

**REPORT CONCERNING
JEFFREY EPSTEIN'S INTERACTIONS WITH THE
MASSACHUSETTS INSTITUTE OF
TECHNOLOGY**

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INTRODUCTION

In the summer of 2019, the public learned through press reports that the Massachusetts Institute of Technology (“MIT”) had accepted donations from Jeffrey Epstein—the convicted sex offender who was accused of serial crimes against minors. On September 7, after further press coverage of Epstein’s donations and reporting that Epstein had visited the MIT campus,¹ the Director of the MIT Media Lab, Joi Ito, resigned from MIT (notwithstanding an earlier petition supporting him that was signed by hundreds of faculty, students, and alumni). MIT President L. Rafael Reif also announced that he had directed MIT’s General Counsel to engage a law firm to “design and conduct” an investigation into Epstein’s interactions with MIT.

Goodwin Procter LLP, and specifically partners Roberto Braceras and Jennifer Chunias, was retained to conduct that investigation into both Epstein’s donations and Epstein’s other interactions with MIT, including any visits to campus. Goodwin Procter was asked to determine: (1) what donations Epstein made to MIT, and when; (2) who in MIT’s senior leadership was aware of the donations, and who (if anyone) approved MIT’s acceptance of the donations; (3) what visits Epstein made to the MIT campus, and the circumstances of those visits; and (4) whether MIT’s senior leadership was aware of, and approved, Epstein’s visits to the MIT campus. In preparing this Report, Goodwin Procter analyzed all donations received by MIT, both those made directly by Epstein (whether individually or through his charitable foundations) and those made by third parties at Epstein’s alleged behest. We investigated who knew of the donations and who was involved in the decisions to accept them. We also gathered evidence

¹ In particular, an article in *The New Yorker* by Ronan Farrow reported allegations by former Media Lab employees concerning Epstein’s donations and visits to MIT.

concerning Epstein’s visits to the MIT campus and some of his off-campus contacts with MIT faculty and other Cambridge, Massachusetts academics.²

Goodwin Procter was retained on behalf of the Executive Committee of the MIT Corporation. The Corporation is the governing body of MIT. Its approximately 75 members “hold a fiduciary duty to govern MIT, to oversee the stewardship of MIT’s assets for MIT’s present and perpetual well-being and stability, and to ensure that MIT adheres to the purposes for which it was established.” Bylaws of MIT § 1.1. The 11-member Executive Committee of the Corporation is charged with “responsibility for overseeing general administration and superintendence of all matters relating to the Institute.”³ *Id.* § 14.2.4. In discharging its responsibilities, the Executive Committee “work[s] in close cooperation with the President,” who, as MIT’s “chief executive officer . . . [is] responsible for the Institute’s operations and administration and . . . preside[s] over the Institute’s faculty.” *Id.* §§ 9.4, 14.2.5. To assist with his responsibilities, President Reif has assembled a leadership team, or “Senior Team.”⁴

² With respect to off-campus contacts between Epstein and MIT faculty, this Report discusses such contacts only insofar as they are relevant to Epstein’s donations to MIT and/or MIT campus visits. Otherwise, off-campus contacts were outside the scope of the investigation.

³ President Reif and Executive Vice President and Treasurer Israel Ruiz are ex officio members of the Executive Committee, but both were recused throughout the investigation and the Executive Committee’s consideration of the results of the fact-finding.

⁴ MIT’s “Senior Team” during the relevant time period (since 2012) includes: President L. Rafael Reif (2012-present), Chancellor Cynthia Barnhart (2014-present), Vice President for Research Maria T. Zuber (2012-present), Vice President for Open Learning Sanjay Sarma (2016-present), Provost Martin A. Schmidt (Associate Provost, 2012-2014; Provost, 2014-present), Executive Vice President and Treasurer Israel Ruiz (2012-present), Vice President and General Counsel Mark C. DiVincenzo (March 2015-present), Vice President and Secretary of the Corporation Suzanne L. Glassburn (September 2018-present), and Vice President for Resource Development Julie Lucas (November 2014-present). The Senior Team generally meets weekly, and also has retreats from time to time, in connection with its administration of the Institute. In addition, certain members of the “Senior Team” (President Reif, Executive Vice President and Treasurer Israel Ruiz, and Vice President and Secretary of the Corporation Suzanne Glassburn) also report directly to the Executive Committee of the Corporation. On December 19, 2019, Ruiz provided notice of his resignation to President Reif, with a transition to occur by spring 2020.

Former members of the Senior Team during portions of the relevant time period (since 2012) include: former Provost Chris A. Kaiser (2012-October 2013), former Vice President for Resource Development Jeffrey Newton (2012-January 2014), former Chancellor W. Eric L. Grimson (2012-January 2014), former Vice President Claude R. Canizares (2012-June 2015), former Vice President and General Counsel (2012-2015) and later Senior Vice

In addition to Goodwin Procter, the Executive Committee retained a second law firm, Paul Weiss Rifkind Wharton & Garrison LLP, and specifically partners Scott Barshay and Claudia Hammerman, to advise the Committee in connection with the investigation.⁵ Paul Weiss participated in the investigation, reviewed all relevant documents, attended select interviews, and contributed to this Report. Paul Weiss concurs with the findings of the Report.

This Report summarizes the donations and other interactions that Epstein had with MIT.

President and Secretary of the Corporation (2015-2018) R. Gregory Morgan (2012-2018), and Vice President Kirk Kolenbrander (2012-February 2019), who also served as Interim Vice President for Resource Development between September 2013 and November 2014.

⁵ Paul Weiss has never been engaged by MIT or MIT's Executive Committee prior to this engagement.

EXECUTIVE SUMMARY

This Report's findings are the result of Goodwin Procter's review and analysis of all of the information obtained in the investigation, including 73 interviews of 59 witnesses and a review of more than 610,000 emails and other documents collected from 58 MIT custodians.⁶ Goodwin Procter established a hotline that members of the MIT community could use to submit information directly to us, without going through MIT's administration and, as of the date of this Report, at least 40 individuals have done so. Goodwin Procter also retained Stroz Friedberg, a risk management firm specializing in digital forensics and investigations, to perform forensic analyses of MIT electronic administrative databases, including the Advance Database⁷ which houses donation-related information, and to perform other investigative services. We investigated all matters relevant to the scope of our engagement.⁸ MIT did not impose any constraints on the investigation and cooperated fully with it, including by providing documents and other information and facilitating access to current and former MIT faculty and administrators. Given the numerous meetings and communications over many years, memories are understandably incomplete. This Report, therefore, necessarily also relies on documents and emails. And, while we were granted complete access to a vast amount of MIT's documents and emails, there were limitations to the scope of our collection and review, particularly with respect to non-MIT emails, text messages, and deleted emails.

⁶ Email collected from current MIT faculty and staff was collected with their knowledge, and only emails containing search terms suggestive of relevance to this investigation were actually reviewed. Email also was collected from certain former MIT faculty and staff, utilizing the same search terms.

⁷ The Advance Database is MIT's donor database.

⁸ All evidence gathered in the investigation was considered in the creation of this Report, whether or not it is specifically referenced herein.

The following is a summary of our findings:

1. The investigation revealed that, between 2002 and 2017, Jeffrey Epstein made 10 donations to MIT totaling \$850,000, including nine donations, totaling \$750,000, made after his 2008 conviction. The post-conviction donations were all made either to support the work of the Media Lab (\$525,000) or Professor of Mechanical Engineering and Engineering Systems and Physics Seth Lloyd (\$225,000).
2. We find that the post-conviction donations to MIT were driven either by former Media Lab Director Joi Ito or by Professor Lloyd, not by MIT's central administration (including its central fundraising group, the Office of Resource Development).⁹
3. Professor Lloyd informed us that he received a personal gift of \$60,000 from Epstein in or about 2005 or 2006 that was not known to, or recorded by, MIT. That gift was received directly by Professor Lloyd and deposited into his personal bank account. This amount therefore is not included in the \$850,000 of donations received by MIT.
4. In 2012, Epstein pledged \$100,000 to MIT to support the work of Professor Lloyd, donated in two installments of \$50,000 during that same year. Professor Lloyd purposefully failed to inform MIT that Epstein, a convicted sex offender, was the source of the donations. Professor Lloyd also solicited another donation from Epstein in the amount of \$125,000, which was made in 2017.
5. In 2013, certain members of MIT's Senior Team—Vice President and General Counsel R. Gregory Morgan, Vice President for Resource Development Jeffrey Newton, and Executive Vice President and Treasurer Israel Ruiz—were aware of, and approved, Epstein's donations to support Ito and the Media Lab. Morgan, Newton, and Ruiz established an informal framework in 2013, under which all subsequent Epstein donations to MIT were ultimately approved and accepted. These members of the Senior Team who approved MIT's acceptance of Epstein's donations were aware that Epstein had a criminal record involving sex offenses.
6. Unbeknownst to President Reif or any members of the Senior Team, Epstein made frequent visits to professors and academics in Cambridge, including at least nine visits to the MIT campus between 2013 and 2017. There is no evidence that anyone in MIT's central administration was aware of any of Epstein's visits to MIT's campus.
7. President Reif was not contemporaneously aware of Epstein's donations, was not aware that MIT was accepting donations from a convicted sex offender and accused pedophile, and had no role in approving MIT's acceptance of the donations.

⁹ The MIT Office of Resource Development is the group responsible for developing and cultivating relationships with previous and potential donors to MIT.

8. Since MIT had no policy or processes for handling controversial donors in place at the time, the decision to accept Epstein's post-conviction donations cannot be judged to be a policy violation. But it is clear that the decision was the result of collective and significant errors in judgment that resulted in serious damage to the MIT community.

President Reif, among many others, has stated that the decision to accept donations from Epstein was a mistake of judgment. Certain others (including persons whom we interviewed during the investigation) disagree, and they advised Ito to accept donations from Epstein, arguing that society is better off if money from "bad" sources is put to good uses.

The investigation revealed that certain members of the MIT Senior Team (Morgan, Newton, and Ruiz), acting in good faith, debated whether to accept Epstein's post-conviction donations to the Media Lab. They ultimately decided on a compromise solution: accept the donations to support Ito and the Media Lab, while trying to protect the Institute to the extent possible by insisting that such donations remain relatively small and unpublicized, so that they could not be used by Epstein to launder or "whitewash" his reputation or to gain influence at MIT. Their decision did not violate any law or breach any MIT policy, and they did not make it to obtain any personal gain. These administrators instead were trying to balance the competing objectives of obtaining funding for Media Lab programs, while denying Epstein any personal benefit from his association with MIT. By insisting that such donations remain anonymous, they also were attempting to protect MIT's reputation. Regardless of their intent, these administrators were aware of the risk that the donations might become public, but did not adequately consider the potential damage accepting donations from a convicted sex offender could cause to the MIT community. Further, they did not adequately consider or guard against the reasonably foreseeable possibility that, in attempting to cultivate more and larger donations from Epstein, Ito and others would allow Epstein repeated access to the MIT campus.

FINDINGS

In this Report, we start in Sections 1 and 2 by exploring the specific donations by Jeffrey Epstein and the circumstances that brought these donations to MIT. We then turn, in Section 3, to the question of whether certain members of MIT’s Senior Team approved the donations or were otherwise aware of the donations. In Section 4, we report on Epstein’s multiple visits to MIT’s campus. In Section 5, consistent with the Executive Committee’s charge, we address the role and knowledge of the relevant members of the Senior Team in connection with Epstein’s donations and visits. We close in Section 6 with a review of any MIT policies that may have been applicable.

1. Between 2002 And 2017, Epstein Made 10 Donations To MIT Totaling \$850,000. He Also Claimed To Have Coordinated Millions Of Dollars In Donations By Others.

In 2006, Jeffrey Epstein was first charged with a sex offense—solicitation of prostitution. Epstein ultimately pled guilty to two felonies in 2008: procuring a person under the age of 18 for prostitution and solicitation of prostitution. Epstein served 13 months in the Palm Beach County Sheriff’s Department jail (although he was allowed “work release” at his own office for up to 12 hours a day, 6 days a week). After his release, Epstein was required to be registered as a Level 3 sex offender in New York.¹⁰ Press coverage of Epstein’s crimes was sporadic in the ensuing years but intensified significantly in January 2015, when one of his victims alleged that Epstein had forced her to have sex with Britain’s Prince Andrew and others while she was a minor. Media reports spiked again shortly before the 2016 U.S. presidential election, with allegations concerning then-candidate Donald Trump’s connections with Epstein. Press coverage of Epstein’s crimes reached new heights in November 2018, after the *Miami Herald* ran a series of

¹⁰ Level 3 is the highest such designation, indicating a high risk of repeat offense.

detailed stories describing the circumstances of Epstein’s 2008 plea deal. Epstein was arrested again in July 2019 on federal sex-trafficking charges, and reportedly committed suicide while in custody in August 2019.

Beginning in the 1970s, Epstein amassed a considerable personal fortune working in the finance industry. Epstein used some of his fortune to make philanthropic donations to non-profit institutions working in areas of interest to him. According to press reports, Epstein made donations to charities as varied as “an all-girls school in Manhattan, a youth tennis program, cancer charities, Harvard’s famous theater troupe, posh New York arts societies at Lincoln Center and the Met Orchestra musicians.”¹¹ While Epstein made charitable donations before his 2008 conviction, after that conviction he may have had a second motive for his donations: to launder his reputation by associating himself with reputable individuals and institutions.

Even before his conviction, however, Epstein demonstrated a particular interest in science, resulting in his coming into contact with several individuals affiliated with MIT. Epstein’s donations to MIT—the single donation in 2002, and then more donations between 2012 and 2017—followed a similar pattern: Epstein would meet the MIT professor or academic at an on- or off-campus event or meeting, and he would then provide donations to MIT to support that person’s work. There is no evidence that MIT’s Senior Team or its central administration made any effort to develop Epstein as a donor, and none of the donations was the result of such an effort.

¹¹ <https://www.thedailybeast.com/jeffrey-epstein-has-a-secret-charity-heres-who-it-gave-money-to>

Epstein Donations

	Date	Amount	Donating Entity	Recipient
1	September 12, 2002	\$100,000	C.O.U.Q. Foundation	MIT Media Lab (Marvin Minsky)
2	June 30, 2012	\$50,000	Enhanced Education	Professor Seth Lloyd
3	December 12, 2012	\$50,000	Epstein Interests	Professor Seth Lloyd
4	May 30, 2013	\$100,000	Enhanced Education	MIT Media Lab (Ito Discretionary Fund)
5	November 22, 2013	\$150,000	Enhanced Education	MIT Media Lab (Joscha Bach)
6	July 21, 2014	\$50,000	Enhanced Education	MIT Media Lab (Joscha Bach)
7	September 18, 2014	\$100,000	Enhanced Education	MIT Media Lab (Joscha Bach)
8	November 20, 2015	\$100,000	Enhanced Education	MIT Media Lab (Neri Oxman: Knotty Discretionary Fund)
9	June 1, 2017	\$125,000	Gratitude America	Professor Seth Lloyd
10	December 11, 2017	\$25,000	Gratitude America	MIT Media Lab (Neri Oxman Discretionary Research Fund)

In 2002, four years before Epstein's first arrest for a sex offense, Epstein made a \$100,000 donation to MIT through a charitable foundation to support the research of Professor Marvin Minsky (former Toshiba Professor of Media Arts and Sciences, Media Lab). Professor Minsky (who passed away in 2016) had worked with Epstein to organize an off-campus conference on artificial intelligence that same year. We did not find evidence that Epstein made other donations to MIT to support Professor Minsky.

In June and December 2012, four years after his 2008 conviction, Epstein made two \$50,000 donations to support research by Professor Lloyd. Professor Lloyd had known Epstein

for years, before Epstein's 2008 conviction, and he visited Epstein at Epstein's office while Epstein was on "work release" during his prison sentence. At Professor Lloyd's request, Epstein made an additional \$125,000 donation to support Professor Lloyd in June 2017.

In February 2013, Ito met Epstein at a TED conference. In the following years, as detailed throughout this Report, Ito cultivated Epstein both as a donor to the Media Lab and as a potential point of access to other high-net-worth individuals. As set forth in the table above, Epstein eventually made six donations to the Media Lab between 2013 and 2017, totaling \$525,000.

Epstein's \$100,000 donation in May 2013 was intended to be used at Ito's discretion. His donations in November 2013 and in July and September 2014, totaling \$300,000 (40% of Epstein's post-conviction donations), were made to support research by Joscha Bach, a former Media Lab research fellow from Germany whom Epstein introduced to Ito in 2013.¹² The Media Lab hired Bach in large part because Epstein subsidized the cost. Epstein's donations to the Media Lab in 2015 and 2017, totaling \$125,000, were made to support Professor Neri Oxman (Associate Professor of Media Arts and Sciences, Media Lab), whom Ito introduced to Epstein on the MIT campus in October 2015.

In addition to his own donations, Epstein claimed to have arranged for donations to MIT from other wealthy individuals. In 2014, Epstein claimed to have arranged for Microsoft co-founder Bill Gates to provide an anonymous \$2 million donation to the Media Lab. He also claimed that same year to have arranged for a \$5 million anonymous donation to the Media Lab from Leon Black, the co-founder of Apollo Global Management. Representatives of Bill Gates have told us that Gates flatly denies that Epstein had anything to do with Gates's donation to the

¹² Bach declined to be interviewed in connection with Goodwin Procter's fact-finding.

Media Lab. They noted that “Mr. Gates and various Gates-related entities have had a strong, decades-long relationship with MIT that predate[s] significantly Mr. Gates’s limited interactions with Mr. Epstein. Their support for MIT and the Media Lab (whether through financial support, thought leadership, participation in MIT-sponsored events, etc.) has always been completely independent of Mr. Epstein.” Gates also has issued public statements denying that he donated to MIT at Epstein’s behest. Black has publicly acknowledged donating to charities “affiliated” with Epstein, but has not specifically addressed whether he donated to MIT or whether Epstein asked him to donate to MIT. Notably, we did not find any evidence that the money donated by Gates or Black actually was Epstein’s money—that is, there is no evidence that Gates and Black acted to “launder” Epstein’s money.

2. Professor Lloyd And Joi Ito Cultivated Epstein As A Donor.

Like all major research universities, MIT takes a multi-pronged approach to obtaining funding. Individual professors and programs are expected to seek grants and donations from the government and private foundations and individuals. MIT also has a central Office of Resource Development, employing hundreds of people, that acts to support faculty and programs and to coordinate MIT-wide initiatives. As a result of these individual and collective efforts, MIT received a total of \$1.8 billion in research funding and more than \$600 million in donations in its 2019 fiscal year.¹³ Such funds are essential to a research institution such as MIT.

The fact-finding revealed that, despite Epstein’s criminal record, and his registration as a sex offender, Professor Lloyd and former Media Lab Director Ito attempted to cultivate Epstein as a potential source of research and program funding and drove the efforts to obtain donations from and through him. Both Professor Lloyd and Ito have issued public statements apologizing

¹³ <https://vpf.mit.edu/sites/default/files/downloads/TreasurersReport/MITTreasurersReport2019.pdf>

for their role in affiliating Epstein with MIT. Ito also has resigned from MIT and as Director of the Media Lab. The efforts to cultivate Epstein as a donor were centered in the Media Lab and with Professor Lloyd; we have seen no indication of efforts by MIT's central administration to pursue Epstein. To the contrary, members of MIT's Senior Team were wary of Epstein and nearly returned his May 2013 donation, the first donation of which they became aware. And while they ultimately tried to craft a compromise that would allow Ito and the Media Lab to receive funding from Epstein, they sought to limit Epstein's donations to, and affiliation with, MIT.

a. Professor Seth Lloyd.

Professor Lloyd met Epstein in 2004, when they were introduced at a dinner by Professor Lloyd's book agent.¹⁴ Professor Lloyd then attended occasional gatherings with Harvard academics and other intellectuals that Epstein convened in Cambridge to discuss topics in science and politics. Professor Lloyd remained friends with Epstein after his conviction in 2008. He visited Epstein at his office in Florida during the period of Epstein's criminal sentence. Professor Lloyd also visited Epstein's private island, though for only a few hours for lunch, and he has acknowledged Epstein in his academic publications. While Professor Lloyd clearly valued Epstein as a source of potential funding, he also told us he believed that, by continuing to engage with Epstein post-conviction, he could be part of Epstein's rehabilitation.

Professor Lloyd told us that, in 2005 or 2006 (before Epstein's conviction), Epstein gave him a personal \$60,000 gift to support his MIT research that Professor Lloyd did *not* submit through MIT. In possible violation of MIT policies and certainly in violation of MIT norms, Professor Lloyd deposited the gift into a personal bank account and did not report it to MIT.

¹⁴ See <https://www.edge.org/event/the-edge-billionaires-dinner-2004>

This gift, therefore, is not included in the \$850,000 in donations that MIT, as an institution, received from Epstein.

Professor Lloyd told us that the two \$50,000 donations that he received from Epstein in 2012 were unsolicited. Be that as it may, the evidence shows that Epstein planned the donations to test whether MIT would accept his money notwithstanding his criminal record. Specifically, Epstein was disappointed that other academic institutions would not accept his money following his 2008 conviction, and, as Epstein put it (using a fishing metaphor) in an email to Professor Lloyd, “im going to give you two 50k tranches to see if the line jingles.” Even if Professor Lloyd did not solicit these donations, as described below, he knowingly facilitated Epstein’s plan to circumvent any possible MIT vetting process.

Professor Lloyd told us that, after these donations in 2012, Epstein asked him each year if he needed additional funding, and Professor Lloyd responded that he did not. Regardless, the fact-finding suggests that Professor Lloyd continued to cultivate Epstein as a source of funding. Eventually, in July 2016, Professor Lloyd affirmatively contacted Epstein by email to ask for funding to support his upcoming sabbatical. On June 1, 2017, Epstein emailed his accountant and Professor Lloyd: “send 125 k to mit for seth lloyd from gratitude.”¹⁵ In contrast to the 2012 donations, Professor Lloyd informed the central administration (MIT’s Office of the Recording Secretary) that this 2017 donation was being made by Epstein.

b. Media Lab Director Joi Ito.

Ito was introduced to Epstein in February 2013 by Linda Stone, a former member of the Media Lab’s Advisory Council, at a TED Conference in Long Beach, California. On February 27, 2013, during the TED Conference, Stone sent Epstein and others an email with “Jeff

¹⁵ Gratitude America was one of Epstein’s charitable foundations.

[Epstein] + Joi [Ito]” as the subject line and “Intro!” as the body text. Ito told us that he then met Epstein in a hallway during the TED Conference.¹⁶

After meeting Epstein in February 2013, Ito conducted what he described as “due diligence” into Epstein. Ito told us that he performed a Google search of Epstein and also spoke with certain individuals to learn more. According to Ito, the “influential” people with whom he spoke included Nicholas Negroponte, Media Lab co-founder and Professor Post-Tenure of Media Arts and Sciences; members of the Media Lab Advisory Council; tech billionaires, including a former LinkedIn senior executive and co-founder; and a well-known Harvard Law School professor. Ito also met other influential individuals at meetings with Epstein, including Woody Allen, a senior executive at the Hyatt Corporation, and a former prime minister of Israel. Ito explained that these meetings and discussions influenced his view of Epstein.

On March 2, 2013, Ito asked two Media Lab staff members to review the information in the Epstein file in the Advance Database, noting: “Wealthy individual. Gave 30M+ to Harvard, I think. Prospect, especially for medical stuff. Introduced by Linda Stone. Lives in NYC. Can you check him out in the MIT database?” On March 4, 2013, one of the Media Lab staff members responded by alerting Ito that Epstein “might not be an individual the Lab should work with” and provided the link to Epstein’s Wikipedia entry:

You should read his Wikipedia bio, there may be some other things to consider. Though he seems to be a generous philanthropist, he might not be an individual the Lab should work with.
http://en.wikipedia.org/wiki/Jeffrey_Epstein.

¹⁶ Several witnesses informed us that Epstein was barred by the conference organizers from attending the TED Conferences; and so Epstein instead met people in the hallways or in a hotel lobby.

... [The MIT Advance Database does] not list any other information other than his giving amount, which is \$100K (50K just this past December). Let me know if you would like to still keep him on our prospect list we should be sensitive/careful when working with MIT development, they might not want this information to be known to alot [sic] of people.

At that time, Epstein's Wikipedia page included substantial information concerning Epstein's criminal offenses, although it also included statements that could be read as undercutting the strength of some of the allegations.¹⁷ It stated, among other things, that:

- "In March 2005, a woman contacted Palm Beach police, concerned that her 14 year old daughter had been taken to Epstein's mansion by an older girl and paid \$300 after stripping and massaging him. She had told him that she was 18 years old By 2011 at least 40 girls had come forward with similar stories," with "some saying Epstein sexually assaulted them during the massage."
- "Interviews with five alleged victims and 17 witnesses under oath, phone messages, a high school transcript and other items [police] found in Mr. Epstein's trash and home allegedly show that some girls were under 18, although some maintained to him at the time that they were of proper age."
- "In May 2006, Palm Beach police filed a probable cause affidavit saying that Epstein should be charged with four counts of unlawful sex with minors and one molestation count."
- "Epstein passed a lie detector test in which he was asked whether he knew of the under-age status of the girls."
- "Instead of following the recommendation of the police, the prosecutors considered the evidence weak and presented it to a grand jury, an uncommon procedure in non-capital cases. The grand jury returned only a single charge of felony solicitation of prostitution, to which Epstein pleaded not guilty in August 2006."
- "In June, 2008, after pleading to a single state charge of soliciting prostitution, Epstein began serving an 18-month sentence. He served 13 months in jail of his 18-month sentence as a convicted sex offender in the state of Florida for soliciting an underage girl for prostitution. He is a registered sex offender."

Continuing his inquiries, on March 28, 2013, Ito emailed Negroponte, copying two Media Lab professors, and provided the link to Epstein's Wikipedia page:

¹⁷ See https://en.wikipedia.org/w/index.php?title=Jeffrey_Epstein&oldid=538831348.

Do you know Jeff Epstein? Linda Stone introduced me to him at TED and I've been exchanging email with him.

http://en.wikipedia.org/wiki/Jeffrey_Epstein

He has a tainted past, but Linda assures me that he's awesome.

Negroponte responded: "I know him quite well. The person who is his closest friend is Marvin Minsky, who even visited him in jail. I would take Berlusconi's money, so why not Jeff." (By March 2013, Berlusconi, the former Prime Minister of Italy, had been accused of hiring underaged prostitutes and dating underaged girls.)

On June 10, 2013, after Epstein already had made his May 2013 donation to the Media Lab, a Media Lab assistant (the same one who had previously raised a red flag in March) again asked Ito: "Are you aware of his history? He may be worth googling ... there may be some other things to consider and be sensitive too [sic]." Ito responded:

Yes. I know his history and am treading carefully. Nicholas [Negroponte] and [] know him and I know many of his friends. The dinner at his house with . . . him Woody Allen and [a senior executive at the Hyatt Corporation]. It's a weird web of billionaires. I am also talking to [a Media Lab Advisory Council member] and others.¹⁸

The next day, Ito emailed Stone and asked for her advice regarding MIT's potential objections to donations by Epstein:

Thanks again for your introduction to Jeff [Epstein]. I really enjoyed our conversation last time at his place - it was nearly 5 hours. He's invited me to his island which I'm thinking of doing in July and I am planning on giving him a tour of Kyoto later in the year.

He sent an unsolicited 100K check to MIT, which triggered a request for more information from MIT...

¹⁸ A Media Lab communications staff member then replied directly to the Media Lab assistant, stating, "I guess they don't care"

As my advisor about these things, what do you think the risks are?
I think MIT may get antsy about his background, not sure.

Nicholas [Negroponte] and I talked about “figuring it out” if he decides that he wants to give “real money”. I personally feel like I want to just get to know him and if I trust him and like him, I’ll hang out with him and work with him and trust my own judgement.

Any thoughts on what sort of public perception issues there are and how other people deal with it? People in my office are a bit weirded out as you can imagine...

Stone responded that “[h]e’s given a tremendous amount of money to Harvard” and “other scientists. Good to show that list.” Stone further advised Ito to “[f]ocus on his funding of Harvard, scientists, over many years” and noted that he “aggressively funds science & tech & interesting people.”¹⁹ Ito told us that he ultimately took Stone’s advice to leverage Epstein’s supposed donations to Harvard and other leading science institutions: he said that he was largely influenced and convinced by Epstein’s high-profile connections, all of whom he said vouched for Epstein’s character, despite being “rule-followers” themselves.

Several witnesses we interviewed told us that Ito was a believer in redemption and restorative justice, and that this—and the positive feedback he received during his due diligence—explained his willingness to associate with Epstein. Whatever the reason, following his due diligence, and despite acknowledging the concerns expressed by Media Lab staff and others, Ito came to Epstein’s defense. In a June 2013 email to Media Lab staff who had raised concerns about Epstein, Ito acknowledged Epstein’s past, but wrote “I find him very smart and interesting and excited about our work.” The next month, in response to concerns raised by another Media Lab staff member, Ito asked her to keep an open mind and wrote “I talked to him

¹⁹ When we interviewed Stone, she told us that Epstein had insisted to her that he was “wrongfully convicted,” pointing both to his light sentence and his assertion that he had been cleared by a lie detector test as evidence that he was truly innocent of the charges.

for about 30 hours already so I don't 'know' him, but I've learned a lot about how he thinks and I've learned a lot about how the world works and I just wanted to share it with you." In January 2015, the then-Media Lab Director of Development emailed Ito raising his concerns over the allegations that Epstein had forced an underaged girl to have sex with Prince Andrew and others; Ito responded: "I'm talking to [Epstein] about this. I'd rather not discuss over email, but it's possible, not likely, but possible that in the end, all of this new stuff will help clear him."²⁰ In December 2017, when another MIT Media Lab staff member complained about having Epstein visit campus, Ito responded in part "I've also talked to Nicholas [Negroponte] as well who had met him and he also agrees that we should treat Jeffrey with respect."

From 2013 through 2018, Ito attempted to expand Epstein's giving to MIT. While Epstein never actually donated more than \$150,000 at any one time, Ito held out hope that Epstein might make donations in the millions. For example, in August 2013, he suggested Epstein as the sponsor of a proposed center for the study of "deceptive design" in evolutionary biology. In February 2016, he suggested Epstein as the potential sponsor of an endowed chair named after Professor Minsky, at a cost of several million dollars. In April 2016, he pitched Epstein on a \$12 million plan for a fellowship program in "antidisciplinary science." And he also worked in 2018 to obtain \$1.5 million from Epstein to support research by Caleb Harper, a Principal Research Scientist at the Media Lab.²¹ None of these larger proposed donations was ever made by Epstein.

²⁰ Ito also attempted to assist Epstein, strategizing with him as to how he might be able to "mollify the bad press" after a series of articles were published concerning a civil lawsuit brought by Epstein victims.

²¹ In addition to his donations to the Media Lab, Epstein funded two of Ito's personal ventures: \$250,000 in a company that was formed to commercialize technology developed at MIT, and \$1 million into a \$9 million private investment fund that Ito manages. Ito told us that, as of the time of our interview, both of those investments were being held in "escrow" and that he was attempting to "eject" Epstein's money from those ventures. (In January 2018, Ito also asked Epstein if he would invest \$5 million to \$15 million in another non-MIT fund that Ito was attempting to establish, but Epstein did not make that investment.)

3. Between 2013 And 2017, Members Of The MIT Senior Team Approved MIT's Acceptance Of Epstein's Donations.

Whether a university or research institute should accept donations from a controversial source is itself a difficult and controversial topic. From time to time over the past decade, MIT has explored whether to adopt a gift acceptance policy and has considered drafts of such policies. But, at the time of the events discussed in this Report, MIT did not have any relevant policy that addressed whether to accept money from potentially controversial donors. At present, MIT has been operating under a one-page document entitled "Principles of MIT Gift Acceptance," but it does not address donations from controversial donors. MIT also has a "Gift Policy Committee" that was formed in 2007, but this Committee has not met regularly, usually does not review individual donations, and did not review the Epstein donations. Consequently, when Epstein offered his post-conviction donations to MIT between 2013 and 2017, individual members of the MIT Senior Team were left to make ad hoc determinations regarding whether to accept them without guiding processes or principles in place. We conclude that, in making those decisions, these members of the Senior Team were acting in good faith. There is no evidence to suggest otherwise. They violated no MIT policies and were not acting in pursuit of personal gain. Nonetheless, they committed significant errors of judgment, as detailed below.

a. Office Of Resource Development Uncovers Epstein's Criminal Record In Late 2012.

In June 2012, Epstein provided the first \$50,000 installment of his \$100,000 pledge that year to support Professor Lloyd's research. At that time, Professor Lloyd was well aware of Epstein's 2008 conviction; after all, he had visited Epstein while Epstein was serving his sentence. Professor Lloyd's decision not to volunteer that Epstein was the source of the donation, while not a violation of any written policy that we have found, was a breach of the

professional duties that Professor Lloyd owed to MIT. Professor Lloyd has conceded as much and has expressed his regret in his written apology and during our interviews with him.²²

On June 7, 2012, Professor Lloyd alerted MIT staff that he would be receiving donations, but he did not identify Epstein by name, instead only providing the name of one of Epstein's assistants—Lesley Groff²³—as the person “taking care of the donation from the donor's end.” The only reasonable inference is that Professor Lloyd did this to obscure the fact that Epstein was the donor and to hinder any possible due diligence or vetting by MIT. It was only one week later, when a Giving Officer at MIT emailed Groff and asked her to provide a letter “saying you intend to make the gift,” that Epstein's name was revealed: Groff responded “I am actually not the person making the actual donation. Jeffrey Epstein is making the donation.” At no point in this process did Professor Lloyd alert anyone at MIT that Epstein was a convicted sex offender, or even that he was controversial in any way; indeed, the MIT Giving Officer involved was completely unaware of his history.

Professor Lloyd intentionally did not elevate the 2012 donations to the attention of any senior leader at MIT, nor did he disclose Epstein's criminal record to the MIT staff that he asked to process the gift. As a result, following MIT's receipt of Epstein's June 2012 donation, a “Presidential Acknowledgement” letter (sometimes referred to as a “PACK” letter) with President Reif's signature, dated August 16, 2012, was sent to Epstein to thank him for the donation. There is no evidence that President Reif, or anyone else involved in sending the

²² Professor Lloyd told us that he believes he checked whether MIT had a policy against taking donations from convicted felons prior to Epstein's 2012 donations, and he learned that it did not.

²³ Lesley Groff has recently been named as a defendant and co-conspirator in the civil sexual abuse cases against Epstein's estate. See <https://www.cbsnews.com/news/jeffrey-epstein-estate-sued-in-new-lawsuit-against-executors-by-victim-who-names-co-conspirators/>.

Presidential Acknowledgement letter in 2012, had any knowledge that Epstein had a criminal record or was controversial in any way.²⁴

MIT's Office of Resource Development subsequently researched Epstein as part of a routine process to research prospects and, by November 2012, learned of his criminal record. On November 27, 2012—about two weeks before the second \$50,000 installment of Epstein's pledge to support Professor Lloyd—the Advance Database was updated to include certain background information regarding Epstein, including that “Epstein has had numerous legal troubles and reported conviction in the US and Virgin Islands with multi-million dollar solicitation law suits.” The issue, however, was not escalated within Resource Development or to any member of the Senior Team, and did not result in any discussions about whether to accept Epstein's December 2012 donation.

In summary, Professor Lloyd knew that donations from Epstein would be controversial and that MIT might reject them. We conclude that, in concert with Epstein, he purposefully decided not to alert the Institute to Epstein's criminal record, choosing instead to allow mid-level administrators to process the donations without any formal discussion or diligence concerning Epstein. In his interview, Professor Lloyd acknowledged that he had been “professionally remiss” in not alerting MIT to Epstein's criminal record.

b. Members Of The Senior Team Seek To Accommodate Ito By Allowing Epstein To Donate To The Media Lab In 2013.

Epstein's unsolicited \$100,000 donation to Ito's discretionary account in May 2013 caused MIT's central administration to contact the Media Lab for more information. This triggered further discussions, quickly rising to the level of the former Vice President for

²⁴ The evidence shows that, during this time period, President Reif was asked to sign approximately 500 such Presidential Acknowledgement letters to donors per year.

Resource Development Jeffrey Newton, who further escalated the issue to certain Senior Team members (most notably, Morgan and Ruiz), over whether to return the May 2013 donation. Ultimately, they made a decision to keep the donation, but to record it and Epstein's other donations as anonymous and to place restrictions on further giving by Epstein. Participants in these discussions identified and discussed the risk to MIT's reputation should Epstein's donations become public knowledge.

On June 10, 2013, a Media Lab assistant emailed Ito for information about the donation.

Ito responded, in most relevant part:

Jeff sent the money as an unrestricted gift for us to 'get started'. I am thinking of what to get him to support more substantially.

He has formerly funded Marvin Minsky.

I am hoping he funds an initiative around the brain or something biologically oriented.

On June 12, a Media Lab communications staff member emailed Ito an update regarding her communications with the then-Senior Director, Philanthropic Advising about Epstein's donation, reporting that "MIT is 'aware of the situation'" and that he "didn't see a problem."

But, in fact, the senior administrators who became aware of the situation quickly concluded that accepting Epstein's money could pose a problem and would require further consideration. On June 13, the then-Recording Secretary sent Newton an email with the subject line "Alert on Recent Gift":

I learned today that we have accepted a recent gift from Jeffrey Epstein (a potentially controversial donor) of \$100K for unrestricted support of Joi Ito, Director of the Media Lab. Apparently, Joi attended an event where Mr. Epstein was present (not sure of all the details), and Mr. Epstein was impressed and sent along this gift. The administrator, [], over at the Media Lab reached out to [the Senior Director of Philanthropic Advising] about this for some advice because she learned of some of the

controversy [sic] about the donor when our Communications Office reached out to her to try and get some info for a PACK letter. The PACK letter is now on hold pending your advice and counsel.

Perhaps, you already know of this person?

The Recording Secretary's email included links to items on the *Wall Street Journal* and *New York Magazine* websites about Epstein. The *Wall Street Journal* item was actually a press release from the Jeffrey Epstein VI Foundation touting Epstein's pre-conviction donations to Harvard. The press release did not mention Epstein's criminal conviction or that he was a registered sex offender. The lengthy (eleven-page) *New York Magazine* story was from October 2002. Entitled "Jeffrey Epstein: International Moneyman of Mystery," it focused on Epstein's vast social network and purported financial acumen.²⁵ Because it dated from years before Epstein's conviction, it likewise did not mention Epstein's criminal conviction.

Newton forwarded the Recording Secretary's email to Morgan, copying Ruiz, saying:

Proof, perhaps, that our system works. Here is a real time issue. What do we do? He has funded a \$25M center at Harvard, but under Larry Summers. Gave money to Princeton, but no mention of him is on either web site [sic].

Do we give the money back? On what grounds?

Newton added: "I have completely halted the PACK letter referred to [in the email]. That process generates a presidential thank you."

In response, Morgan wrote: "I've skimmed the linked articles – literally skimmed. What exactly is the controversy about this donor? He's mysterious, but is there any actual evidence of bad acts or intent?" Morgan's puzzled response was understandable, given that neither article in the Recording Secretary's email mentioned Epstein's criminal record.

²⁵ The linked articles were http://online.wsj.com/article/PR-CO-20130612-908133.html?mod=googlenews_wsj (available at https://web.archive.org/web/20140805000305/http://online.wsj.com/article/PR-CO-20130612-908133.html?mod=googlenews_wsj) and http://nymag.com/nymetro/news/people/n_7912/.

The Recording Secretary responded to Morgan's question by next sending a link to Epstein's Wikipedia page to Morgan, Ruiz, and Newton, writing:

Please see the section on Solicitation of Prostitution and Civil Actions at this [Wikipedia] site. It appears that he served 13 months in jail as a convicted sex offender in Florida in 2008. This is not official research, but we learned this in a brief media scan today and it is reported in various media sources obtained through basic google searches.²⁶

Given this additional information, Morgan replied the next day, a Friday, "I'd like to discuss this," and Newton emailed "Agreed. Next Tuesday would be soon enough." The Recording Secretary then told an MIT Resource Development staff member that "Greg [Morgan], Israel [Ruiz] and Jeff [Newton] are going to talk about this early next week."

While this discussion involving members of the Senior Team was occurring, a Media Lab staff member emailed Ito an update on June 13, explaining that the issue was being escalated to "senior management" and that "Jeff Newton will need to decide this":

I received a call today from the Recording Secretary (Major Gifts) regarding the gift. They do research on each gift received into the Institute to ensure it is funds that we would accept. They came across his background and called me to find out about the gift and why it was given, etc. I explained to them that you attended a dinner where he was present, discussions transpired regarding the Lab and he sent a gift. I also explained that there are no immediate plans on your side to invite him into the Lab but you were certainly not going to avoid him.

* * *

They are raising this particular gift up to their senior management to determine if we should accept it, I told them I understood, but I felt it was offered in good faith and that Harvard has accepted his funds, etc, so I thought we should too, but consider our future moves. I think Jeff Newton will need to decide on this.

²⁶ For a summary of the information concerning Epstein available on his Wikipedia entry as of the date of the Recording Secretary's email, *see supra* p. 15.

Ito added a Media Lab communications staff member to the email chain; and she warned that “MIT might not sanction the gift.” Ito responded that “[i]f they’re not going to take any money from him, the way I interact with him will obviously change quite a bit.” She replied that “[w]e should know by early next week. Even if this gift is accepted, we still need to figure out how to figure out [sic] the relationship going forward....”

Newton told us that, in advance of discussing the issue with Ruiz and Morgan, he discussed it, apparently during the week of June 17, with the Recording Secretary and the Senior Director of Philanthropic Advising. According to Newton, this group quickly concluded that MIT should not accept Epstein’s money. On Friday, June 21, a Media Lab staff member emailed Ito with an update, stating that “Jeff Newton will most likely return the gift money,” and that “this is pretty close to a done deal.”

Ito forwarded this email to the Media Lab communications staff member, noting “[i]sn’t it weird that Jeff [Newton] isn’t telling me directly?” She and Ito strategized over how to convince Newton to allow MIT to keep the May 2013 donation. They then worked together on a draft email from Ito to Newton. The final version, which Ito sent to Newton on Friday, June 21, stated:

[I’ve] received some mixed signals about a small \$100K gift that I received from Jeffrey Epstein. [The Senior Director of Philanthropic Advising] and [a Media Lab staff member] have been talking and it sounded like it would be fine. However, the gifts office is now telling me that you are considering returning the gift.

Can you let me know where you stand? I’m actively developing the relationship with Jeffrey Epstein and I’d like to know your thinking on this. More important than this \$100K is what happens if he is interested in a much larger gift. My previous understanding was that if it was not accounted or named—or if the gift might be given anonymously—it was likely to be OK.

Ito and Newton arranged to meet on Monday, June 24, to discuss Epstein's donation. Newton told us that he and Ito met for about 30 minutes on June 24 to discuss the issue. He recounted that he told Ito that MIT would not take money from Epstein. According to Newton, Ito pushed back, suggesting several methods for Epstein to get money to MIT, including by having Epstein swap donations with someone else's foundation, to conceal the origin of the donation.

The timeline is uncertain, but it seems that the meeting Ruiz, Newton, and Morgan discussed on June 14 did not take place until after the June 24 meeting between Newton and Ito. Memories differ as to whether it was an in-person meeting or a call, and also as to who participated.²⁷ Based on our interviews with those who remember the discussion, they addressed how to accommodate Ito and the Media Lab while addressing MIT's competing reputational concerns. We find that, in attempting to address this issue, and in balancing competing interests, the members of the Senior Team were acting in good faith in the absence of any applicable MIT policies. At the end of the discussion, there was a consensus, reached by Morgan, Ruiz, and Newton, to keep Epstein's \$100,000 donation to the Media Lab and to accept further donations from him so long as:

- (1) each donation would be recorded as anonymous, and Epstein could not publicize it;
- (2) the donations would be relatively small; and
- (3) the donations would be unrestricted.

²⁷ Former Provost Chris Kaiser and Vice President for Research Maria Zuber were copied on a few early emails discussing Epstein in passing in 2013, including an August 2013 email that simply references, without any additional detail or identifying information, "issues" with a donor named Jeffrey Epstein. But the fact-finding shows that Kaiser and Zuber did not play a role in the decisions to accept Epstein's donations and quickly dropped off the email traffic on the subject.

On June 26, Newton emailed Ito the final decision regarding the Epstein donation, stating that the May 2013 donation need not be returned, but that it and future donations would be subject to certain restrictions:

We will keep the money, but it will be listed as anonymous.

Any further financial relationships with him will need to involve me directly before they are finalized, so you just need to keep me in the loop on your conversations. You should ask him not to publicize his support of MIT, as we are handling these funds as anonymous, and there is no point to that if he publicizes it.

Newton forwarded his email to the Recording Secretary with the following instructions:

Please mark all of Epstein's gifts as anonymous. We do not want his name appearing on any list of supporters or donors in any form.

Mark his file with a message that there is to be no contact with him without contacting me first. No acknowledgment letters from the president.

I think this is the best we can do right now.

In response to these instructions, in June 2013, MIT's records concerning Epstein's post-conviction donations to MIT were altered to list the source of the donations as "anonymous." (The pre-conviction donation from Epstein's C.O.U.Q. Foundation to Professor Minsky in 2002 was not reclassified.) A new entry was added to the "Alerts and Messages" section of the files for "Epstein Interests" and "Enhanced Education" (two Epstein foundations) in the Advance Database managed by Resource Development: "There is to be [no] contact with Epstein without contacting VP Jeff Newton first. Sensitive situation, no presidential acknowledgement." A similar entry, directing people to the Senior Director of Philanthropic Advising, was put into Epstein's personal Advance Database file. A further entry was added to the "Alerts and Messages" section of the Advance Database file for Epstein, stating: "Additional gift(s) made anonymously. For further information on this donor's anonymous giving please contact the

Prospect Management team” And a similar entry was added to the “Alerts and Messages” section of the Advance Database file for Enhanced Education: “Additional gift(s) made anonymously. To obtain information on this donor’s anonymous giving, please contact a staff member from the Anonymous Information Resource Listing.”

Those we interviewed could not recall any other instance of a donor having his accounts at MIT designated anonymous at MIT’s own initiative, rather than at the donor’s request.²⁸ And, in fact, Epstein repeatedly ignored the requirement that he not publicize his support of MIT: Epstein-affiliated websites contained numerous references to Epstein’s alleged financial support of MIT in and after 2013.²⁹ Epstein also publicly claimed credit for donations to MIT that he did *not* make. Soon after Epstein made his July 21, 2014 donation to support Bach, the Jeffrey Epstein VI Foundation issued a press release incorrectly claiming to have made a donation to MIT for art restoration.³⁰ In early September, Epstein stated that he would provide another \$100,000 donation to support Bach; that donation was recorded by MIT on September 18, 2014. On September 16, two days before the donation was recorded, Epstein issued a second press

²⁸ Contrary to certain media reports, neither Epstein nor his foundations was ever coded as “disqualified” in MIT’s donor systems. Further, the code “disqualified” does not mean that a person or entity is “blacklisted” or prohibited from donating to the Institute. Rather, the term “disqualified” is a database code for any donor who previously donated to MIT but presently is dormant or is no longer interested in giving to MIT.

²⁹ For example, in 2015, Epstein’s websites noted his financial support of “MIT” and “MIT Media Lab.” See <https://web.archive.org/web/20150103052210/http://www.jeffreyepstein.org/Recipients.html>; <https://web.archive.org/web/20140323014059/http://www.jeffreyepstein.org/Recipients.html>. Starting no later than August 2014, the Epstein website jeffreyepstein.net stated: “Today, Jeffrey Epstein AI sponsors many leading scientists at the forefront of AI research, including Marvin Minsky and Seth Lloyd at MIT, ... and Joscha Bach in Berlin.” See https://web.archive.org/web/20140806045338/http://jeffreyepstein.net/about_jeffrey_epstein/. The same website also contained a page asserting that Epstein supported “Marvin Minsky and MIT’s AI and Media Labs.” <https://web.archive.org/web/20140805022603/http://jeffreyepstein.net/jeffrey-epstein-ai-projects/>. The website jeffreyepstein.org contained a page in 2015 stating that “The Jeffrey Epstein VI Foundation has supported many leading scientists including ... Seth Lloyd, ... Marvin Minsky.” <https://web.archive.org/web/20151103145000/http://www.jeffreyepstein.org/Jeffrey-Epstein.html>. This 2015 website page also listed MIT Professor Frank Wilczek as a recipient of Epstein funding. Professor Wilczek has been at MIT since 2000. We saw no evidence of a donation by Epstein to MIT to support Professor Wilczek, and Professor Wilczek denied receiving support from Epstein.

³⁰ See <https://web.archive.org/web/20141012035051/http://www.jeffreyepstein.org/>.

release titled “MIT Financier, Jeffrey Epstein, Helps Launch Revolutionary Computer Coding for Toddlers.”³¹ This was a reference to an MIT project known as “ScratchJr.” As with the art restoration project, Epstein did not actually donate any funds to the ScratchJr. project.³² MIT complained to Epstein about the inaccurate press releases. In January 2015, a Reuters reporter emailed MIT seeking “a clear idea of the association between the university and Mr. Epstein,” and later asked if Epstein is “providing funding for other MIT research, by Marvin Minsky or Seth Lloyd for example?” The Media Lab responded to the reporter by denying the accuracy of the 2014 press releases, but neither the Media Lab nor MIT’s central administration volunteered that Epstein had donated to the Media Lab for other purposes. The Media Lab’s denials later appeared in a Reuters story on February 1, 2015, reporting on the reaction of charities to allegations that Epstein forced a girl to have sex with Britain’s Prince Andrew.

That Epstein repeatedly ignored the requirement that he not publicize his donations to MIT presented an opportunity to reassess the effectiveness of the requirements placed upon his donations, as well as the underlying decision to accept his donations. There is no evidence, however, that this happened.

³¹ The press release, which has since been removed, was originally located at the following address: <https://www.prnewswire.com/news-releases/mit-financier-jeffrey-epstein-helps-launch-revolutionary-computer-coding-for-toddlers-275265231.html>.

³² On the same day, Ito also emailed Ruiz and Provost Martin Schmidt, alerting them to the “fake release” put out by Epstein’s foundation, and making reference to the fact that MIT had accepted other small donations from Epstein. But there is no other discussion of Epstein’s identity or history in that email.

**c. Members Of The Senior Team Reaffirm The Conditions On Donations
By Epstein In Late 2013.**

On August 17, 2013, Ito emailed Newton to discuss having Epstein fund a center on “design patterns for deception” in evolutionary biology.³³ Newton responded that Ito should proceed to assess Epstein’s interest “and then we can address the issue of anonymity. Best if it came through a third party is my initial reaction, but let’s take it one step at a time.” Newton forwarded his response to Morgan, Ruiz, Former Provost Chris Kaiser, and Vice President for Research Maria Zuber, adding: “This is a heads up. You may recall the issues with this donor. You can see I delayed a direct response, but we should be prepared with an answer in case Epstein wants to support this in some way.” Ultimately, Epstein never donated to MIT for this purpose.

On November 7, Linda Stone emailed Ito regarding a possible structure for further donations from Epstein.

I spoke with [a Harvard Kennedy School professor] a bit tonight at a dinner I was at in NYC. I’ve introduced him to JE [Epstein] in the past and the university (Harvard) would not let him take \$ from him. I asked him about a 501c3 that I might do per my conversation with Jeff and [the professor] suggested that I really do some good research on that first as there may be disclosure issues that would make it not possible to donate funds given the source of the funds.

Ito responded: “I just contacted my VP of development at MIT. We’ve talked about Jeffrey [Epstein] in the past. I’ll ask about this.” Notably, while Stone told Ito in her November 7 email that, according to the Harvard professor, “the university (Harvard) would not let him take \$ from [Epstein],” there is no evidence that Ito ever reported this information to anyone at MIT—despite

³³ The fact-finding shows that Ito discussed the possibility of creating a symposium on deceptive design with Professor Kevin Slavin (Assistant Professor and founder of the Playful Systems group at the Media Lab) and suggested having Epstein anonymously sponsor it.

Ito's having previously used Harvard's supposed acceptance of Epstein's donations to argue for MIT to follow suit.

The next day, Ito emailed Newton: "I have a question about how I might receive funds from a donor who is trying to be anonymous. I wonder if we could chat a bit about structures." Newton responded with his cell phone number and wrote: "This should be fairly easy." Ito subsequently replied to Stone's last email: "I talked to the VP. I'm trying to figure out a way to take the money directly from Jeffrey [Epstein] anonymously without having to set up a non-profit. He thinks that in the 100s of K we might be able to do this. I'll know at the beginning of the week." A week later, on November 14, 2013, Ito emailed Newton "I wonder if you had any further news on receiving funds from my funder requesting anonymity." Newton responded, saying "I have discussed this with Israel Ruiz, the EVP and Greg Morgan, the general counsel," and that:

Your donor should know that we are keeping this gift as an anonymous gift, and we would like him to do the same, i.e. no announcement or public information disseminated by him or his foundation about this gift.

Only you, I and [the Recording Secretary] will know about this.

We will send a formal receipt, but no other acknowledgement to the donor will be coming from the Institute, to keep the anonymity.

He should know, however, that we appreciate his support of your efforts.

I hope this helps.

A week later, Epstein made his \$150,000 donation to support Bach, which was accepted by MIT and recorded as coming from an anonymous donor. Notwithstanding the requirement that

Epstein not publicize his donations to MIT, The Jeffrey Epstein VI Foundation put out press releases touting Epstein's support of Bach, without naming MIT specifically.³⁴

On December 21, Epstein emailed Ito "we should talk about funding for center. dollars control staff whenever you are ready..." (In context, this appears to be a reference to the proposed center for the study of "deceptive design," to research evolutionary development centered on deception as a strategy.) Ito forwarded Epstein's email to Professor Kevin Slavin (Assistant Professor and founder of the Playful Systems group at the Media Lab). A few days later, Ito emailed Newton regarding further Epstein donations: "I had a question regarding the account for our anonymous donor that we set up. He is interested in funding the development of a new initiative related to the original 100k+ grant that he gave. Is there some dollar amount per year that we shouldn't go above for that account?" Because Newton was then scheduled to leave MIT as of January 31, 2014, Ito also asked "going forward, is there someone else I should be asking these sorts of questions? Israel Ruiz and I have a very good relationship in case he would be an appropriate person." Newton responded: "I suggest working with Israel since you know him well, and keeping [Resource Development] in the loop. But Israel is the main decision maker on this after I am gone. There is not a particular amount, but after some point attention will be drawn if the funds are significant."

d. Members Of The Senior Team Discuss Epstein Donations Again In 2014.

In November 2014, Epstein and Ito discussed the possibility of Epstein donating millions of dollars to MIT, an amount far in excess of the few hundred thousand dollars he had donated up to that point. (According to Ito, the John Templeton Foundation discussed the possibility of Templeton matching up to \$5 million in donations from another source. Ito asked Epstein if he

³⁴ See, e.g., <https://web.archive.org/web/20140329090159/http://www.newsday.com/business/press-releases/jeffrey-epstein-funds-innovations-in-cognitive-science-1.6531700>.

would make the initial donation of up to \$5 million, to trigger the Templeton match; Epstein signaled a willingness to do so.) This potentially substantial increase in giving by Epstein led to renewed consideration of the issue by members of the MIT Senior Team during December 2014 and January 2015, including Ruiz, Morgan, and Julie Lucas, the new Vice President for Resource Development. Lucas, who started at MIT in November 2014, was the permanent successor for Newton.³⁵ On November 12, 2014, Ito emailed the Media Lab Director of Development to report the possibility of “substantial funding” from Epstein. The Media Lab Director of Development then emailed the Senior Director of Philanthropic Advising and a Resource Development staff member to state that Epstein wanted to give MIT \$5 million, “if MIT will let him,” which might require MIT “to reconsider its position” concerning anonymity.

The Senior Director of Philanthropic Advising responded (copying the Recording Secretary) that “[t]his was a big issue for Jeff [Newton], and an agreement with Joi [Ito] was established” and that “[i]n my view Julie [Lucas] should decide possibly in consultation with Rafael [Reif].” The Media Lab Director of Development forwarded the Senior Director of Philanthropic Advising’s response to Ito, adding that he would prefer to resolve the issue before President Reif “gets pulled in”:

Okay, they are bumping this up to Julie Lucas, the new VP. (The Jeff in the email is Jeff Newton, the retired VP). This will be a fun intro for Julie [Lucas] about working with ML [the Media Lab].

We have a meeting with Julie [Lucas] on Jan 8, but I don’t think we should wait that long, especially if [the John] Templeton [Foundation] is looking for a match.

³⁵ Former Vice President Kirk Kolenbrander served as Interim Vice President for Resource Development between September 2013 and November 2014, between Jeffrey Newton and Julie Lucas. While the Recording Secretary with responsibility for gift acceptance had previously reported to Jeff Newton, shortly after Lucas was hired, that responsibility was moved to the Treasurer’s office, effective July 1, 2015. We have seen evidence that this change was motivated by a governance concern and a potential conflict of interest in having the head of Resource Development in charge of decision-making with respect to the acceptance of gifts.

We might need some back up from Marty [Schmidt] or Israel [Ruiz]. Up to you and [a Media Lab staff member]. I'd rather bring them in before Rafael [Reif] gets pulled in.

On December 9, Ito emailed the Media Lab Director of Development that “[i]t looks now like I now have to talk to the VP of Dev before the end of the year regarding Jeffrey [Epstein] since [Epstein] has a question that needs to be resolved before the end of the tax year. Can we set up a meeting?” Ito also emailed Epstein to ask “[d]oes your foundation currently fund Harvard or any other ‘more stuffy than MIT’ type institutions?” Epstein responded: “hasty pudding. harvard, cornell mountsinai.”

The next day, Wednesday, December 10, the Media Lab Director of Development emailed Lucas to provide background on the Epstein issue, noting that Epstein was “controversial” and that there was an “understanding that Jeff Newton and Joi [Ito] had about gifts from Jeffrey [Epstein]”:

Joi [Ito] has a friend named Jeffrey Epstein. He is a little controversial; you can google him. Because he is controversial, Joi [Ito] and Jeff Newton had an understanding about when and how Jeffrey [Epstein] could donate to the Media Lab, even anonymously. The gifts tended to be small and anonymous.

Jeffrey [Epstein] is now looking to make a significant gift to the Media Lab, through one of his foundations, called the Enhanced Education Foundation. It might be several million dollars. It would again be anonymous; Jeffrey [Epstein] doesn't want any recognition, he just wants to work with Joi [Ito] to have an impact on [Ito's] One Science Initiative.

The Media Lab Director of Development then emailed Ito a summary of where the issue stood, noting that they were in a “holding pattern” until Lucas was able to “revisit” the understanding Ito previously had with Newton:

The main issue from our end was that you and Jeff Newton, the former VP of resource development, had a verbal understanding about the size and form of gifts that we could accept from Jeffrey [Epstein]. Now that Jeff Newton has been replaced by Julie Lucas,

we need to revisit that understanding. My sense from [the Senior Director of Philanthropic Advising] was that small, anonymous gifts were fine, but it sounds like this might be in the seven figures, and he suggested you talk with Julie [Lucas] about it.

The following Monday, December 15, Lucas responded to the Media Lab Director of Development's December 10 email, observing that she was new to the position and would need to consult with others. Ito forwarded Lucas's response to Ruiz, asking "[c]an we talk about this sometime? Could I call you this evening?" Ruiz responded regarding his availability for a phone call and also wrote "[h]owever, from reading the email exchange below, this all seems good to me. Let's talk later."

Ito and Ruiz spoke the night of December 16. Ruiz told us that he recalls discussing and rejecting a potential \$10 million donation from Epstein because it did not fit the established criteria for donations by Epstein. Ruiz agreed, however, that donations less than \$10 million would be acceptable, so long as they were anonymous. As Ruiz recounted in an email to the Recording Secretary, copying Lucas, the next day:

We agreed with Joi [Ito] (I spoke with him last night) that we could treat this gift coming from the foundation in the same anonymous way for as long as we checked and referenced the source. Could you do a check with their tax-id number and let me know?

If this comes up good, which I expect, I told Joi [Ito] basically what I have told via Jeff [Newton] already which is that we could accept seven figure gifts in this manner for now. If the amounts were to be larger, we should discuss again. This is a discussion that precedes you Julie [Lucas] and I can fill you in the details at some point.

Ito similarly emailed Epstein to let him know that gifts under \$10 million "should be no problem."

e. The Epstein Donations May Have Been Mentioned At A Senior Team Meeting in Early 2015.

Ruiz, one of the decision-makers in accepting the Epstein donations, told us that he had second thoughts over the holiday break in late 2014. In an email to Morgan on January 5, he said “I would also like to talk about the gifts to the Media Lab by a specific donor, but as STM [Senior Team Meeting] is only an hour, maybe you, Julie [Lucas] and I can talk briefly and decide how to raise my issues.” He told us that he subsequently asked for updated Epstein gift activity, development reports, and information, which he received by email on January 9, and then brought the question of Epstein’s donations to the entire Senior Team at their retreat in January 2015. But no such discussion is reflected in either the agenda, or the high-level notes of the meeting prepared by then-General Counsel Morgan. Ruiz recalls that he described the information he received about Epstein and his growing reservations. The only other Senior Team member who recalls that Epstein donations were ever discussed at or in connection with *any* Senior Team meeting is Lucas. But she does not recall the specific discussion at this January 2015 retreat.³⁶ She also told us that, whenever the Epstein donations were mentioned, it was only briefly, as an off-agenda item, and no provocative terms like “sex offender” or “pedophile” were ever used that might have alerted the rest of the Senior Team to the nature of Epstein’s crimes.

Other members of the Senior Team, including President Reif, have no recollection of a discussion of Epstein at any Senior Team meeting. But they do not rule out the possibility that such a discussion of a controversial donor could have occurred, albeit briefly. Given the passage of time and imperfect memories, there is simply a lack of clarity regarding the nature and detail

³⁶ While she does not recall a specific discussion at this particular January 2015 Senior Team retreat, Lucas told us that she recalls at least one, maybe two, discussions of Epstein donations at or in connection with a Senior Team meeting, and that one of these discussions occurred in 2015.

of any discussion of Epstein at this meeting. The fact-finding indicates that Ruiz intended to bring up the issue of Epstein's donations at a Senior Team Meeting and that he may have done so briefly, but, if so, in a manner that was inadequate to inform the Senior Team of the serious nature of Epstein's crimes. Numerous members of the Senior Team who were not part of the decision-making group on the acceptance of Epstein donations told us that, while they do not recall whether a discussion of Epstein occurred, they are confident that, if there had been a discussion of donations from a convicted "sex-offender" or "pedophile," they would have remembered it.³⁷ There also is no evidence that any materials regarding Epstein, his prior crimes, or his donations were ever circulated to the Senior Team at this time or in connection with the retreat.³⁸ In short, even if Epstein was briefly discussed at the retreat, the issue was not presented in a way to permit the kind of discussion and debate that was warranted.

On the same evening of the January 13 Senior Team retreat, Ruiz emailed Ito to ask "[d]o you have time for a conversation about the gift discussion we [had] before the break? We have had a chance to discuss the nuances in light of the most recent news and would like to share Rafael [Reif] and others perspectives with you." Ruiz told us that he does not actually recall President Reif speaking on this subject at the Senior Team retreat; Ruiz suggested that his reference to "Rafael[']s" perspectives was meant to convey President Reif's implicit acceptance of the group consensus, although he also recalled that Chancellor Barnhart may have objected to accepting Epstein's donations. As noted above, like numerous other members of the Senior Team, President Reif told us that he would have remembered if there had been a discussion of a

³⁷ Indeed, it is worth noting that several members of the Senior Team, including Chancellor Barnhart, are focused on campus sexual assault, sexual harassment, and Title IX compliance.

³⁸ For instance, unlike the Senior Team members (Morgan, Newton, and Ruiz) who made the original decision to accept Epstein donations in 2013, there is no evidence that the other Senior Team members who attended the retreat had the benefit of the Wikipedia post or the detailed information contained therein.

donation from a convicted sex offender. Ito followed up with Ruiz the following morning and noted that, “[a]ctually, the gift discussion is deferred and isn’t really imminent. Let me know if you still need to speak. Maybe it’s better for us to schedule a meal or something to discuss this and other issues in a more leisurely way.” Ruiz responded that there was no need to speak urgently, and he reported to us that the conversation with Ito never happened. Ito could not recall whether he and Ruiz ever had the conversation.

In addition, there is evidence that Epstein’s name was mentioned at or in connection with a Senior Team Meeting in April 2015. Specifically, President Reif wrote “Epstein – Joi Ito” on his copy of the agenda for the April 28, 2015 meeting. At his interview, President Reif could not recall why he made this note on his copy of the agenda. None of the other Senior Team attendees could recall a discussion of Epstein at that meeting, though the meeting notes did include a mention of Ito in the context of a discussion of the Media Lab Digital Currency Initiative, which, coincidentally, was of interest to Epstein.³⁹ Again, the minutes of the meeting did not reflect any conversation about Epstein or Epstein donations.⁴⁰ As with the January 13

³⁹ As noted above, Lucas told us that she believes that Epstein’s donations were discussed at or in connection with a Senior Team meeting in 2015, but she has no specific recollection of the date, and she believes that any such discussion was brief, an off-agenda item, and did not reference provocative terms like “pedophile” or “convicted sex offender.”

⁴⁰ On August 11, 2019, after the media began to focus on Epstein donations, Ruiz emailed President Reif stating that Epstein’s donations to MIT had been discussed at Senior Team meetings, while noting that “information surrounding these decisions [was] clearly incomplete.” President Reif responded: “I remember the STM conversations” but noted that “my recollection was that Joi [Ito] had already accepted the money and we were discussing what to do. Of course, my recollection is probably faulty...” Notably, earlier in the same email chain, it is clear that President Reif believed that MIT had *never* approved the Epstein donations. During his interviews, President Reif stated that while he believed that the concept of controversial donors may have been discussed at certain Senior Team meetings, including at relatively recent meetings in 2019, he did not recall any detailed discussions of Epstein, and certainly no explanation that he was a convicted sex offender or pedophile. Consistent with this, on August 26, 2019, President Reif noted in an email to Vice President and Secretary of the Corporation Suzanne Glassburn, “I don’t remember anyone saying anything about what JE [Epstein] was convicted for and served prison for . . . I certainly remember nothing being said about minors . . . I have never heard of the guy and his reputation before, and even after, until he got back in the news a few months ago . . .” In sum, the August 11 email does not alter our conclusions stated above that any discussion of Epstein at a Senior Team Meeting did not adequately alert the other Senior Team attendees, including President Reif, about the nature of his crimes or the significance of accepting his donations.

Senior Team retreat, we conclude that, if any discussion of Epstein did occur at the meeting, it must have been cursory at best, possibly focused solely on issues relating to the Digital Currency Initiative, and did not adequately alert the other members of the Senior Team to Epstein’s crimes or to the significance of accepting donations from Epstein.⁴¹

f. Members Of The Senior Team Reaffirm The Approach Regarding Epstein Donations From 2015 Through 2018.

From 2015 through 2018, certain members of the Senior Team reaffirmed the approach to handling Epstein donations that was first adopted in June 2013. In October 2015, for example, Lucas responded to a proposed \$100,000 donation from Epstein for Professor Neri Oxman by recalling, in an email to the Media Lab Director of Development, “I think you said Israel [Ruiz] told Joi [Ito] that he was fine with gifts at this level, especially when they were made through [Epstein’s] foundation and anonymous, yes?” Lucas then reached out to confirm the policy with Ruiz, who responded that there only would be a problem if Epstein failed to maintain anonymity.

In February 2017, the issue surfaced again, with Ito asking Lucas “whether we can receive funding from Jeffrey Epstein” anonymously, and if so “below what amount would be OK.” Lucas brought the issue to Ruiz and Morgan. Ruiz responded “I am pretty sure we discussed this at STM [Senior Team Meeting] a long time ago and we drafted some rules. Greg [Morgan] was part of this discussion for sure. Greg [Morgan], do you recall these rules? I think the amount was important to us. Giving anonymously/via his foundation was a sure condition and part of what we have done.” Morgan provided a lengthy discussion of the principles and theory behind the limits on Epstein’s donations to MIT:

Let’s step back. The question for us, I take it, is reputational risk to MIT in accepting money from Jeffrey Epstein. First, an

⁴¹ There is no evidence that any member of the Senior Team other than Morgan, Newton, and Ruiz had any knowledge of Epstein, his crimes, or his donations to MIT prior to 2015.

anonymous gift certainly helps, but for reputational risk assessment, let's assume that eventually everything becomes public, one way or another. Second, I think we've taken some comfort when the circumstances clearly show that MIT is not unreasonably beholden to a donor. In other words, the gift is not so large that the receiving MIT unit is dependent on this donor, i.e. the amount is too much if a reasonable person might question whether MIT or the specific recipient DLC [sic] can still exercise judgment independent from the donor. That's my explanation in the emails below. I think Israel [Ruiz] shorthanded that in his email below into "no substantial funding of the operations". But I think Israel [Ruiz] and I are saying the same thing. Israel [Ruiz], chime in if I'm wrong.

What does that mean in dollar amounts? As Israel [Ruiz] says, **"We determined that number to be below \$5M a year and we would be much more comfortable with anonymous and no publicity at \$1 or \$2 million levels."** (emphasis added).

Ruiz reiterated that "I think the guidance of anonymous giving, no publicity and not substantial funding of the operations should still be in place." Lucas then reported these requirements back to Ito.

In September 2018, Ito raised the possibility of a \$500,000 donation from Epstein. (This appears to have been one tranche of a proposed \$1.5 million donation to support research by Caleb Harper into whether plants think and communicate. That donation never actually materialized.) Ruiz signed off on the donation without much discussion because it "meets the criteria."

g. Ito Approached Chairman Millard For Assistance In Soliciting Epstein.

The fact-finding shows that, during this period, and unbeknownst to the Senior Team, Ito also sought to discuss the potential development of Epstein as a donor with the Chairman of

MIT's Executive Committee, Robert Millard, but Millard did not assist him.⁴² And there is no evidence that Chairman Millard was ever told that Epstein had previously donated to MIT.

Ito told us that, in October 2016, prior to the Executive Committee's November 2016 trip to Silicon Valley, CA, with Ito and other MIT faculty and staff, Ito had a brief conversation with Chairman Millard and discovered that Millard had met Epstein decades earlier. Later, during the California trip, Ito and Chairman Millard apparently had a "long conversation" about Epstein, possibly during a bus ride.

The fact-finding shows that, after this conversation, and without disclosing to Chairman Millard that Epstein had already been making anonymous donations to the Media Lab, Ito asked Millard for his help in developing Epstein as a donor. On November 3, 2016, Ito emailed Chairman Millard: "Can you help me figure out how to get money from JE [Epstein]?" That same day, Ito also emailed Epstein to note the shared Millard connection and asked "Could we get together sometime in Boston or NYC sometime [sic]?" Several days later, Epstein emailed Chairman Millard directly to invite him to dinner. Chairman Millard declined Epstein's invitation, but he was aware that Ito was attempting to cultivate Epstein as a potential donor. There is no evidence that Chairman Millard ever reconnected with Epstein, and Millard told us that he had absolutely no intention of doing so.

Around the same time, Chairman Millard requested MIT's files pertaining to Epstein from a Resource Development advisor in MIT's Campaign Office, writing that "I want to help Joi [Ito] and I know there are issues." After checking the MIT Advance Database and learning that Epstein was marked "anonymous" and had no disclosed giving history, the Resource

⁴² However, due to these communications, Chairman Millard recused himself from oversight responsibilities of this investigation.

Development advisor then emailed the Media Lab Director of Development to ask “Can you and I talk about Jeff Epstein today? Chairman Millard has some questions.” The Media Lab Director of Development forwarded the Resource Development advisor’s email to Ito with the comment “oh boy” Ito responded: “All good. Bob [Millard] and Jeffrey [Epstein] are old friend [sic] and we are going to try to figure out if there is a way to do something. Bob [Millard] and I will meet Jeffrey [Epstein] together.” We have seen no evidence to support Ito’s assertion that Millard and Epstein were ever friends.

In any event, the Media Lab Director of Development then forwarded Ito’s email to the Resource Development advisor, without providing any additional information regarding Epstein’s giving history. During her interview with us, the Resource Development advisor stated that the Media Lab Director of Development did not provide any other information, and that she was not aware until the summer of 2019 that Epstein had, in fact, made donations to MIT. She also stated that, as the Resource Development advisor assigned to work closely with Chairman Millard, she was familiar with his network and contacts, and was certain that Epstein was not a friend of his. She also recounted that she advised Chairman Millard during that late 2016 time period to steer clear of Epstein.

Ito emailed Chairman Millard again in December 2016, stating that he would like to “set up a way to receive funds from [Epstein] through his foundation anonymously,” and Chairman Millard replied “Let’s talk about those funds. Anonymous not the same as secret of course.” In response to another email from Ito on the topic in January 2017, Millard stated that he would “have to ask other people at MIT, either the CFO or RD mgmt. . I certainly can’t answer that question on my own.” He also reemphasized the difference between anonymous and secret donations, asking which Epstein wanted to do. Chairman Millard explained to us that his focus

on the distinction between “anonymous” and “secret” was meant to underscore that it is fine when a donor requests anonymity, but that an institution’s insistence on secrecy is inappropriate. Ito responded: “I think JE [Epstein] would give anonymously/secretly. I think the thing that Israel [Ruiz] mentioned was that above a certain amount, even an anonymous gift might garner attention.”

Chairman Millard told us that he was trying to distance himself from the situation in a polite way: he wanted nothing to do with Epstein. But, at the same time, he did not believe it was appropriate for him, as Chairman, to interfere or say “no.” That was the responsibility of the administration.

In short, Ito approached Chairman Millard, who has been Chairman of the Executive Committee since October 2014, to discuss soliciting donations from Epstein in the late 2016 and early 2017, but Chairman Millard did not assist him. We uncovered no evidence that Chairman Millard discussed Epstein with the members of the MIT Senior Team. Nor was Chairman Millard involved in any of the decisions to accept Epstein donations.

h. The Media Lab Rejects An Epstein Donation In February 2019.

In November 2018, the *Miami Herald* ran a series of investigative stories detailing Epstein’s crimes. The stories obtained national prominence due in part to the involvement of well-known politicians and lawyers in Epstein’s 2008 plea deal. The stories led Ito to email his friends and family shortly thereafter: “I’m sure you’re seeing Jeffrey Epstein a lot in the recent news cycle and wondering so I thought I should let you know that I have distanced ourselves and [sic] are no longer meeting or seeking and [sic] support from him on anything.”⁴³ Ultimately, Epstein was arrested on new charges in July 2019.

⁴³ As discussed in this Report, however, the evidence is that Ito in fact continued to communicate with and attempted to cultivate donations from Epstein into 2019.

In the meantime, staff at the Media Lab rejected a donation from Epstein in February 2019—the transfer of a \$25,000 donation Epstein previously made to Arizona State University. A Media Lab staff member initially suggested rejecting it, and others in the Media Lab agreed. The Media Lab began the process of returning the gift without first clearing it with Ito, because, as explained in an email from a Media Lab donor relations staff member to the Office of the Recording Secretary:

it is from Jeffrey Epstein. Epstein was previously charged with sex trafficking and having relationships with minors. He has also been in the news lately due to the new sex trafficking investigation in Florida, and due to possible corruption by the federal prosecutors while trying his case. We wish to not have the [Media Lab] associated with those types of crimes.

After Media Lab staff started the process of returning the gift, they concluded that their decision could be problematic in light of Ito's relationship to Epstein. They therefore reached out to Ito to inform him of what they had done, commenting "we should have involved you in these conversations." Ito replied "Let's discuss," triggering a discussion by email about the decision to reject the donation. The same Media Lab staff member who initially suggested returning the gift wrote a long, compelling email to Ito explaining her position that the donation should be returned, stating, among other things:

We just awarded the 2018 Disobedience Award to the founders of the #metoo movement. I think taking money from him would be a slap in the face to those winners, undermine the Disobedience Prize and make us look like hypocrites.

In response to these concerns raised by this individual and others, Ito agreed that the Arizona State University funds should be returned; he sent an email to Epstein letting him know and apologizing to Epstein. A month later, the Recording Secretary's Office confirmed to the Media Lab that (as recorded in an email among Media Lab staff) "MIT will not accept anymore [sic] gifts from JE [Epstein]."

4. Epstein Made At Least Nine Visits To The MIT Campus From 2013-2017.

In connection with efforts to cultivate donations from Epstein, Ito and certain members of the MIT faculty hosted Epstein on the MIT campus on at least nine occasions between June 2013 and April 2017. Most of these visits were to the Media Lab and were arranged by Ito. Epstein's visits generally involved his discussing scientific research with senior faculty members. Several witnesses also told us that, on some visits, Epstein was joined by one or two female assistants who appeared to be in their twenties, which made some people uncomfortable. The fact-finding shows that Ito understood that inviting Epstein to the MIT campus posed a reputational risk to the Institute. Finally, in December 2017, after Media Lab staff complained to Ito about Epstein's presence, Ito seems to have suspended further campus visits by Epstein, although the fact-finding shows that Ito and other faculty continued to meet with Epstein off campus in Cambridge, MA, and elsewhere.

Epstein's Visits To MIT

	Date	Participants
1	June 28, 2013	Joi Ito (former Director, Media Lab), Professor Neil Gershenfeld (Professor of Media Arts and Sciences; Director, Center for Bits and Atoms), and Professor Ed Boyden (Professor of Neurotechnology, MIT; Professor of Biological Engineering and Brain and Cognitive Sciences, Media Lab and McGovern Institute; Leader, Synthetic Neurobiology Group, Media Lab)
2	July 19, 2013	Joi Ito, Professor Gershenfeld, Reid Hoffman (co-founder and the Executive Chairman of LinkedIn; Member, Media Lab Advisory Council), and Megan Smith (Member, MIT Corporation)
3	October 23, 2013	Joi Ito and Professor Gershenfeld
4	April 21, 2014	Joi Ito, Barnaby Marsh (then-Senior Executive, The John Templeton Foundation), and Professor Kevin Slavin (Assistant Professor, Media Lab; founder of the Playful Systems group, Media Lab)
5	October 24, 2015	Joi Ito, Professor Neri Oxman (Associate Professor of Media Arts and Sciences, Media Lab), Professor Danny Hillis (Visiting Professor, Media Lab), and two MIT students
6	February 7, 2016	Joscha Bach (former Research Fellow, Media Lab) and Professor Seth Lloyd (Professor of Mechanical Engineering and Engineering Systems and Physics)
7	March 17, 2016	Joi Ito and Professor Kevin Esvelt (Assistant Professor of Media Arts and Sciences, Media Lab)
8	April 1, 2016	Joi Ito, Professor Joe Jacobson (Associate Professor of Media Arts and Sciences, Media Lab), and Barnaby Marsh
9	April 15, 2017	Joi Ito, Professor Boyden, and Caleb Harper (Director of Open Agriculture, Media Lab)

June 28, 2013: Epstein visited the MIT campus and met with Ito, Professor Ed Boyden (Professor of Neurotechnology, MIT; Professor of Biological Engineering, Brain and Cognitive Sciences, Media Lab and McGovern Institute; Leader, Synthetic Neurobiology Group, Media Lab), and Professor Neil Gershenfeld (Professor of Media Arts and Sciences; Director, Center for Bits and Atoms). During the visit, Ito escorted Epstein on a tour of the Media Lab and the

two professors' laboratories. There is no evidence that Epstein interacted with students during this visit, and Ito told us that he did not receive any contemporaneous complaints. Professor Gershenfeld told us that, following this visit, he accepted an invitation to have dinner at Epstein's New York home. Professor Boyden told us that he did not remember this or any other visit by Epstein to MIT's campus, although his attendance was described in a contemporaneous email by Ito.⁴⁴

July 19, 2013: Epstein visited the MIT campus and met with Ito, Reid Hoffman, then of LinkedIn (Hoffman also is a member of the Media Lab Advisory Council), and Professor Gershenfeld. Ito told us that he invited MIT Corporation member and Media Lab Advisory Council member Megan Smith, who was at the Media Lab that day for an Advisory Council meeting, to join for part of the meeting with Epstein, and that she led an impromptu discussion about her research on gender bias in the technology industry. There is no evidence that Epstein interacted with students during this visit, and Ito told us that he did not recall receiving any contemporaneous complaints.

October 23, 2013: Epstein visited the MIT campus and met with Ito and Professor Gershenfeld. Ito told us that he was only present for a brief portion of Epstein's visit; the bulk of Epstein's visit was a meeting with Professor Gershenfeld. There is no evidence that Epstein interacted with students during this visit, and Ito told us that he did not receive any contemporaneous complaints about the visit.⁴⁵

Professor Gershenfeld told us that the meeting related to Epstein's interests in particular areas of research, including consciousness, and signaling and deception by animals. Professor

⁴⁴ Professor Boyden told us that he *did* remember visiting Epstein off-campus on at least five specific occasions to discuss his research and potential funding. He told us that he only made these visits at Ito's request, as he had researched Epstein and was "uncomfortable" meeting with him.

⁴⁵ An earlier version of this Report mistakenly listed three additional attendees to the October 23, 2013 meeting.

Gershenfeld also told us that, after the meeting, a follow-up meeting was planned for December 6, 2013, but Epstein did not attend in person due to illness. Professor Gershenfeld reported that a subsequent meeting was planned for March 14, 2014, at Epstein's New York home, but was canceled due to scheduling difficulties.

It appears that Ito was aware of the risks posed by Epstein's visits to MIT's campus. The fact-finding shows that, in advance of the October 23, 2013 Epstein visit, Ito and Professor Slavin discussed the possibility of Epstein visiting MIT's campus with Woody Allen. Ito expressed concern that inviting Epstein and Woody Allen to campus could create a public relations headache for MIT, and Professor Slavin agreed that Ito should be cautious about associating with Epstein, generally, and that inviting them both to MIT could be problematic. Ito then emailed Epstein to relay the concern, commenting that "[s]ince you two were just in the news recently, I wonder if that might be bad." The reference to Epstein and Allen being "in the news recently" is likely a reference to a September 24, 2013, *New York Post* story, "Woody Allen pals around with child-sex creep," that was picked up by several other outlets.⁴⁶

April 21, 2014: Ito told us that Epstein visited the MIT campus and met with Ito, Barnaby Marsh, then Executive Vice President of the John Templeton Foundation, and Professor Slavin. Ito told us that the meeting took place in his Media Lab office and that the purpose of the meeting was to discuss the possibility of the John Templeton Foundation providing funding to the Media Lab. There is no evidence that Epstein met with any students during this visit, and Ito told us that he did not receive any contemporaneous complaints.

⁴⁶ See <https://pagesix.com/2013/09/24/woody-allen-pals-around-with-child-sex-creep/>. The story reported that "Epstein, a former hedge-fund big, did time in 2008 under a deal in which he confessed to two counts of soliciting a minor for prostitution and soliciting prostitution. His victim was identified in court papers as a 14-year-old girl identified only as 'Jane Doe.' Epstein was accused of paying the youngster—one of a string of girls who allegedly visited him—\$200 for a massage at his Palm Beach retreat in 2005."

October 24, 2015: Epstein visited the MIT campus and had separate meetings with Professor Oxman, Professor Danny Hillis (Visiting Professor, Media Lab), and two students. Ito told us that he arranged this visit because Professor Oxman was seeking funding for her research, and the meeting was an opportunity for Professor Oxman to present to Epstein. Ito also told us that he separately invited an undergraduate student and a master's degree student, both of whom led the Media Lab's Digital Currency Initiative. The students were invited because of Epstein's interest in the Initiative. (The two students declined to be interviewed for the investigation.) On the morning of October 24, 2015, Ito emailed Professor Lloyd regarding the meeting:⁴⁷

Jeffrey [Epstein] will be at my office E14-245 from 1PM until 6PM.
Danny Hillis, Neri Oxman and my bitcoin [students] will be there.
Maybe Kevin Esvelt.⁴⁸

Join if you have time.

Probably Bitcoin will be the first topic. Neri [Oxman]'s coming around 4PM to talk about Science X Design, but mostly just free form.

Ito told us that this meeting was the only instance he is aware of in which MIT students interacted with Epstein. According to Ito, Epstein did not want to meet with students because he preferred to meet with distinguished faculty. Ito also told us that he did not receive any contemporaneous complaints about the visit.

February 7, 2016: Epstein visited the MIT campus and met with Bach and possibly Professor Lloyd. There is no evidence that Epstein interacted with students during this visit, and Ito told us that he did not receive any contemporaneous complaints.

⁴⁷ Professor Lloyd told us that he did not attend the meeting.

⁴⁸ Assistant Professor of Media Arts and Sciences, Media Lab.

March 17, 2016: Epstein visited the MIT campus in connection with a memorial event for Professor Minsky, who passed away on January 24, 2016. Ito and Negroponte had a discussion by email on February 20 concerning whether to invite Epstein; in the weeks before this email chain, there was considerable press attention as to whether Epstein had received a “sweetheart deal” from prosecutors in 2008, and a repetition of the allegations that Epstein had forced an underaged girl to have sex with Prince Andrew and others.⁴⁹ Ito wrote to Nicholas Negroponte and two Media Lab staff members:

Jeffrey Epstein is going to be in town the day of Marvin [Minsky]’s memorial.

I asked him if he was coming. He asked if he were allowed to come . . .

One option would be to get in a private room at the Lab where he can ‘hold court’ and people . . . could see him out of the public eye.

Another option is to let him participate since we have a good story around it. BTW, will press be at the event?

Negroponte pushed back on concealing Epstein’s attendance, responding (in part) “Of course he can come and would be welcome I would make absolutely no fuss over his coming and welcome home [sic] 100%.” Ito told us that, in the end, and after discussion with Professor Minsky’s family, it was decided that Epstein could be at the Media Lab at the time of the memorial, but should not attend the event or reception.

As a result, unlike Epstein’s previous visits to campus, which involved several faculty members and public tours of the Media Lab during the day, it appears that Ito took some efforts to conceal Epstein’s presence on campus during this event. Ito restricted Epstein to Ito’s office

⁴⁹ See, e.g., <https://abcnews.go.com/US/victims-feds-hid-sweetheart-deal-sex-offender-deep/story?id=36843144>; <https://www.nbcnews.com/news/us-news/lawyers-victims-not-told-sweetheart-deal-jeffrey-epstein-n517521>; <https://www.nydailynews.com/new-york/nyc-crime/alleged-teen-sex-slave-bill-cosby-defense-article-1.2490717>.

and did not allow him to attend the memorial event or cocktail reception. Ito said that his office was secluded within the Media Lab, and people did not go near his office unless they were purposefully going to see him. Ito told us that Professor Esvelt visited Epstein in Ito's office to discuss Professor Esvelt's research. Ito also told us that he did not know if other individuals visited Epstein in his office, but that he did not think any students did because students were not likely to be near his office. There is no evidence that Epstein interacted with students during this visit, and Ito told us that he did not receive any contemporaneous complaints.

After the event, a Media Lab videographer circulated photos of the event to a Media Lab communications staff member, who forwarded the photos to others at the Media Lab, noting "Feel free to post on social media- -as long as Jeffrey Epstein does not appear in any of the photos!"

April 1, 2016: Two weeks after the Minsky memorial service, Epstein visited the MIT campus and met with Ito, Professor Joe Jacobson (Associate Professor of Media Arts and Sciences, Media Lab), and Barnaby Marsh of the John Templeton Foundation. Ito told us that this meeting was similar to the April 21, 2014 meeting in that its purpose was to discuss the possibility of the John Templeton Foundation donating to the Media Lab. There is no evidence that Epstein interacted with students during this visit, and Ito told us that he did not receive any contemporaneous complaints.⁵⁰

⁵⁰ Despite allowing Epstein on campus in April 2016 (and again in 2017), Ito and other MIT staff recognized the risks of being seen to associate with Epstein. In July 2016, Ito sought advice from Reid Hoffman about whether to allow Epstein to attend a conference (perhaps the announcement of the Media Lab Directors' Fellows) with "lots of people" who may "see him and maybe know he's involved." In September 2016, MIT Resource Development inquired about inviting Epstein (among others) to a reception hosted by an alumna in New York City. An MIT Development Associate responded that "Jeffrey Epstein should definitely not be invited."

April 15, 2017: Caleb Harper told us that Epstein visited the Media Lab and met with Ito, Harper, and Professor Boyden; Ito confirmed that the meeting occurred. This visit was on a weekend (a Saturday) and Harper did not recall any students being present.⁵¹

Epstein's Visits Come to an End After Complaints: While Ito told us that he did not receive contemporaneous complaints about Epstein's visits, he specifically recalled Professor Jacobson and two Media Lab staff members voicing concerns later. With regard to Professor Jacobson's complaint, Ito recalled Professor Jacobson telling him that he was uncomfortable meeting with Epstein after he already had met with him. Ito also stated that he was not aware of any students complaining about Epstein.

Ito told us that, after he received complaints from Media Lab staff members in late 2017, Ito no longer invited Epstein to campus. In November and December 2017, press coverage of Epstein's crimes increased again.⁵² On December 27, 2017, Ito emailed several Media Lab professors and administrative assistants that "Jeffrey Epstein wants to come brainstorm a big idea." A Media Lab assistant included on this email told us that, during a "245 meeting"—a regular Media Lab meeting between staff dealing with member relations, communications, and the events team—a Media Lab staff member expressed concern about having Epstein on campus.⁵³

As a result, the Media Lab assistant emailed Ito:

⁵¹ Harper and Ito both recalled an Epstein visit to the MIT campus that was tentatively scheduled for October 2018, but cancelled because Ito could not attend. Contemporaneous documents, however, show only a discussion of a proposed visit by Epstein to Harvard—not MIT—during that period; it is possible, therefore, that Harper and Ito are misremembering the location of the proposed visit.

⁵² See, e.g., <https://www.newsweek.com/donald-trump-rape-sexual-assault-minor-wife-business-victims-roy-moore-713531>; <https://www.palmbeachpost.com/news/crime--law/judge-delays-tries-rein-rated-civil-trial-jeffrey-epstein/CmoG1vhJenQwhdL4ufW0IK/>

⁵³ Earlier in 2017, a Media Lab staff member forwarded another Media Lab staff member a *Washington Post* story about Epstein's 2008 plea deal. The recipient replied "Eewww. Is this the guy who was hanging around with Prince Andrew?"

Are you planning to meet him in the Lab? [A Media Lab staff member] showed her concern that you are close to him and said that it may be a better idea to meet him outside of the lab. Many of us agreed. I thought I should mention it to you.

Ito responded: “Yes, I was thinking about doing it [at] my house. . . but she should talk to me about her concerns, not [at a] 245 [meeting]. I’ve already had fairly long conversations with the VP of Development and others at the institute so I’m fairly aware of the issues and something that I’m trying to manage.” The Media Lab assistant responded: “Ah, Ok. It was the week that the allegations against Charlie Rose came on the news. [The Media Lab staff member] specifically asked if JE [Epstein] came to the Lab before. I wasn’t sure but I thought you are always meeting him outside of the ML [Media Lab] and I told her that.” Ito replied:

JE [Epstein] has been to the [Media] Lab a number of times. Several of times [sic] to visit different people and a few times to have meetings. [A Media Lab staff member] and I decided a[]while ago that it is better to have the meetings outside of the lab. But we have had many many meetings about this. He has been a supporter of various people and funded Marvin Minsky in the old days. Even when Jeffrey [Epstein] was in prison, I think Marvin [Minsky] ... visited him in prison...

I’ve also talked to Nicholas [Negroponte] as well who had met him and he also agrees that we should treat Jeffrey [Epstein] with respect.

There definitely is a lot of risk and I think about it a lot but we have made some decisions about this in consultation with key people so [the Media Lab staff member] can have input but she shouldn’t be deciding.

Nonetheless, Ito told us that, after Media Lab staff members told him personally that they were uncomfortable with Epstein visiting the Media Lab, he decided not to host any further Epstein visits on campus.

There is evidence that others also experienced discomfort as a result of Epstein’s visits to the MIT campus, his donations to MIT, and/or his relationship with Ito. In June 2013, prior to

Epstein's visits to the Media Lab, Ito acknowledged in an email to Linda Stone that "[p]eople in my office are a bit weirded out by him as you can imagine..." Many people we interviewed recalled that Epstein would be referred to as "Voldemort" or "he who must not be named" around the office. Several witnesses pointed to the then-Media Lab Director of Development as particularly disturbed by Epstein's involvement with the Media Lab. This former Media Lab Director of Development told us that Ito's female administrative assistant also was uncomfortable interacting with Epstein, and that he therefore volunteered to take her place greeting Epstein during one of his visits to the Media Lab. Professor Ethan Zuckerman (Associate Professor of the Practice in Media Arts and Sciences, Media Lab; Director of the Center for Civic Media) told us that, after learning of Epstein's visits to the Media Lab in 2013, he pulled Ito aside to urge that Ito break off the relationship. A Media Lab staff member told us that she was "grossed out" during one of Epstein's visits to the Media Lab, both because she was aware of his sexual abuse of minors, and because Epstein brought female assistants in their twenties with him. According to *The New Yorker*, a former employee (who declined to speak with us absent certain conditions requested by her counsel that we determined were unacceptable from a fact-finding perspective) also experienced discomfort as a result of a visit by Epstein to the Media Lab. Another Media Lab staff member recalled that those present for an Epstein visit to the Media Lab in 2016, including the former employee who spoke with *The New Yorker*, viewed his visit as "awful" and "creepy."⁵⁴ And a Media Lab assistant told us that she felt

⁵⁴ In late 2017, Professor Oxman arranged to have an "orb" sent to Epstein from the Media Lab as an expression of thanks; she told us that she did this at Ito's direction. Professor Oxman told us that the request was not unusual, and that she was frequently asked by Ito and others to prepare gifts to send to donors. She indicated that she was travelling at the time and asked that one of the orbs be prepared and sent to Epstein, as Ito had requested. Professor Oxman informed us that one of her students emailed her, expressing some concern regarding Epstein. She told us that they had a follow-up email exchange, and later an in-person communication, and that she did not understand at the time that the student was upset. However, the student told us that she was uncomfortable being involved with preparing the orb once she learned that the orb was intended for Epstein.

uncomfortable scheduling meetings for Ito and other Media Lab members with Epstein because she had researched his background and discovered that he had abused underaged girls.

5. While Some Members Of The Senior Team Were Aware Of Epstein's Donations And Criminal Record, Others Were Unaware. No Member Of The Senior Team Was Aware Of Epstein's Campus Visits.

As the history recounted above demonstrates, certain members of the Senior Team (Morgan, Newton, and Ruiz) were contemporaneously aware of and discussed Epstein's donations, had some knowledge of Epstein's criminal conviction for sex offenses (which involved solicitation of an underaged girl for prostitution), and were involved in the decision to accept Epstein's donations notwithstanding his criminal conviction for those offenses. Other members of the Senior Team had limited or no recollection of Epstein ever being discussed at a Senior Team meeting before 2019.

We find that no Senior Team member violated any law, breached any MIT policy, or acted in pursuit of personal gain in connection with Epstein's donations. Certain Senior Team members, however, made significant mistakes of judgment in deciding to accept Epstein's post-conviction donations. They failed to adequately consider: (1) whether accepting money from Epstein was consistent with MIT's core values; (2) the impact that MIT's acceptance of Epstein's money would have on the MIT community should those donations become known; and (3) whether it was appropriate to accept donations with a requirement by MIT that they remain anonymous.

Nonetheless, we also conclude that these Senior Team members believed that they were doing their best to address the competing interests of obtaining funding for Media Lab programs, while denying Epstein any personal benefit from his association with MIT and protecting MIT's reputation. Significantly, there also is no evidence that any member of the Senior Team was aware of Epstein's visits to the MIT campus between 2013 and 2017. It was, however,

reasonably foreseeable that, in connection with efforts to cultivate more and larger donations from Epstein, Ito and other MIT faculty would invite Epstein on campus to present to him about their work. It therefore also was a mistake not to consider this risk and either reject the donations outright or, at the very least, ensure that Epstein was precluded from leveraging his donations into campus access.

(Former) Vice President and General Counsel and later Senior Vice President and Secretary of the Corporation R. Gregory Morgan: As recounted above, Morgan was substantially involved in the discussions in June 2013 regarding whether to accept Epstein’s donations. In the course of those deliberations, he was told that Epstein was a convicted sex offender and received the link to Epstein’s Wikipedia entry (although he claims he did not open it). The email exchange also explained that “[i]t appears that he [Epstein] served 13 months in jail as a convicted sex offender in Florida in 2008.” Thereafter, Morgan discussed with Newton and Ruiz whether MIT should keep Epstein’s existing donations and accept future Epstein donations. The discussion ended with a consensus that Epstein’s existing donations would be kept and that future Epstein donations would be accepted if they were anonymous, relatively small, and unrestricted. Morgan subsequently reaffirmed that decision on several occasions between 2013 and 2018. Morgan’s participation in this decision-making is significant and, we find, was undoubtedly afforded great weight by Ruiz and Newton, in light of his role as Senior Vice President and General Counsel and one of the most senior members of the Senior Team.

(Former) Vice President for Resource Development Jeffrey Newton: Like Morgan, Newton also participated in the discussion whether to accept Epstein’s donations in June 2013, and was emailed a link to Epstein’s Wikipedia entry. Several contemporaneous documents reflect that Newton initially decided that Epstein’s May 2013 donation should be returned;

Newton also told us during his interview that he was reluctant to accept Epstein's donations. After pushback from Ito, however, Newton reached a consensus with Morgan and Ruiz that Epstein could make small, anonymous, unpublicized donations. Newton reaffirmed that approach later in 2013 in response to questions from Ito. Newton had retired and had been succeeded by Lucas by the time the policy was reaffirmed in 2014, 2017, and 2018.

Executive Vice President and Treasurer Israel Ruiz: Ruiz, like Morgan and Newton, participated in discussions in June 2013 over accepting Epstein's donations. In the course of this discussion, he was told that Epstein was a sex offender, and he received a link to Epstein's Wikipedia entry. Ruiz was involved with Morgan and Newton in establishing the Epstein "policy" in 2013, and he was later involved with Morgan in reaffirming the policy in 2017 and 2018.

In a December 2014 conversation, Ruiz told Ito that, at least tentatively, MIT could continue to accept Epstein donations so long as the donations were anonymous and less than \$10 million. Subsequent to that conversation, Ruiz told us that he had reservations and he appears to have led a brief, unplanned discussion of either Epstein, or controversial donors more generally, at the January 13, 2015 Senior Team meeting. After the January 2015 meeting, Ruiz appears to have viewed the policy as set.

Ruiz has expressed deep regret, which we believe is sincere, for what he believes was a collective and continued error of judgment. The fact-finding revealed that he was never truly comfortable with the donations, but that he, like others involved in the discussions, was attempting to reach an accommodation to satisfy competing interests. Indeed, after the scandal erupted in the summer of 2019, former General Counsel Morgan emailed Ruiz to thank him for

his vigilance in protecting MIT from unwise gifts, as it was Morgan's recollection that Ruiz had counseled a conservative approach to accepting potentially controversial gifts.

President L. Rafael Reif: The investigation revealed that President Reif was not involved in the decisions to accept Epstein's donations and had no contemporaneous knowledge of Epstein's donations. There also is no evidence that anyone brought the significance of Epstein or his crimes to President Reif's attention at any time prior to 2019, and certainly not before he signed the Presidential Acknowledgement letter to Epstein on August 16, 2012. President Reif does not recall discussing Epstein prior to 2019.

Provost Martin Schmidt: Schmidt has been MIT's Provost since November 2013. He played no role in deciding to accept Epstein donations and cannot recall being involved in any discussion of Epstein before 2019. He has a vague memory of a discussion of a potential donor with a criminal record that occurred at a Senior Team meeting in recent years, but he cannot recall any of the specifics.

Chancellor Cynthia Barnhart: Barnhart has been the MIT Chancellor since February 2014, and in that capacity attended meetings of the Senior Team. Chancellor Barnhart had no contemporaneous knowledge of Epstein's donations or criminal record and was not involved in the decisions to accept the donations. She also cannot recall any discussions of Epstein before 2019.

Vice President for Research Maria Zuber: Zuber was copied on early emails discussing Epstein in 2013, but did not play a role in the decisions to accept Epstein's donations and quickly dropped out of email traffic on the subject. There is no evidence that she had contemporaneous knowledge of Epstein's criminal record, and she cannot recall any discussions of Epstein before 2019.

Vice President for Resource Development Julie Lucas: Lucas was new to MIT in late 2014, when Ito asked for confirmation of the Epstein “policy” established in 2013. Lucas had been informed shortly after arriving at MIT that supervisory responsibility over the Recording Secretary’s Office, as well as responsibility for gift acceptance, would be transitioned from Resource Development to the Treasurer’s office. Lucas was not involved in the decision to confirm the Epstein policy in 2014. When the issue arose again in 2017 and 2018, she served as a conduit, passing Ito’s requests and questions on to Ruiz and Morgan for their consideration, and responding to Ito with their answers; she did not make any decisions herself. There is no evidence that she knew the details of Epstein’s crimes at the time.

Vice President and General Counsel Mark DiVincenzo: DiVincenzo became General Counsel in March 2015. There is no evidence that he was involved in any discussions involving Epstein before 2019 or that he knew of Epstein’s donations before then.

(Former) Vice President Kirk Kolenbrander: In addition to his role as Vice President, Kolenbrander acted as the Interim Vice President for Resource Development from September 2013 and November 2014 (between Newton’s and Lucas’s tenures). He does not recall any specific discussion of Epstein at any Senior Team meeting. There is no evidence that he had contemporaneous knowledge of Epstein’s criminal record, and he cannot recall any discussions of Epstein before 2019.

(Former) Provost Chris Kaiser: Kaiser was MIT’s Provost from July 2012 through October 2013. He was copied on some early email traffic concerning Epstein, but he does not appear to have played any role in the decision in June 2013 to accept Epstein’s donation; he has

no memory of discussing Epstein; and he does not believe he ever learned the specifics of Epstein's crimes.⁵⁵

6. MIT Still Lacks A Formal Policy For Accepting Donations From Controversial Sources.

MIT has no formal, written policy addressing when to accept donations from controversial donors or what processes to use in considering them. Over the years, donation-acceptance policies have been proposed and discussed, but attention to the issue has been sporadic at best. In 2012, the Gift Policy Committee considered a draft proposal that would have required MIT to “consider the reputational risks that could be incurred through public perception of any particular donor.” A 2013 draft policy considered by the Gift Policy Committee called for extensive due diligence with respect to controversial donors, but, like the 2012 version, it contained no more specific rules for when a donation should be rejected. A similar policy was considered by the Gift Policy Committee in 2014. In 2018, the Senior Team discussed the issue and considered a policy requiring due diligence to ensure that a donor's criminal background does not put “MIT's reputation ... at risk,” but no such policy was ever formally adopted.⁵⁶ In February 2019, the Senior Team discussed the issue again, emphasizing the need to avoid allowing a donor to burnish his reputation through donations to MIT, but no formal policies were discussed or adopted by the Senior Team or the Gift Policy Committee. Morgan told us that members of the Committee could never reach a consensus on the topic.

⁵⁵ For the sake of completeness, Vice President for Open Learning Sanjay Sarma and Vice President and Secretary of the Corporation Suzanne Glassburn joined the Senior Team in 2016 and 2018, respectively, after the initial decision to accept Epstein donations had been made. Neither recalls any discussion of Epstein or Epstein donations prior to 2019.

⁵⁶ MIT currently operates under a one-page document titled “Principles of MIT Gift Acceptance,” but that document does not address donations from controversial donors.

In the absence of any definitive guidance, members of the Senior Team were forced to act on an ad hoc basis. In doing so, they considered the risk to MIT's reputation should the Epstein donations become public knowledge, but they did not appropriately take into account the significant damage to the MIT community, particularly victims of sexual assault and abuse, from allowing Epstein to associate himself with MIT. As MIT considers what policies to adopt going forward, it should be sure to account for this crucial factor.