Alison Nathan did not say she would never let her know her accusers. The government will have to tell her at some point — closer to trial. But with three months to go until trial, she will be hard-pressed to prepare a defense without knowing their names today – let alone a month from now.

These alleged events happened mostly during the last century. It will be difficult to try to investigate – with Epstein dead and memories fading and evidence vanishing. The sooner she is permitted to begin the better.



## **Held Without Bail**

Maxwell is currently a pre-trial detainee at the Brooklyn Metropolitan Detention Center [MDC]. By some accounts, MDC is among the worst prisons in the federal system, an advantage for prosecutors.



***Brooklyn Metropolitan Detention Center has been called the greatest tool prosecutors in the Eastern District of NY have for destroying the health and mental competence of defendants awaiting trial and for encouraging even innocent defendants into coercive plea deals just so they can get out of there and into a regular prison. It is a haven for housing the DOJ's commodity's future conviction stats.***

The defense of this case demands mental acumen, ample time to review voluminous discovery materials produced by the government, and many hours trying to find evidence to defend oneself. It requires considerable time to consult with attorneys who need to be accessible to the defendant. None of this is easily facilitated at MDC.

Maxwell is not only in pretrial custody at one of the worst prisons in the USA, she is also in solitary confinement – to date, for more than 270 days. Solitary confinement, as everyone knows or can imagine, destabilizes a person mentally and physically, making it harder, if not impossible, to defend oneself.

Maxwell's access to the prison resources available to other pretrial detainees has been curtailed or eliminated. This treatment threatens Maxwell's Sixth Amendment right to participate in her defense.

Maxwell's lawyers also say her health is deteriorating which the government denies, a statement so brazen that it makes them highly suspect as truth-tellers, since, obviously, any human being's health will deteriorate if kept in a cage, without sunlight, fresh air, human company, or decent food for months on end.

## **If We Hate Her Can't We Punish Her Before Trial?**

According to her attorneys and her family, Ghislaine Maxwell is surveilled 24 hours a day by security cameras and by prison guards who take notes on her every activity, including phone conversations with defense counsel.

Her cell is searched multiple times a day and she has been forced to undergo numerous and invasive body scans.

Her cell is a 6ft x 9ft space, with a concrete bed and toilet. She is not permitted into the corners of the cell and she must remain a minimum of 2.5ft from the cell door. There is no flat surface in her cell for her to work on legal documentation while she is in her cell.



The drinking water is full of contaminants and the food is inedible. Her food has been fed to her on plastic trays that have melted when exposed to microwaved heating, making the food inedible and unsafe.

There is no natural light in the cell, only fluorescent lights so bright that they hurt her eyes. Two walls of the cell are external masonry block walls with no insulation. Depending on the temperature it can lead to condensation on the walls by the bed.

Guards rotate every two weeks and each shift has different expectations and practices that conflict with other teams. This is impacting her health and ability to prepare properly and mount her defense.

Not surprisingly, Maxwell is suffering from weight and hair loss, and her eyesight is “failing.” Who would not go blind in time with no natural light and harsh fluorescent lights blazing 24/7.

The conditions are so bad that no one can maintain good health in a facility that does not allow its detainees to have any outdoor time, is too cold or too hot, and where the food is inedible, it seems purposely.

## **She Doesn't Flush the Toilet?**

Recently the feds wrote in a filing that Maxwell was responsible for having a dirty jail cell and not flushing the toilet, making it necessary to “flush out” the persistent filth there.

Her lawyer, Bobbi Sternheim, accused prosecutors of lying, and trying to “publicly embarrass and humiliate Ms. Maxwell in the hostile court of public opinion.”

“To suggest she willingly lives in squalor is absurd,” Sternheim wrote to Judge Nathan. But there is little question she lives in squalor – and by design, not hers but the governments. But prosecutors said jail staff recently ordered Maxwell to clean her “very dirty” cell, which smelled because she “frequently did not flush her toilet after using it.”

They said the order was not in retaliation for Maxwell’s having complained about a routine pat-down search. Sternheim admitted the cell stinks but that’s because “toilets [are] overflowing in a nearby cellblock. “Due to lack of privacy, Ms. Maxwell refrains from using the toilet in the isolation cell and, as directed by the guards, she flushes frequently to avoid plumbing problems,” she wrote.

Sternheim said inmates, including Maxwell, must drink dirty tap water and are surrounded by mold, vermin, cockroaches and rodents.

## **Crimes of the Past**



The accusations of three of the anonymous accusers allege Maxwell's crimes occurred 25 years ago, during the mid 1990s. A fourth, anonymous woman alleges she was abused when she was 14, starting 20 years ago and continued to as recently as 16 years ago when she was 18.

Some of the anonymous allegations appear uncorroborated. The defense claims, for instance, that the government is unable to prove that Accuser-3 was even underage when she allegedly engaged in sex acts with Epstein. [Maxwell denies she procured these girls for Epstein in any event.]

## **Money Considerations**

The four anonymous accusers will likely seek, or already have sought, [we don't know since we do not know who they are] through civil litigation, monetary damages — from the estate of Epstein, estimated to be worth \$559 million, and from Maxwell, whose net worth, with her husband, according to her bail proposal, is \$25 million.

Obviously, civil lawsuits will be strengthened by a conviction of Maxwell. The accusers can also expect to acquire money through mandatory victim restitution if Maxwell is convicted. All four of the accusers may become rich. [That does not mean that I believe the accusers are lying, or mistaken or would change their stories in order to become rich. How can anyone know since their identities are unknown.]

This is an additional reason – money incentives [as if an additional reason is needed] that the defendant is entitled to know the names of her accusers.

It is a matter for the “finders of fact,” the jury, to determine whether the accusers were recruited by Maxwell for sex with the late Epstein when they were underage or not. They should be identified to the defense immediately in order that their allegations, their history and their motives can be vetted, just as the Confrontation Clause in the US Constitution contemplates. The accusers who are now in their 30s and 40s are no longer children. Their names will be shielded from the public. There is no reason that their stories cannot be investigated and when they are called as witnesses they cannot be confronted.

To expect that accusers should not be questioned or challenged or subjected to skepticism or held to the standard of “beyond a reasonable doubt” just because the crime they allege is gruesome, is to forever throw out due process.

## Family Steps in



Ghislaine with her siblings in June 2019 in London

Last Friday, an alternative narrative to “Maxwell is guilty and deserves to be punished prior to trial” was presented by her six brothers and sisters, along with other family and friends, who developed, published and now maintain a website, [Realghislaine.com](https://Realghislaine.com).

The website promises to follow her case carefully and provide “exclusive content, news, commentary and useful resources” with a point of view that suggests Maxwell is not the “monster” the US Dept. of Justice portrays her to be, or the “fictional one-dimensional character created by the media.” “We believe wholeheartedly in our beloved sister’s innocence,” her siblings write on the new website.

# To Seek Due Process Is Not Condoning Sex Trafficking

For my own part, I do not know if Maxwell is innocent or guilty. Maybe she is as guilty as sin and engaged in several decades ago helping a deviant man take advantage of innocence, which is despicable.

Maybe as rumor has it, she was involved in greater crimes, of blackmailing royals and politicians and billionaires who Epstein and her lured to private islands or fancy Florida compounds and secretly filmed them with teenage girls.

But none of that is charged conduct.

But as horrifying as sex trafficking is, it is not justification for abandoning due process

If we did not all agree to hate her and that she is undoubtedly guilty, we might consider the strangeness of the way this case is being handled: A woman is accused of acting in conspiracy with a man who died in government custody under suspicious circumstances, but arrested only after the man died.

The case against her is built on accusers whose identities are hidden from her, alleging crimes that happened decades ago, while the defendant is locked away in a dungeon, unable to defend herself.

The media coverage is virtual stenography taken from the government's narrative, including parroting the government's suicide story, without mention that competent experts have offered evidence that the man – the principle villain – did not

commit suicide but was murdered.

Ghislaine Maxwell may indeed be guilty, but I would prefer that it is proven through due process.