

DIGITALLY RECORDED

SWORN STATEMENT

OF

[REDACTED]

OIG CASE #:

2019-010614

DEPARTMENT OF JUSTICE

OFFICE OF THE INSPECTOR GENERAL

JULY 14, 2021

**RESOLUTE DOCUMENTATION SERVICES**  
28632 Roadside Drive, Suite 285  
Agoura Hills, CA 91301  
Phone: [REDACTED]

APPEARANCES :

OFFICE OF THE INSPECTOR GENERAL

BY: [REDACTED]

BY: [REDACTED]

WITNESS :

[REDACTED]

OTHER APPEARANCES :

NONE

1 [REDACTED]: The recorder is on. My  
2 name is [REDACTED] and I'm a Senior  
3 Special Agent with the U.S. Department of  
4 Justice, Office of the Inspector General, New  
5 York Field Office and these are my credentials.

6 [REDACTED]: Thank you, sir.

7 [REDACTED]: This interview with the  
8 Federal Bureau of Prisons employee [REDACTED]  
9 [REDACTED] is being conducted as part of an  
10 official U.S. Department of Justice, Office of  
11 the Inspector General investigation. Today's  
12 date is July 14, 2021 and the time is 1:14 p.m.

13 [REDACTED]: Yes.

14 [REDACTED]: This interview is being  
15 conducted at the Metropolitan Correctional  
16 Center in New York, New York, also known as the  
17 MCC. Also present is DOJ OIG Special Agent  
18 [REDACTED]. This interview will be recorded  
19 by me, SSA [REDACTED]. Could everyone  
20 please identify themselves for the record and  
21 spell your last name. To start, again, I am  
22 DOJ OIG Senior Special Agent [REDACTED],  
23 [REDACTED].

24 [REDACTED]: This is DOJ OIG Special Agent  
25 [REDACTED], [REDACTED].

1 [REDACTED]: Lieutenant [REDACTED],  
2 [REDACTED], work for the Bureau of Prisons at MCC  
3 New York.

4 [REDACTED]: Could you just spell your  
5 last name for the record?

6 [REDACTED]: [REDACTED].

7 [REDACTED]: Thank you, sir. This is  
8 an official DOJ OIG investigation into the  
9 death of inmate Jeffery Epstein and the  
10 surrounding circumstances and you're being  
11 asked to voluntarily provide answers to our  
12 questions. Will you agree to a voluntary  
13 interview with the DOJ OIG?

14 [REDACTED]: Yes.

15 [REDACTED]: Yes, thank you. All  
16 right, so we got that form, it's the DOJ OIG  
17 form III-226/2. It says, "The United States  
18 Department of Justice, Office of the Inspector  
19 General Warnings and Assurances to Employee  
20 Requested to Provide Information on a Voluntary  
21 Basis. You are being asked to provide  
22 information as part of an investigation being  
23 conducted by the Office of the Inspector  
24 General. This investigation is being conducted  
25 pursuant to the Inspector General Act of 1978,

1 as amended. This investigation pertains to  
2 security failure and job performance failure.  
3 This is a voluntary interview. Accordingly,  
4 you do not have to answer questions. No  
5 disciplinary action will be taken against you  
6 if you choose not to answer questions. Any  
7 statement you furnish may be used as evidence  
8 in any future criminal proceedings or agency  
9 disciplinary proceeding or both." And there's  
10 a waiver section. It says, "I understand the  
11 warnings and assurances stated above and I am  
12 willing to make a statement and answer  
13 questions. No promises or threats have been  
14 made to me and no pressure or coercion of any  
15 kind has been used against me." And as  
16 mentioned, this is something that we provide  
17 everybody for voluntary interviews, so you're  
18 being asked, you know, we just provide these  
19 warnings to everyone just knowing it's  
20 voluntary, you can stop at any time, you don't  
21 have to answer our questions. Do you  
22 understand?

23 [REDACTED]: Yes, sir, I understand.

24 [REDACTED]: All right. So, if you  
25 want to review it yourself, please feel free,

1 otherwise there's an employee signature and  
2 then employee name below. Thank you for  
3 signing, sir. I'm going to sign for the Office  
4 of the Inspector General Special Agent. And  
5 I'm writing my name, [REDACTED]. The  
6 date is 7/14/2021.

7 [REDACTED]: 1:16.

8 [REDACTED]: The place is - the time  
9 is 1:16 --

10 [REDACTED]: Sixteen.

11 [REDACTED]: -- p.m. The place is MCC  
12 New York. Special Agent [REDACTED], can you please  
13 sign as the signature witness and place your  
14 name as the name of witness.

15 [REDACTED]: This is Special Agent [REDACTED]  
16 [REDACTED], I'm signing as a witness.

17 [REDACTED]: And as I mentioned,  
18 Lieutenant [REDACTED], I believe, were you  
19 interviewed prior by the OIG and the FBI?

20 [REDACTED]: Yes, I was.

21 [REDACTED]: All right, as mentioned,  
22 there's a report that I have here. I don't  
23 even think that it's worth going over because  
24 there's not really much in it. So, the reason  
25 for us to - for interviewing you is to kind of

1 - you were the OIC is our understanding on  
2 August 9th, is that correct --

3 [REDACTED]: Yes.

4 [REDACTED]: -- of 2019? And just to  
5 kind of ask you questions related to what you  
6 know about what happened on August 9th and  
7 August 10th of 2019. Before starting the  
8 interview, I'd like to place you under oath.  
9 Lieutenant [REDACTED], can you please raise your  
10 right hand. Do you swear to tell the truth and  
11 nothing but the truth during this interview?

12 [REDACTED]: Yes, I do.

13 [REDACTED]: Thank you, sir. If it's  
14 something that you don't understand, just ask  
15 me to rephrase and I'll try to clarify anything  
16 like that. What is your current home address?

17 [REDACTED]: [REDACTED],  
18 [REDACTED].

19 [REDACTED]: And what is your date of  
20 birth?

21 [REDACTED]: [REDACTED].

22 [REDACTED]: And what is your social  
23 security number?

24 [REDACTED]: [REDACTED].

25 [REDACTED]: What is your current cell

1 phone?  
2 [REDACTED]: [REDACTED].  
3 [REDACTED]: And what is your highest  
4 level of education?  
5 [REDACTED]: High school.  
6 [REDACTED]: And where did you go to  
7 high school?  
8 [REDACTED]: Graphic Arts in the city.  
9 [REDACTED]: In New York City?  
10 [REDACTED]: Yes, New York City.  
11 [REDACTED]: And what was it called.  
12 [REDACTED]: Graphic Communication of  
13 Arts.  
14 [REDACTED]: Okay. Cool. Is that  
15 like some kind of like -.  
16 [REDACTED]: It's on 49th Street and  
17 10th Avenue. It was a --  
18 [REDACTED]: Like a -.  
19 [REDACTED]: -- advertisement high  
20 school.  
21 [REDACTED]: Oh, that's neat.  
22 [REDACTED]: Yeah. It was cool.  
23 [REDACTED]: This is not really to do  
24 with the interview, but is that like something  
25 you get to, like -.

1 [REDACTED]: Well I can draw a little  
2 bit and do a little bit of graphic design --

3 [REDACTED]: Oh, neat.

4 [REDACTED]: -- from high school. Not  
5 too much but that's what I went to high school  
6 for.

7 [REDACTED]: That's neat. What did  
8 you do prior to working for the BOP?

9 [REDACTED]: I was in the United States  
10 Army and I worked for a hotel.

11 [REDACTED]: Okay. As far as being  
12 with the Army, when were you in the Army?

13 [REDACTED]: I started in 1998. I was  
14 in the National Guard and then I went active  
15 duty in 2005.

16 [REDACTED]: Okay. When did you - are  
17 you still in the Reserves?

18 [REDACTED]: No, I'm completely done  
19 with the military.

20 [REDACTED]: When did you get out?

21 [REDACTED]: 2011.

22 [REDACTED]: Was it an honorable  
23 discharge?

24 [REDACTED]: Yes it was.

25 [REDACTED]: And what was your rank at

1 -.

2 [REDACTED]: Corporal.

3 [REDACTED]: Corporal? And what was  
4 that? E what?

5 [REDACTED]: E-4.

6 [REDACTED]: E-4. Thank you for your  
7 service. And then you said you worked for a  
8 hotel, how long did you do that?

9 [REDACTED]: Before the military, I did  
10 it for three years. I came back, I did it for  
11 one year and then I got this job.

12 [REDACTED]: Okay. So just prior to  
13 being with the BOP --

14 [REDACTED]: Correct.

15 [REDACTED]: -- you did - and what did  
16 you do there?

17 [REDACTED]: Banquet Steward.

18 [REDACTED]: And everything with  
19 leaving there, was everything copacetic?

20 [REDACTED]: Correct.

21 [REDACTED]: Okay. How long have you  
22 served with the Federal Bureau of Prisons?

23 [REDACTED]: [REDACTED]  
24 would make seven years.

25 [REDACTED]: Seven years? Okay. And

1 do you know your specific enter on duty date?  
2 [REDACTED]: [REDACTED].  
3 [REDACTED]: Thank you, sir. When did  
4 you graduate from BOP training?  
5 [REDACTED]: [REDACTED]  
6 [REDACTED]: Okay. And how long have  
7 you been with the MCC?  
8 [REDACTED]: The whole time, seven years  
9 --  
10 [REDACTED]: Okay.  
11 [REDACTED]: -- in September.  
12 [REDACTED]: You were here the whole  
13 time?  
14 [REDACTED]: Correct.  
15 [REDACTED]: All right. And you said  
16 you're currently a Lieutenant?  
17 [REDACTED]: Correct.  
18 [REDACTED]: When were you promoted to  
19 Lieutenant?  
20 [REDACTED]: March 1, 2020, last year.  
21 [REDACTED]: Okay. And what was your  
22 rank or title in August of 2019?  
23 [REDACTED]: I was a Senior Office  
24 Specialist.  
25 [REDACTED]: Okay. And I have a staff

1 roster here. Here's the - it's going to be on  
2 August 9th and then August 10th, it's just for  
3 you to refer to, so you don't have to  
4 necessarily recall. But what shift did you  
5 work on August 9th and August 10th?

6 [REDACTED]: So, August 10th, which that  
7 should be a Saturday, I was off the weekend and  
8 Friday I worked from 6:00 to 2:00 in the  
9 Special Housing Unit.

10 [REDACTED]: Okay. And what was your  
11 position when you were in the Special Housing  
12 Unit?

13 [REDACTED]: I was an OIC.

14 [REDACTED]: And what does OIC stand  
15 for?

16 [REDACTED]: The Officer in Charge.

17 [REDACTED]: And what were those  
18 duties and responsibilities as the OIC of the  
19 SHU?

20 [REDACTED]: Pretty much maintaining  
21 paperwork, making sure everything is conducted  
22 according to BOP policy.

23 [REDACTED]: Okay. And who was your  
24 supervisor?

25 [REDACTED]: [REDACTED].

1 [REDACTED]: [REDACTED]? It  
2 wasn't [REDACTED]?

3 [REDACTED]: Well, actually yes, yes,  
4 [REDACTED], I'm sorry, yes.

5 [REDACTED]: And he was the SHU  
6 Lieutenant?

7 [REDACTED]: Yes.

8 [REDACTED]: Okay. Great. Now I'm  
9 going to - we're going to keep these documents  
10 in front of you because as we go through the  
11 interview, I'll probably ask you about  
12 different people and you can just refer to it.  
13 When I do provide you - do you have an extra  
14 pen? When I do provide you with documents, do  
15 you mind just so that for interview purposes,  
16 we - it's not to certify anything is accurate,  
17 it's simply to say this is the document that I  
18 showed you. So can you just like initial and  
19 date on the top of each document that I show  
20 you, and it doesn't mean, go through the  
21 packet, it's just the top page. So, this one  
22 for instance, is the daily assignment roster  
23 for Saturday, August 10, 2019 and this one is  
24 the daily assignment roster for Friday, August  
25 9, 2019. And again, it's simply to - you don't

1 have to do each page, it's just -.

2 [REDACTED]: You're not attesting to it.

3 [REDACTED]: Yeah.

4 [REDACTED]: It's just -.

5 [REDACTED]: Yeah.

6 [REDACTED]: It's just -.

7 [REDACTED]: You're not attesting that  
8 it's certified or anything, you know, that it's  
9 accurate. It's just to say that these are the  
10 documents that we looked at.

11 [REDACTED]: Yes, sir.

12 [REDACTED]: Would you mind - thank  
13 you for initialing. You mind just putting the  
14 date? It's 7/14 --

15 [REDACTED]: 14.

16 [REDACTED]: -- 2021. Thank you, sir.

17 All right. Are you familiar with inmate  
18 Jeffrey Epstein?

19 [REDACTED]: Yes.

20 [REDACTED]: Did you work in the SHU  
21 while Epstein was assigned to the SHU in July  
22 and August of 2019?

23 [REDACTED]: Yes.

24 [REDACTED]: During that time, did  
25 Epstein have a cellmate?

1 [REDACTED]: Yes, he did.

2 [REDACTED]: Do you recall who that  
3 cellmate was?

4 [REDACTED]: I don't know, it was a  
5 Spanish guy, I don't remember his name exactly.

6 [REDACTED]: So I'm assuming you're  
7 talking about the second of the two inmates.

8 [REDACTED]: The first one was  
9 [REDACTED]. The second one maybe [REDACTED].

10 [REDACTED]: [REDACTED], does that sound -.

11 [REDACTED]: [REDACTED], yes.

12 [REDACTED]: Okay. So -.

13 [REDACTED]: Older gentleman --

14 [REDACTED]: Okay.

15 [REDACTED]: -- walked with a cane.

16 [REDACTED]: And do you know if there  
17 was a specific reason why those cellmates were  
18 assigned to Epstein?

19 [REDACTED]: I think Psychology said  
20 it's just their category, they're older, same  
21 age.

22 [REDACTED]: Okay. So are you aware,  
23 since you said Psychology, did Psychology say  
24 that Epstein was required to have a cell mate?

25 [REDACTED]: Well, we always practice,

1 if somebody comes off of suicide watch, they  
2 have to go with a cellmate until Psychology  
3 clears them to be alone.

4 [REDACTED]: Okay.

5 [REDACTED]: But whoever has history of  
6 trying to commit suicide has to go with a  
7 bunkie.

8 [REDACTED]: Okay. So were you aware  
9 that Epstein had attempted to commit suicide on  
10 July 23rd --

11 [REDACTED]: Yes, I was.

12 [REDACTED]: -- of 2019? Were you one  
13 of the responding officers?

14 [REDACTED]: No, I was not.

15 [REDACTED]: Do you know what  
16 transpired on that date?

17 [REDACTED]: No, I do not.

18 [REDACTED]: Did you hear anything  
19 about him either trying to commit suicide or  
20 potentially that [REDACTED] attempted to harm  
21 him?

22 [REDACTED]: I saw that in the papers  
23 that [REDACTED] wanted to harm him but all I  
24 heard that he was trying to commit suicide.

25 [REDACTED]: All right, do you - is

1 there any reason for you to believe that

2 [REDACTED] was trying to harm him?

3 [REDACTED]: No.

4 [REDACTED]: No?

5 [REDACTED]: They always got along.

6 [REDACTED]: They did always get  
7 along?

8 [REDACTED]: Yes, sir. They'd always  
9 get along.

10 [REDACTED]: Okay. And then you said,  
11 following that attempt, he was placed - Epstein  
12 was placed on suicide watch?

13 [REDACTED]: Yes, with being watched on  
14 the second floor.

15 [REDACTED]: Okay. And what floor is  
16 the SHU on?

17 [REDACTED]: 9th.

18 [REDACTED]: The 9th floor. Okay. So  
19 the suicide watch and the psychological  
20 observation area is all on the 2nd floor?

21 [REDACTED]: Correct.

22 [REDACTED]: All right. Was he  
23 removed from suicide watch?

24 [REDACTED]: Yes he was, afterwards.

25 [REDACTED]: Do you have any idea

1 around when that was?

2 [REDACTED]: That I do not remember.

3 [REDACTED]: Does July 30, 2019 sound  
4 about right?

5 [REDACTED]: I wouldn't -.

6 [REDACTED]: Or, I guess I should ask  
7 this question first. Is there a difference  
8 between suicide watch and psychological  
9 observation?

10 [REDACTED]: Well, psychological  
11 observation, you would have all your clothes  
12 on.

13 [REDACTED]: Okay.

14 [REDACTED]: Suicide watch is because  
15 you attempted suicide so you're going to be  
16 with a smock, in the nude, just a suicide smock  
17 and some booties --

18 [REDACTED]: Okay.

19 [REDACTED]: -- with nothing else.

20 [REDACTED]: And do you know if the  
21 entire time that Epstein was on the 2nd floor  
22 outside of the SHU, was he in the suicide watch  
23 or was he both suicide watch and psychological?

24 [REDACTED]: If I'm not mistaken, he was  
25 on suicide watch the whole time.

1 [REDACTED]: Okay. So you believe  
2 that he was actually --  
3 [REDACTED]: Yes.  
4 [REDACTED]: -- in a smock the whole  
5 time.  
6 [REDACTED]: Correct.  
7 [REDACTED]: Okay. And what does  
8 suicide watch entail?  
9 [REDACTED]: You're being watched 24  
10 hours.  
11 [REDACTED]: By who?  
12 [REDACTED]: By an inmate or staff.  
13 [REDACTED]: Okay. And do you know if  
14 Epstein was watched by either or, or both.  
15 [REDACTED]: I think he was just by  
16 inmates, if I'm not mistaken.  
17 [REDACTED]: Inmates and what is the  
18 inmates' responsibilities while they're  
19 watching him?  
20 [REDACTED]: Well, they constantly  
21 observe you in every - they got to annotate  
22 every round that they do, or every 15 minutes  
23 they write down what the inmate is doing.  
24 [REDACTED]: Okay. Did you ever hear  
25 of any issues or anything while he was on

1 there?

2 [REDACTED]: No.

3 [REDACTED]: No?

4 [REDACTED]: No.

5 [REDACTED]: And what's the  
6 difference, what does the psychological  
7 observation?

8 [REDACTED]: Psychological observation  
9 is pretty much is - you're in the same place,  
10 just with your clothes on.

11 [REDACTED]: And same, you have an  
12 inmate (Indiscernible \*00:12:35) -.

13 [REDACTED]: You have an inmate watching  
14 you at all times, yes.

15 [REDACTED]: Okay. So for both, it's  
16 the same, just the clothes is the only  
17 difference?

18 [REDACTED]: Correct.

19 [REDACTED]: Okay. Did you receive  
20 instructions from anyone regarding Epstein  
21 being assigned a cellmate after he came back  
22 from the 2nd floor and placed back into the  
23 SHU?

24 [REDACTED]: No. I just did it on my  
25 own.

1 [REDACTED]: Okay. So no one - you  
2 don't recall ever being instructed --

3 [REDACTED]: No, I --.

4 [REDACTED]: -- to place him with --.

5 [REDACTED]: I don't recall getting a  
6 phone call saying, "Put him --" - like I said  
7 before, it's we practice, if you're leaving the  
8 2nd floor, you automatically go upstairs with a  
9 cellmate.

10 [REDACTED]: Okay. So, did you ever  
11 receive any kind of information from either  
12 [REDACTED] or Psychology saying that  
13 Epstein was required to be housed with a cell  
14 mate?

15 [REDACTED]: Well we knew already and  
16 [REDACTED] pretty much said, "G, don't  
17 forget to put him with a bunkie."

18 [REDACTED]: Okay. Did you - and I  
19 don't believe that you received it directly,  
20 but did you ever see this email? It says -  
21 sorry, let me see, it's [REDACTED], who is  
22 that?

23 [REDACTED]: That used to - she was a  
24 Psychologist, one of the Psychologists in the  
25 building.

1 [REDACTED]: Okay. And it says, it's  
2 to "Suicide Watch/Psych Observation update."  
3 It says it's dated July 30, 2019 at 12:30 p.m.  
4 The subject of the email says, "Inmate Epstein  
5 is being taken off of psych observation and  
6 needs to be housed with an appropriate  
7 cellmate." Did you ever see that by chance?  
8 [REDACTED]: No. I don't remember this.  
9 [REDACTED]: Okay. But you knew that  
10 he was required to have a cellmate.  
11 [REDACTED]: Yes.  
12 [REDACTED]: All right. And you said  
13 [REDACTED] did inform you?  
14 [REDACTED]: Correct.  
15 [REDACTED]: Okay. Did you mind just  
16 --  
17 [REDACTED]: Oh.  
18 [REDACTED]: -- initialing and dating  
19 that? So you don't recall ever receiving any  
20 other written --  
21 [REDACTED]: No.  
22 [REDACTED]: -- communication  
23 regarding the matter? After [REDACTED]  
24 spoke with you about him being required to have  
25 a cellmate, did you communicate that

1 requirement to anyone else in the SHU?

2 [REDACTED]: Just in SHU. "All right  
3 guys, he needs a bunkie."

4 [REDACTED]: Okay. And was that  
5 something that you communicated only on the  
6 date he came back on July 30 or would that be  
7 something that you all would communicate  
8 throughout his stay in the SHU?

9 [REDACTED]: Well, we constantly just  
10 made sure since he was a high-profile inmate  
11 and we actually placed him right on the top  
12 tier so where we can see - where the OIC bubble  
13 was right on top just because of that reason  
14 and we, "Hey, you got a bunkie?" "Yes."  
15 Because he was always going to his legal visits  
16 pretty much the whole day.

17 [REDACTED]: Right.

18 [REDACTED]: When he came back, made  
19 sure he had a bunkie.

20 [REDACTED]: Okay. And would you also  
21 work then that night watch in the SHU?

22 [REDACTED]: Was I working?

23 [REDACTED]: Not that day, but in  
24 between July 30th and August 9th, do you know  
25 if you would have worked that night watch?

1 [REDACTED]: I'm pretty sure I did. I'm  
2 pretty sure I did. And all my overtime was  
3 always in the SHU.

4 [REDACTED]: Okay. And do you believe  
5 then that everyone who worked in the SHU would  
6 have known that inmate Epstein was required to  
7 have a cell mate?

8 [REDACTED]: Yes.

9 [REDACTED]: All right. And what  
10 makes you believe that?

11 [REDACTED]: It's part of pretty much  
12 the SHU training.

13 [REDACTED]: Okay. When you say, "SHU  
14 training," what training are you referring to  
15 and what was taught?

16 [REDACTED]: Special Housing Unit  
17 training is, once again, the policy of what to  
18 do in Special Housing Unit, how to conduct  
19 rounds, how to deal with an inmate that is  
20 coming off of suicide watch and part of our SHU  
21 training is the psychologists speaking to us  
22 and breaking down and what to do when an inmate  
23 comes off suicide watch, what signs to look for  
24 and pretty much making sure you're doing the  
25 right thing when somebody comes up from suicide

1 watch.

2 [REDACTED]: Okay. So is there any  
3 way that people would know that if they didn't  
4 attend the quarterly - you're talking about the  
5 quarterly SHU training?

6 [REDACTED]: Correct.

7 [REDACTED]: Is there any way that  
8 people that didn't - like people on overtime  
9 shifts or people that didn't actually get to  
10 take that quarterly training yet, would know  
11 that Epstein was required to have a cell mate?

12 [REDACTED]: No, they would not know  
13 that.

14 [REDACTED]: They would not know?

15 [REDACTED]: They would not know that.

16 [REDACTED]: And did you communicate  
17 with people though? I know you're saying that  
18 they knew based upon training, but did you ever  
19 communicate with the people working in the SHU  
20 that Epstein was required to have a bunk mate  
21 at all times?

22 [REDACTED]: Well, whoever worked in SHU  
23 would pass it down, "Hey, make sure this guy  
24 stays with -" - whether it's him or anybody  
25 else, I know we're talking specifically about

1 him, but whether it was him or anybody else, we  
2 all would say, "Hey, make sure this guy has a  
3 bunkie."

4 [REDACTED]: Okay. But you can't  
5 remember any specific conversations?

6 [REDACTED]: No. No.

7 [REDACTED]: Okay. Were there any  
8 signs hanging up anywhere in the SHU that said  
9 Epstein was required to have a cell mate?

10 [REDACTED]: No.

11 [REDACTED]: All right.

12 [REDACTED]: Not that I -.

13 [REDACTED]: So someone mentioned that  
14 -.

15 [REDACTED]: So, I put one of my own -  
16 it was in bright orange paper. I put it next  
17 to the computer. It's nothing like from BOP or  
18 anything, it was just something between us,  
19 that said, "Make sure rounds are conducted and  
20 he has a bunkie at all times." Yes, that was  
21 me.

22 [REDACTED]: Okay. So this document  
23 I'm showing, it says, "Mandatory rounds must be  
24 conducted every 30 minutes on Epstein, as per  
25 God." This is what you're referring to? And

1 where was this hanging?

2 [REDACTED]: On the SHU OIC computer,  
3 right next to it.

4 [REDACTED]: All right. Awesome. So  
5 I was assuming that this might be a confusion,  
6 but someone mentioned that there was also a  
7 color document saying that Epstein was required  
8 to have a cell mate. Was that ever on the OIC  
9 computer or anywhere else?

10 [REDACTED]: You know what? If it was  
11 color, it was - I probably made it because we  
12 always had a stack of orange, that was my  
13 telling everybody, "Do what you're supposed to  
14 do."

15 [REDACTED]: Okay.

16 [REDACTED]: But I did this, I know,  
17 because I typed it up and I put it up there.  
18 Now the -.

19 [REDACTED]: So this is the one that  
20 you remember is the --

21 [REDACTED]: Correct.

22 [REDACTED]: -- one I just showed you.

23 [REDACTED]: Correct.

24 [REDACTED]: Okay. And that was on  
25 the OIC's computer?

1 [REDACTED]: There's two computers on  
2 the desk. If you see, it's right like you  
3 can't miss it.

4 [REDACTED]: And is -.

5 [REDACTED]: It's bright orange paper  
6 and black lettering.

7 [REDACTED]: And is that where  
8 everybody that works in the SHU, are they all  
9 in that same area?

10 [REDACTED]: Everybody goes to that  
11 station.

12 [REDACTED]: So everybody that was in  
13 the SHU or ever worked in the SHU would have  
14 seen at least that document that you created?

15 [REDACTED]: Yes.

16 [REDACTED]: And do you remember when  
17 that document was created?

18 [REDACTED]: I think I did that maybe a  
19 couple of weeks after he came upstairs.

20 [REDACTED]: And is that initially or  
21 after he came back from suicide watch?

22 [REDACTED]: The first time he went  
23 down, when he came up the second time.

24 [REDACTED]: Okay.

25 [REDACTED]: That - when he was -.

1 [REDACTED]: Sometime after July 30th  
2 but prior to August 9th --  
3 [REDACTED]: Correct.  
4 [REDACTED]: -- it would have been up.  
5 [REDACTED]: Correct.  
6 [REDACTED]: Okay. You can't remember  
7 - sometime between there. Definitely prior to  
8 August 9th.  
9 [REDACTED]: Definitely prior to him  
10 coming - or that happening.  
11 [REDACTED]: And do you believe it was  
12 at least a few days prior to that as well?  
13 [REDACTED]: It think it was maybe as  
14 soon as he came upstairs from suicide watch --  
15 [REDACTED]: Okay.  
16 [REDACTED]: -- I put it up there.  
17 [REDACTED]: Okay. But certainly  
18 prior to August 9, 2019.  
19 [REDACTED]: Correct, yes.  
20 [REDACTED]: Okay.  
21 [REDACTED]: Yes.  
22 [REDACTED]: And you do not require  
23 any signs identifying Epstein's cellmate  
24 requirement? Was there ever anything on  
25 Epstein's cell door, even on July 30th or

1 anything like that? Do you recall anything  
2 like that?

3 [REDACTED]: I mean, we had orange paper  
4 hanging all over the place, but I don't recall  
5 one saying he has to have a bunkie.

6 [REDACTED]: Okay.

7 [REDACTED]: We practice, you come up  
8 from suicide watch, you get a bunkie --

9 [REDACTED]: All right.

10 [REDACTED]: -- no matter who you are.

11 [REDACTED]: Got a question here.

12 [REDACTED]: Yeah, go ahead.

13 [REDACTED]: As for God, is that referring  
14 to somebody or God?

15 [REDACTED]: That's just, you know,  
16 okay, God is watching us, we got to do the  
17 right thing.

18 [REDACTED]: Okay.

19 [REDACTED]: So you're referring to -  
20 this is the question I had before. Are you  
21 referring to God himself, not calling the  
22 Warden or the Captain or somebody God?

23 [REDACTED]: Oh no, just God himself.

24 [REDACTED]: All right. So that's the  
25 one sign you can remember that was up --

1 [REDACTED]: Yes.

2 [REDACTED]: -- requiring rounds but  
3 nothing to do with a cellmate.

4 [REDACTED]: Nothing to do with a  
5 cellmate.

6 [REDACTED]: All right. What is the  
7 hot list?

8 [REDACTED]: The hot list is inmates  
9 that have tried to commit suicide in the past  
10 and that's posted in Special Housing Unit.

11 [REDACTED]: Okay. And where in the  
12 Special Housing Unit would have been the hot  
13 list located on August 9th?

14 [REDACTED]: Right next to the second  
15 phone, next to the cage where we keep MIR  
16 (Phonetic Sp. \*00:20:31), camera, radio  
17 holders.

18 [REDACTED]: Would it have been like  
19 on the desk or behind the desk or -.

20 [REDACTED]: Well, we have a hot list,  
21 it's next to the phone, that's where it's at.  
22 It's a yellow - or it was a yellow binder.

23 [REDACTED]: Is there only one phone  
24 in the SHU?

25 [REDACTED]: There's three.

1 [REDACTED]: Three?  
2 [REDACTED]: Three.  
3 [REDACTED]: So one of the phones it  
4 was next to?  
5 [REDACTED]: Correct.  
6 [REDACTED]: Was it hanging on the  
7 wall?  
8 [REDACTED]: Yes.  
9 [REDACTED]: Okay. Is it like some  
10 kind of a bulletin board type of area or like -  
11 .  
12 [REDACTED]: It's a - we have our cage  
13 with some of the equipment --  
14 [REDACTED]: Okay.  
15 [REDACTED]: -- and the phone right next  
16 to it, it's right in between. That's where it  
17 was before.  
18 [REDACTED]: And do you know if  
19 Epstein was listed on the hot list on or around  
20 August 9th?  
21 [REDACTED]: If I'm not mistaken, I  
22 think he was.  
23 [REDACTED]: Okay.  
24 [REDACTED]: I think he was.  
25 [REDACTED]: Would have he been listed

1 on the hot list when he came back on July 30?

2 [REDACTED]: Yes.

3 [REDACTED]: Okay. And how do people  
4 get placed on - if he was on July 30th, when  
5 would an inmate be removed from that hot list?

6 [REDACTED]: Well, that's Psychology  
7 once their finished with their whatever they  
8 do, reports or evaluations on the inmate.

9 [REDACTED]: So how does that work?  
10 Is it they - an inmate is removed from the hot  
11 list if they're no longer a threat of  
12 committing suicide?

13 [REDACTED]: I think that's what it is.

14 [REDACTED]: Okay.

15 [REDACTED]: I never really looked into  
16 that one.

17 [REDACTED]: And does Epstein - I  
18 mean, not does Epstein, does Psychology, are  
19 they the ones that provide you the hot list?

20 [REDACTED]: Yes.

21 [REDACTED]: Who do they provide it  
22 to?

23 [REDACTED]: They usually come upstairs  
24 and change it on their own.

25 [REDACTED]: So they actually post it

1 on the --

2 [REDACTED]: Yes.

3 [REDACTED]: -- board themselves?

4 [REDACTED]: Yes.

5 [REDACTED]: Does everybody that works  
6 in the SHU know what the hot list is?

7 [REDACTED]: Yes.

8 [REDACTED]: Do you believe -.

9 [REDACTED]: It's part of our training.

10 [REDACTED]: As a -.

11 [REDACTED]: Not just the SHU training,  
12 but that's like when you start working here,  
13 everybody should know that that's - when  
14 Psychology Department comes to see you, they  
15 make you - or they tell you to be aware of the  
16 hot list.

17 [REDACTED]: Okay. That's a good  
18 point. On your annual training that you take  
19 at the MCC, would that hot list information be  
20 provided during that training?

21 [REDACTED]: Yes, it should.

22 [REDACTED]: What about the training  
23 that we talked about previously when we talked  
24 -

25 [REDACTED]: The SHU training?

1 [REDACTED]: Yes.

2 [REDACTED]: That definitely is.

3 [REDACTED]: And in the annual?

4 [REDACTED]: Yes.

5 [REDACTED]: So, in the annual, the  
6 training that you said, you know, we talked  
7 about of, they're not in the SHU training, they  
8 might not have gotten it, that same information  
9 would have been passed along during the annual  
10 training?

11 [REDACTED]: Yes.

12 [REDACTED]: And that's with  
13 Psychology letting people know that people -.

14 [REDACTED]: Psychology does their part  
15 on the training in their class time and they  
16 should have or they should because I think  
17 that's what they always do. Psychology - any  
18 training, everybody takes it and you go over  
19 everything pretty much from when you first  
20 start --

21 [REDACTED]: Okay.

22 [REDACTED]: -- on what to do as an  
23 officer.

24 [REDACTED]: So, point being, if  
25 people come off of suicide watch and are placed

1 in somewhere like the SHU, during annual  
2 training, they tell everybody that takes that  
3 training that they need to.

4 [REDACTED]: Make sure you go over the  
5 hot list and deal with who is on it --

6 [REDACTED]: And who was your -.

7 [REDACTED]: -- and if you feel somebody  
8 should be on it, just pass it down to  
9 Psychology.

10 [REDACTED]: To make sure those people  
11 have cellmates?

12 [REDACTED]: Correct.

13 [REDACTED]: Okay. And is that right,  
14 if you're on the hot list, unless you have some  
15 kind of requirement next to you that you can't  
16 be housed with a bunkie, you're supposed to  
17 housed with a cell mate?

18 [REDACTED]: Yes, yes.

19 [REDACTED]: Okay. And is that kind  
20 of the purpose of it, to make sure that you're  
21 knowing that they're not only suicidal but  
22 they're also required to have a cellmate?

23 [REDACTED]: Correct.

24 [REDACTED]: Okay.

25 [REDACTED]: In comparison to the OIC

1 desk, where would that hot list be? Like if  
2 you're looking at the desk right now, where -.

3 [REDACTED]: So, if I'm sitting on the  
4 desk, it should be about not even 10 feet away  
5 from me on the next phone.

6 [REDACTED]: Okay.

7 [REDACTED]: And do the other COs that  
8 worked in the SHU know that everyone on the hot  
9 list was required to have a cellmate?

10 [REDACTED]: They should.

11 [REDACTED]: They should, okay.

12 [REDACTED]: There's a lot of "shoulds"  
13 in this building.

14 [REDACTED]: Who replaced you in the  
15 SHU on August 9, 2019? Do you remember? And  
16 here's the -.

17 [REDACTED]: It should have been Officer  
18 [REDACTED] and Officer [REDACTED].

19 [REDACTED]: Okay. Do you need to  
20 refer to this at all or you just know that from  
21 memory?

22 [REDACTED]: I think I'm right.

23 [REDACTED]: And I think you're right  
24 as well, but I just want to make sure that -.

25 [REDACTED]: Memory is so far so good,

1 yes.

2 [REDACTED]: So you're looking at the  
3 daily assigned roster.

4 [REDACTED]: Yeah, it's [REDACTED] and  
5 [REDACTED].

6 [REDACTED]: Anyone else?

7 [REDACTED]: No, I only saw those two.

8 [REDACTED]: Was there [REDACTED] also?  
9 Did he replace you?

10 [REDACTED]: So I left that 2:00.

11 [REDACTED]: Okay.

12 [REDACTED]: I knew [REDACTED] was coming  
13 because that's usually my relief and [REDACTED] was  
14 a 2:00 to 10:00 officer.

15 [REDACTED]: Okay. And where did  
16 [REDACTED] fit in on this? Do you know?

17 [REDACTED]: He was probably doing -  
18 just coming in.

19 [REDACTED]: Okay. So we have a memo.  
20 Is this - do you - this memo, it says it's from  
21 you and it's dated August 12, 2019. Is this -  
22 do you recognize that memo?

23 [REDACTED]: No, that's me.

24 [REDACTED]: Okay. And did you create  
25 that memo?

1 [REDACTED]: Yes, I did.

2 [REDACTED]: All right. Great. So  
3 what it says is, it says it's to the Warden.  
4 How do you pronounce the Warden's last -.

5 [REDACTED]: [REDACTED].

6 [REDACTED]: [REDACTED]. It says, "On  
7 Friday, August 9, 2019 at approximately 1:50  
8 p.m., I, SOS [REDACTED], passed on to oncoming  
9 staff member Officer [REDACTED] and present shift  
10 staff SOS [REDACTED] and Officer [REDACTED] that inmate  
11 Reyes, number 85993-054, was going WAB and  
12 possibly may not return. Also that inmate  
13 Epstein will be needing a cellmate upon arrival  
14 from his attorney visit." What does WAB mean?

15 [REDACTED]: With all belongings.

16 [REDACTED]: Okay. And is that -.

17 [REDACTED]: That's when you leave the  
18 institution.

19 [REDACTED]: Okay. Great. And do you  
20 recall actually passing that information on to  
21 [REDACTED]?

22 [REDACTED]: I - [REDACTED], [REDACTED], [REDACTED], I  
23 probably did speak to them, but in -.

24 [REDACTED]: Okay. So I guess I  
25 should ask, the way that I interpreted this was

1 that you told [REDACTED] but those other people were  
2 present in the SHU. Did you have a  
3 conversation then, you believe, with both [REDACTED]  
4 and [REDACTED]?

5 [REDACTED]: I had a conversation with  
6 [REDACTED] because he relieved me at 2 o'clock.

7 [REDACTED]: Okay.

8 [REDACTED]: And I told him, "Make sure  
9 you pass it down to - but I don't - I know I  
10 spoke to [REDACTED] because I was still town driver  
11 and I saw him outside, but [REDACTED], I don't  
12 remember seeing him.

13 [REDACTED]: Okay. What do you  
14 remember - what specifically do you recall  
15 saying to [REDACTED]?

16 [REDACTED]: Like, "[REDACTED] is going, he's  
17 leaving, so make sure Epstein gets a bunkie."

18 [REDACTED]: And what do you remember  
19 specifically telling to [REDACTED]?

20 [REDACTED]: Same thing. "Hey, you  
21 know, I think [REDACTED] is going to be gone,  
22 Epstein needs a bunkie." "All right."

23 [REDACTED]: Okay. And again, who is  
24 inmate [REDACTED] [REDACTED]?

25 [REDACTED]: That was Epstein's bunkie.

1 [REDACTED]: Up until August 9th it  
2 sounds like?

3 [REDACTED]: Correct.

4 [REDACTED]: Okay. And do you know  
5 how he was selected to be Epstein's cell mate?

6 [REDACTED]: Through, again, Psychology  
7 recommends, "Oh, they're about the same age.  
8 They both are pretty much have -" - not similar  
9 charges, but, "This guy is an older man. This  
10 guy has a cane. There's not going to be any  
11 problems, we should put them in together."

12 [REDACTED]: Are you aware of anything  
13 like the Captain and the Warden and even the  
14 Regional Director going through and vetting  
15 Epstein's cell mates or are you unaware of  
16 that?

17 [REDACTED]: No.

18 [REDACTED]: All right. So, you're  
19 understanding was that Psychology made that  
20 determination?

21 [REDACTED]: Correct.

22 [REDACTED]: Okay. When did you  
23 become aware that inmate Efrain Reyes was  
24 likely to be removed from the MCC on August 9,  
25 2019?

1 [REDACTED]: When I walked both of them  
2 to the door.

3 [REDACTED]: And what time would that  
4 have been?

5 [REDACTED]: I would say - because R&D  
6 usually starts calling people down around 9  
7 o'clock, 9:00, 9:30, and that's pretty much  
8 around the same time that Epstein is walking to  
9 go to his legal visit.

10 [REDACTED]: Okay.

11 [REDACTED]: I won't - well, it's not me  
12 alone with the two of them, but we walked  
13 towards the door and I told him he needed - he  
14 was going to get a bunkie.

15 [REDACTED]: So were Reyes and Epstein  
16 both together?

17 [REDACTED]: Correct.

18 [REDACTED]: And you're the one who  
19 was - one of you that was escorting them?

20 [REDACTED]: Yes.

21 [REDACTED]: And at that point, at  
22 9:00 a.m. on August 9th, you did know that  
23 Reyes wasn't coming back or likely -.

24 [REDACTED]: I knew he was going  
25 downstairs. So, WAB means with all belongings.

1 You go to R&D, you're supposed to leave within  
2 probably an hour and not come back, but there  
3 has been times that they go downstairs with all  
4 their stuff and they come right back upstairs.  
5 Whether it's to SHU or to a unit.

6 [REDACTED]: Okay.

7 [REDACTED]: So -.

8 [REDACTED]: So, are you confident  
9 that Reyes was actually WAB at 9:00 a.m.?

10 [REDACTED]: No, I know I was walking  
11 him downstairs to leave the building at that  
12 time.

13 [REDACTED]: Was he with all  
14 belongings at that time?

15 [REDACTED]: Yes.

16 [REDACTED]: So he --

17 [REDACTED]: Yes.

18 [REDACTED]: -- already - he did have  
19 his belongings?

20 [REDACTED]: He did have his belongings.  
21 He was ready to go. But again, it's not always  
22 guaranteed that once we're taking downstairs,  
23 even though they call us and tell us, "Oh, this  
24 guy is going WAB," they just leave.

25 [REDACTED]: Okay.

1 [REDACTED]: There's been a lot of times  
2 that we take them downstairs, two, three hours  
3 later, something happened, "You know what? Go  
4 right back upstairs, you leave tomorrow or the  
5 next day."

6 [REDACTED]: Okay. And does R&D stand  
7 for Receiving and Discharging?

8 [REDACTED]: Yes.

9 [REDACTED]: Okay. What floor is that  
10 on?

11 [REDACTED]: That's on the 3rd floor.

12 [REDACTED]: Okay. Do you get a - let  
13 me go through this. So, I got a Lieutenant log  
14 and a daily log. So let me find those. So  
15 here's the - this top report, the daily  
16 activity report is from August 10, 2019 and  
17 behind it, it has the Lieutenant's log from  
18 Friday, August 9, 2019. So that's what I'm  
19 going to refer you to and I'm going to refer  
20 you specifically to where it says, "8:00 a.m.,"  
21 on down. It says, "According to the  
22 Lieutenant's log and the daily log," so this is  
23 the daily log. I think he's on the third page.  
24 It says, "Reyes was pre-removed from the SHU at  
25 8:38 a.m." What does that mean?

1 [REDACTED]: That's just when they put  
2 him on the system that he gets downstairs.

3 [REDACTED]: Does it have anything to  
4 do with WAB or that he's likely not going to  
5 come back?

6 [REDACTED]: Well, that pretty much  
7 means he left.

8 [REDACTED]: That just means he left?

9 [REDACTED]: Yes, that means he's left.

10 [REDACTED]: But does that mean, like,  
11 he's going to court and he's likely not going  
12 to come back or it just means he left? Does it  
13 have anything to do with the fact that not only  
14 did he leave the building, but he's likely not  
15 going to return?

16 [REDACTED]: Well, that he left the  
17 building and most likely he's not going to  
18 return.

19 [REDACTED]: Okay. And is there a  
20 difference? Like what would it say if he just  
21 left for a regular court date and he was going  
22 to return, (Indiscernible \*00:30:47)?

23 [REDACTED]: Well, it would say,  
24 "Court."

25 [REDACTED]: Just, "Court?"

1 [REDACTED]: If he was going to court,  
2 it would say, "Court."

3 [REDACTED]: It wouldn't say, "Pre-  
4 remove?"

5 [REDACTED]: No, it would just say,  
6 "Court."

7 [REDACTED]: So is, "Pre-remove," and,  
8 "WAB," somewhat the same thing?

9 [REDACTED]: Correct.

10 [REDACTED]: Okay. So does that mean  
11 that - so I've been told that there's some kind  
12 of a court list that comes out either on like  
13 late August 8, 2019 or early August 9, 2019  
14 would have said something with WAB next to his  
15 name.

16 [REDACTED]: Yes.

17 [REDACTED]: What is that called?

18 [REDACTED]: That's the court list that  
19 we get. So when I walk in or any officer walks  
20 into the unit, they would have a court list.  
21 Court list would have - I'll say, "Court," or,  
22 "WAB."

23 [REDACTED]: All right. And I have  
24 not seen that document. Do you recall if that  
25 actually said, "WAB?"

1 [REDACTED]: Not that, I cannot  
2 remember.

3 [REDACTED]: If it - looking at the  
4 Lieutenant's log as well as this daily log, the  
5 fact that said, "Pre-remove," does that mean it  
6 likely said, "WAB?"

7 [REDACTED]: Yes.

8 [REDACTED]: Okay.

9 [REDACTED]: Yes.

10 [REDACTED]: Because you said if it  
11 said just, "Court," or, "WAB," if it said,  
12 "Court," it would say, "Court," next to his  
13 name --

14 [REDACTED]: Right.

15 [REDACTED]: -- on this.

16 [REDACTED]: Right. So, we get  
17 something like this, just like this one.

18 [REDACTED]: So on the daily log,  
19 right?

20 [REDACTED]: On the daily log, but it  
21 would be like a court roster. Name, where  
22 they're housed in and next to it, it would say,  
23 "Court, WAB, transfer," or something like that.

24 [REDACTED]: Okay. So, but based upon  
25 the fact that this says, "Pre-remove," on it.

1 Do you believe that the court list said, "WAB?"

2 [REDACTED]: Yes.

3 [REDACTED]: Okay.

4 [REDACTED]: Yes. That's the only  
5 reason we would take them down.

6 [REDACTED]: Right.

7 [REDACTED]: Unless he got - he made  
8 bail and all of a sudden, "Hey, we got an early  
9 release."

10 [REDACTED]: Okay. So when you say  
11 it's the only reason you would take them down,  
12 wouldn't you take them down also if he was just  
13 going to court?

14 [REDACTED]: Correct.

15 [REDACTED]: Okay. But, I guess what  
16 I'm saying is, the difference between court and  
17 WAB. It's the same -.

18 [REDACTED]: It's - well, if I have a  
19 list and I have a court inmate and a WAB  
20 inmate, they would both go to R&D and if it's  
21 the same time, they would go down at the same  
22 time. Then after that is where it would still  
23 say the same thing. Well, one would still say,  
24 "WAB," and the other one still would, I mean,  
25 would say, "Court." Only difference is one

1 would most likely not come back.

2 [REDACTED]: Okay. What about the  
3 difference between what they're bringing with  
4 them? Would they both be bringing all their  
5 belongings?

6 [REDACTED]: No, they would not.

7 [REDACTED]: So a person with court  
8 wouldn't have something like Reyes did.

9 [REDACTED]: Correct.

10 [REDACTED]: So Reyes likely had his  
11 bag.

12 [REDACTED]: His bag with all his items  
13 and the person going out to court would most  
14 likely just have a folder or legal  
15 documentations that he's taking with him.

16 [REDACTED]: All right. So that's  
17 another reason why you believe that that  
18 document would have said, "WAB?"

19 [REDACTED]: Correct.

20 [REDACTED]: Okay. Thank you. I'm  
21 going to just so we can start getting these  
22 things away from you. Do you mind just signing  
23 and dating? This is the daily log. And  
24 exactly, do you know what the daily log is?  
25 This one that you're initialing and dating

1 right now --

2 [REDACTED]: Well --

3 [REDACTED]: -- for August 9, 2019?

4 [REDACTED]: -- this we would print out

5 just so we could know how to update the

6 Lieutenant's log --

7 [REDACTED]: Okay. So -.

8 [REDACTED]: -- now.

9 [REDACTED]: So this daily log is used

10 to update the Lieutenant's log?

11 [REDACTED]: Correct.

12 [REDACTED]: All right. So would have

13 this this page in daily log, it's the page we

14 were just reviewing, it's the last page which

15 is - although it does say, "Page 1 of 1," or

16 over here, it's this page, I'm going to circle

17 this page, 3 of 3, and I'm going to star next

18 to Reyes's name. Would this have been filled

19 for - would this have been used to fill out

20 this daily log --

21 [REDACTED]: Yes.

22 [REDACTED]: -- after the fact? So at

23 8:38, would the Lieutenant's log have been

24 filled out? I'm going to star next to this.

25 Or would it have been at this time where it

1 says, you know, "9:30 --  
2 [REDACTED]: 9:30?  
3 [REDACTED]: -- at night," would have  
4 been filled out?  
5 [REDACTED]: No, it would have been  
6 filled out according to the times that are on  
7 the log.  
8 [REDACTED]: Okay. So, the  
9 Lieutenant's log is actually typically filled  
10 out after these things happen?  
11 [REDACTED]: Yes.  
12 [REDACTED]: Later in the day.  
13 [REDACTED]: Correct.  
14 [REDACTED]: Not as they transpire.  
15 [REDACTED]: Correct.  
16 [REDACTED]: Okay. Good to know.  
17 [REDACTED]: Well, it depends on who the  
18 Lieutenant is.  
19 [REDACTED]: Right. Okay.  
20 [REDACTED]: Sometimes they'll do it  
21 throughout the day so they're not stuck doing  
22 all these changes or putting all the  
23 information on the Lieutenant's log, they'll  
24 just go by the time.  
25 [REDACTED]: Okay.

1 [REDACTED]: Like, "Oh, it's 8:30, five  
2 guys left, I'm going to put it in the  
3 Lieutenant's log."  
4 [REDACTED]: All right.  
5 [REDACTED]: "Five guys left."  
6 [REDACTED]: Is there any kind of a  
7 requirement that Lieutenants need to fill out  
8 the Lieutenant's log as things transpire or  
9 does that not matter?  
10 [REDACTED]: Doesn't matter, so long as  
11 by the closing of the day, everything is up to  
12 date --  
13 [REDACTED]: Okay.  
14 [REDACTED]: -- and the numbers are  
15 accurate.  
16 [REDACTED]: So, prior to leaving your  
17 shift it's supposed to be updated?  
18 [REDACTED]: Yes.  
19 [REDACTED]: Okay. All right. So if  
20 you can just --  
21 [REDACTED]: I have the Lieutenant, yes.  
22 [REDACTED]: So if you don't mind  
23 initialing and dating both of those.  
24 [REDACTED]: While you're doing that, I  
25 just had a question. You said that Reyes had

1 his belongings. What exactly did he have in  
2 his hands?

3 [REDACTED]: Think it was a bag with a  
4 couple of commissary items, nothing -.

5 [REDACTED]: Like a plastic bag or -.

6 [REDACTED]: A plastic bag. We don't  
7 give them anything else to take.

8 [REDACTED]: And you also mentioned, "We,"  
9 who is we when you were bringing him down?

10 [REDACTED]: Oh, myself and the Internal  
11 Officer, which - usually if it's two inmates,  
12 it has to be at least two or three staff  
13 members bringing them down.

14 [REDACTED]: You wouldn't happen to, by  
15 off that list, know who that is?

16 [REDACTED]: Internal was [REDACTED], think  
17 it was overtime, it was probably him. Sign and  
18 -.

19 [REDACTED]: Yeah, do you mind just,  
20 that's your memo, do you mind just initialing  
21 and dating? Thank you, sir. All right, so,  
22 and just to sum all that up by what you just  
23 saw and by your understanding, you thought  
24 [REDACTED] was unlikely to return to the MCC.

25 [REDACTED]: No.

1 [REDACTED]: Okay. And did you  
2 receive any kind of call or any other  
3 notification on August 19, 2019 saying that  
4 [REDACTED] was not returning to the MCC?  
5 [REDACTED]: I don't remember that one.  
6 [REDACTED]: Okay. So, when would or  
7 would a notification have been made informing  
8 the SHU or the MCC in general, that [REDACTED] was  
9 in fact not coming back? How does that process  
10 work?  
11 [REDACTED]: So, if he's going WAB, we  
12 already assume that he's not going to be coming  
13 back and the way we confirm it is right before  
14 the count, "Hey, is he coming back R&D?" "No,  
15 he already left, he's gone."  
16 [REDACTED]: And what count is that?  
17 [REDACTED]: The 4:00 p.m. count.  
18 [REDACTED]: All right. So at 4:00  
19 p.m., someone from the SHU should have  
20 contacted, you said R&D?  
21 [REDACTED]: Yes.  
22 [REDACTED]: And said, "Is he coming  
23 back?"  
24 [REDACTED]: Correct.  
25 [REDACTED]: All right. Is that

1 standard operating procedure?

2 [REDACTED]: No, it's just pretty much  
3 us confirming that he's not coming back or  
4 sometimes they give us a call, "Hey, this guy  
5 is not coming back."

6 [REDACTED]: Okay.

7 [REDACTED]: But we already assume that  
8 he's not coming back because he's going WAB.

9 [REDACTED]: Okay. So do you know if  
10 any notification was ever made to the SHU  
11 saying that he was not in fact coming back?

12 [REDACTED]: I don't remember.

13 [REDACTED]: No? And there's no  
14 standard operating procedure on that.

15 [REDACTED]: No.

16 [REDACTED]: Do you believe that there  
17 should be?

18 [REDACTED]: I mean, we should go off  
19 the roster, but R&D should always, "Hey, this  
20 guy is not coming back," think a courtesy call  
21 --

22 [REDACTED]: Okay.

23 [REDACTED]: -- "This guy is not coming  
24 back."

25 [REDACTED]: And how is R&D made aware

1 that an inmate is not coming back?

2 [REDACTED]: Once they leave here. So  
3 they all go downstairs with all their  
4 belongings.

5 [REDACTED]: No, no, no. So would it  
6 be when the other court people, inmates return  
7 or would it be prior to that? So, yes, you  
8 said, he's likely not coming back at  
9 approximately 8:38 when you bring him down. He  
10 leaves, it's kind of assumed that he's not  
11 coming back. We're trying to figure out, when  
12 is it known he's definitely not coming back.  
13 Is that when the other inmates that went to  
14 court are returned to the MCC or they return at  
15 different times or how does that work?

16 [REDACTED]: Well, the inmates, they  
17 don't all return together. They return  
18 different times.

19 [REDACTED]: Okay.

20 [REDACTED]: But, that's actually a good  
21 question. I want to find that out too. I  
22 don't know if they're going to - they just  
23 locked it.

24 [REDACTED]: I think you're locking us  
25 in.

1 UNIDENTIFIED MALE: Oh, sorry.

2 [REDACTED]: Thank you. Okay, so  
3 you're not exactly sure?

4 [REDACTED]: I'm not sure how they're  
5 like notified or how do they know this guy is  
6 not coming back or, excuse me, this guy is not  
7 coming back, this guy got time served or, I'm  
8 not sure how they know that.

9 [REDACTED]: Okay. Do you know  
10 anything about possibly the Marshals providing  
11 some kind of a court list or anything like that  
12 or is this a question for R&D?

13 [REDACTED]: It's a question for R&D.

14 [REDACTED]: Okay. But as far as you  
15 know, either R&D would call the SHU, making the  
16 notification, and if they didn't do that by the  
17 4:00 p.m. count --

18 [REDACTED]: Yeah.

19 [REDACTED]: -- the SHU should be  
20 contacting R&D?

21 [REDACTED]: Yes, to make sure he's not  
22 coming back or to make sure that he might be  
23 downstairs and we've got to pick him up.

24 [REDACTED]: And is --

25 [REDACTED]: But if he returns, R&D

1 calls us. Anybody from SHU leaves, once they  
2 return from wherever they went, "You've got a  
3 pick up on three."

4 [REDACTED]: Okay. Now as far as that  
5 goes, so just walk me through like, it just  
6 seems so like a non-definite, like you know  
7 what I mean? You assume that he's gone. Would  
8 the people that are working in the SHU at 4:00  
9 even know to call R&D to find out where [REDACTED]  
10 is?

11 [REDACTED]: Uh-huh.

12 [REDACTED]: They would? And how  
13 would they know that?

14 [REDACTED]: To verify the count.

15 [REDACTED]: Okay.

16 [REDACTED]: We count every day, so.

17 [REDACTED]: So would [REDACTED] remain on  
18 the count at that point?

19 [REDACTED]: If he's not returning?

20 [REDACTED]: So in this case, with the  
21 pre-remove, does that mean that he was removed  
22 from the count?

23 [REDACTED]: Correct.

24 [REDACTED]: So, that's - so he's  
25 already removed from the SHU count. How would

1 the people that are working in the SHU know to  
2 check on him if he's been removed from the  
3 count?

4 [REDACTED]: The court list stays on top  
5 of the desk, usually we have a morning court --

6 [REDACTED]: Okay.

7 [REDACTED]: -- and afternoon court.

8 [REDACTED]: So anybody that's on the  
9 court list, you need to - that's how people  
10 know every day, they call and say, "What  
11 happened to these people at court?"

12 [REDACTED]: Yes.

13 [REDACTED]: All right. And is that  
14 like at a certain time that a person calls?

15 [REDACTED]: Usually 3:00, 3 o'clock, no  
16 later than 3:30 because of the count.

17 [REDACTED]: And on August 9th, by  
18 knowing the people you said that were in there  
19 and looking at this daily assignment roster,  
20 are you able to determine if there's one person  
21 that should have called or was their  
22 responsibility or is it -.

23 [REDACTED]: Well, [REDACTED] and [REDACTED] would  
24 have called.

25 [REDACTED]: So one of those two?

1 [REDACTED]: Yeah, one of those would  
2 have called.

3 [REDACTED]: But not [REDACTED]?

4 [REDACTED]: [REDACTED] was pretty new and  
5 so was [REDACTED].

6 [REDACTED]: Okay.

7 [REDACTED]: Pretty new officers, so.

8 [REDACTED]: But every day that's  
9 done?

10 [REDACTED]: If they don't come back,  
11 then we assume they're not coming back and if  
12 they do come back, R&D usually tells us, "Come  
13 pick up on three."

14 [REDACTED]: Okay. So the way that  
15 that was answered, it sounds like you don't  
16 always call based on the court list, you just  
17 assume they did - if they didn't show up and R  
18 & D didn't call you, you -.

19 [REDACTED]: Then, we're like, "Oh, he's  
20 not coming back."

21 [REDACTED]: All right. So then those  
22 two may not have called then, they just would  
23 have assumed he was gone?

24 [REDACTED]: I mean, Officer [REDACTED] got  
25 good enough time in that I think he would have

1 called.

2 [REDACTED]: And would you always call

3 --

4 [REDACTED]: I think he would have

5 called, but -.

6 [REDACTED]: -- on those dates that

7 you worked in the SHU at that 4:00, you know,

8 around 4:00 p.m. time, would you have always

9 called?

10 [REDACTED]: Myself? Yes. I usually

11 call like around 3 o'clock --

12 [REDACTED]: And is that -.

13 [REDACTED]: -- just in case I really

14 dirty, I'll go home early, so.

15 [REDACTED]: Now is that like also

16 like a standard operating procedure or is that

17 just based upon whatever the people that are

18 working there want to do?

19 [REDACTED]: That's whatever people

20 working there.

21 [REDACTED]: Okay. So is there any

22 training on that that you should call at a

23 certain time?

24 [REDACTED]: No.

25 [REDACTED]: No?

1 [REDACTED]: No.

2 [REDACTED]: So that's just like  
3 basically good, I guess, logistics and good --

4 [REDACTED]: Yes.

5 [REDACTED]: -- record keeping. Were  
6 you ever instructed on what action should be  
7 taken if Reyes, who was assigned to Epstein as  
8 a cellmate, was removed from the institution?

9 [REDACTED]: If anybody, not only  
10 Epstein, loses a bunkie, and he was already on  
11 suicide watch, then that's pretty much our  
12 training. If he returned from suicide watch,  
13 he needs a bunkie. If he has a bunkie and the  
14 bunkie leaves, we get him another one.

15 [REDACTED]: Okay. Okay, so in this  
16 case then, it was Reyes was likely to have been  
17 removed from the institution. What actions  
18 should have been taken to replace Reyes and  
19 when should have they been taken?

20 [REDACTED]: Well, as soon as it was  
21 verified or confirmed that he left the  
22 building, and Epstein was coming up from his  
23 attorney visit, which was probably around 8:00  
24 because that's the last, like the last call on  
25 attorney conference, last legal visit has to be

1 out of the legal department by 8 o'clock. So,  
2 as soon as we find out that - if Reyes wasn't  
3 there for the 4 o'clock count, it should have  
4 been, "Okay, let's find Epstein another bunkie  
5 so by the time he comes upstairs, he has one  
6 already."

7 [REDACTED]: Okay. So based upon your  
8 conversations with at least [REDACTED] and you  
9 believe as well as [REDACTED], should have they at  
10 the 4:00 p.m. count started making some  
11 notifications or started replacing Reyes?

12 [REDACTED]: Oh, definitely.  
13 Definitely.

14 [REDACTED]: So was it their two -  
15 their - do you believe it was their, then,  
16 responsibility to replace Reyes?

17 [REDACTED]: I think it was everybody's  
18 responsibility. They should have notified  
19 somebody.

20 [REDACTED]: Okay. Did you have any  
21 communica- let me just go in order so I don't  
22 get - so, let me just make sure I understand.  
23 So at 4:00 p.m., they should have been making  
24 some notifications or at least requesting  
25 information on Reyes's location, correct?

1 [REDACTED]: Correct.

2 [REDACTED]: By 8:00 p.m., when  
3 Epstein returned from attorney conference,  
4 you're saying at least by that time, that's  
5 when a new cell mate should have been assigned  
6 or -.

7 [REDACTED]: Correct.

8 [REDACTED]: Okay. And who was  
9 responsible for assigning Epstein with a new  
10 cell mate?

11 [REDACTED]: So, anyone in SHU could do  
12 it. Just got to make sure he doesn't have any  
13 separations from another inmate. But, Epstein,  
14 when he came to the building was a big deal to  
15 everybody, so everybody wants to be involved.  
16 So I think they should just notify whoever it  
17 was, the Lieutenant, and let the Lieutenant ask  
18 around or speak to Psychology who you recommend  
19 to be his bunkie.

20 [REDACTED]: Okay. And so, being that  
21 Epstein was a big deal and people wanted to be  
22 involved, when should that notification had  
23 been made?

24 [REDACTED]: As soon as they found out  
25 he wasn't coming back.

1 [REDACTED]: So once it was verified  
2 and so-.

3 [REDACTED]: That he's not coming back,  
4 yes.

5 [REDACTED]: So at approximately 4:00  
6 p.m.?

7 [REDACTED]: 4:00 p.m.

8 [REDACTED]: Okay. After [REDACTED] left  
9 for court, should you have begun a process for  
10 an inmate or you or whoever else was working in  
11 the SHU, should you began that process for a  
12 new selected inmate for Epstein?

13 [REDACTED]: Well, again, I assumed he  
14 was not coming back, I wasn't sure he wasn't  
15 coming back.

16 [REDACTED]: Okay. So -.

17 [REDACTED]: And by the time I left, he  
18 still had another - he still had about an hour  
19 and a half to come back if he was coming back.

20 [REDACTED]: Okay. So, by the time  
21 you left, there was still a possibility that -.

22 [REDACTED]: That he could come back.

23 [REDACTED]: Okay.

24 [REDACTED]: Yes.

25 [REDACTED]: Did you make any

1 notifications to anyone aside from [REDACTED] and  
2 [REDACTED] that Reyes was Epstein's cellmate and he  
3 was likely not coming back?

4 [REDACTED]: I don't remember that.

5 [REDACTED]: Do you remember if you,  
6 you know, communicated with any of the  
7 Lieutenants?

8 [REDACTED]: I don't even remember who -  
9 which Lieutenant was on.

10 [REDACTED]: You got the daily roster.

11 [REDACTED]: But -.

12 [REDACTED]: Think it was [REDACTED] and  
13 [REDACTED].

14 [REDACTED]: I actually - I say I know I  
15 remember [REDACTED]. So I think I - see,  
16 I don't want to say I did tell somebody, but I  
17 was always kind of anal working the SHU, so I  
18 probably said, "Look, he might not be coming  
19 back," and when Reyes left, he leave through  
20 the 3rd floor which everybody in the  
21 Lieutenant's office sees him and R&D sees him  
22 and at the same time, I told Epstein, "You're  
23 getting a bunkie," he's like, "No, I'm good."  
24 And Reyes was like, "No, he's going to make  
25 sure you get a bunkie." Because -.

1 [REDACTED]: Can you repeat that last  
2 thing? What's this?

3 [REDACTED]: So, when I walked them  
4 towards the door, I said, "Oh, Reyes, you might  
5 be leaving today." "[REDACTED]." "And you're  
6 going to get a bunkie." Epstein is like, "No,  
7 I'm good." Said, "No, you're going to get a  
8 bunkie," and Reyes is like, "Yeah," you know,  
9 "He does this by the book, you're going to get  
10 a bunkie later if I leave or if I don't come  
11 back."

12 [REDACTED]: I got you. So the way  
13 you answered the question before, it sounded  
14 like you may have told [REDACTED] or [REDACTED], you  
15 just don't specifically recall?

16 [REDACTED]: I do not recall.

17 [REDACTED]: Like -.

18 [REDACTED]: Again, we brought them  
19 down, so.

20 [REDACTED]: Okay. No, no, no, I'm  
21 talking about like, - or let me - I'll just go  
22 in order. Do you remember at 9:00 a.m. who  
23 would have been the Activities and Operations  
24 Lieutenant?

25 [REDACTED]: Well, Operations comes in

1 at 6 o'clock in the morning.

2 [REDACTED]: Okay. And who on this  
3 date would have been that person?

4 [REDACTED]: Lieutenant [REDACTED] and  
5 [REDACTED] came in at 4 o'clock.

6 [REDACTED]: So [REDACTED] was Activities  
7 though, right?

8 [REDACTED]: Correct. At 6:00 and then  
9 [REDACTED] was at 8:00.

10 [REDACTED]: Okay. So at 6:00 a.m.,  
11 [REDACTED] would have been in?

12 [REDACTED]: Yes, 6:00 to 2:00 and  
13 [REDACTED], 8:00 to 4:00.

14 [REDACTED]: Okay. So at that 9  
15 o'clock time when you're bringing them down,  
16 would you --

17 [REDACTED]: They both should have been  
18 there.

19 [REDACTED]: -- would have you been in  
20 any interactions with Lieutenants at that  
21 point?

22 [REDACTED]: Yes, because they usually  
23 come upstairs to feed.

24 [REDACTED]: Okay. And do you  
25 remember specifically if you can place yourself

1 back in that day, I know it's a long time ago,  
2 but being that that was the day before Epstein  
3 died, can you remember at all thinking about  
4 any conversations you had with them?

5 [REDACTED]: I remember seeing both of  
6 them.

7 [REDACTED]: Both - you remember --

8 [REDACTED]: Both - both --

9 [REDACTED]: -- seeing both [REDACTED] -.

10 [REDACTED]: -- [REDACTED] and  
11 Lieutenant [REDACTED] that day, but (Indiscernible  
12 \*00:49:03) when - I'm sure, but I'm not a  
13 hundred percent positive that I did tell him --

14 [REDACTED]: Okay.

15 [REDACTED]: -- "Hey," specifically,  
16 "Reyes might be leaving, you got to get Epstein  
17 a bunkie."

18 [REDACTED]: So you believe it's more  
19 likely than not that you mentioned it to the  
20 Lieutenants.

21 [REDACTED]: Correct.

22 [REDACTED]: Okay.

23 [REDACTED]: There you go.

24 [REDACTED]: But you just can't  
25 specifically recall.

1 [REDACTED]: Yes.

2 [REDACTED]: Okay. And do you believe  
3 it was more likely or not that you told one of  
4 those Lieutenants over another?

5 [REDACTED]: I talked to both of them  
6 and I think I probably just told Lieutenant  
7 [REDACTED] and then he passed it down or vice versa.

8 [REDACTED]: Okay. And did you have  
9 more of a friendly relationship with one or the  
10 other?

11 [REDACTED]: No, just --

12 [REDACTED]: No?

13 [REDACTED]: -- even both of them.

14 [REDACTED]: And do you remember  
15 having any conversations with R&D on August  
16 9th?

17 [REDACTED]: No.

18 [REDACTED]: No? So when you would  
19 drop the inmates off, was there any kind of  
20 conversations or --

21 [REDACTED]: Yeah, "What's up? You guys  
22 good?" "Yeah, okay."

23 [REDACTED]: Okay.

24 [REDACTED]: Yeah. Go right back  
25 upstairs.

1 [REDACTED]: And do you know when it  
2 was known that [REDACTED] wasn't returning to the  
3 MCC?

4 [REDACTED]: No.

5 [REDACTED]: Even after the fact?  
6 Like after August 9th, you never learned that?

7 [REDACTED]: No, I never -.

8 [REDACTED]: There wasn't any kind of  
9 like little internal investigation trying to  
10 figure out what that was all about?

11 [REDACTED]: No. I -.

12 [REDACTED]: But under normal  
13 circumstances, you're saying, either R&D would  
14 call and let that be known or at the 4:00 p.m.  
15 count, or the SHU staff should have called down  
16 to find out --

17 [REDACTED]: Yeah.

18 [REDACTED]: -- based upon the court  
19 list --

20 [REDACTED]: Usually --

21 [REDACTED]: -- that was in front of  
22 them?

23 [REDACTED]: -- we do just to make sure  
24 this guy is not coming back or R&D would tell  
25 us.

1 [REDACTED]: Okay. And you're saying  
2 that that's normal but certainly by 8:00 p.m.  
3 when Epstein came back from attorney client,  
4 his attorney visit, they should have known?

5 [REDACTED]: Correct.

6 [REDACTED]: Okay. And who - can you,  
7 by referring to this roster, can you tell me  
8 who was working at 8:00 p.m.?

9 [REDACTED]: 8:00 p.m., the people that  
10 were working were [REDACTED], [REDACTED] and [REDACTED].

11 [REDACTED]: Was Noel also?

12 [REDACTED]: And - well, the evening  
13 watch, Noel, and [REDACTED].

14 [REDACTED]: So at 8:00 p.m., were all  
15 those people on?

16 [REDACTED]: No. [REDACTED], because he  
17 leaves at 10:00, Noel, she does 4:00 to 12:00,  
18 [REDACTED], 4:00 to 12:00.

19 [REDACTED]: Okay. And do you believe  
20 all of those people would have known - those  
21 three people that you just listed, would have  
22 they known that Epstein was required to have a  
23 cellmate?

24 [REDACTED]: Well, the one that most  
25 likely should have known was [REDACTED] because he's

1 worked SHU before. Noel worked SHU once in a  
2 while and [REDACTED], he wasn't even in the SHU  
3 department.

4 [REDACTED]: Okay. So [REDACTED] certainly  
5 would have known and Noel should have?

6 [REDACTED]: Yes.

7 [REDACTED]: [REDACTED] could go either  
8 way?

9 [REDACTED]: Either way.

10 [REDACTED]: Okay. And what action  
11 should have they taken? Once they bring  
12 Epstein back to the cell, they notice they're  
13 putting Epstein - would they know when they  
14 brought Epstein back to his cell that Epstein  
15 was alone in that cell?

16 [REDACTED]: Yes.

17 [REDACTED]: And how would they know  
18 that?

19 [REDACTED]: Well, first we have name  
20 tags on the door. Usually when the inmate  
21 leaves, we remove the name tag. And of course  
22 --

23 [REDACTED]: Can you silence that?

24 [REDACTED]: -- the sheets should not  
25 have been on the bed.

1 [REDACTED]: So Reyes's sheets should  
2 have been removed?  
3 [REDACTED]: Correct.  
4 [REDACTED]: Do you know if they were?  
5 [REDACTED]: I don't remember.  
6 [REDACTED]: And what time should  
7 those sheets be removed?  
8 [REDACTED]: Well, he's not coming back,  
9 let's get them.  
10 [REDACTED]: So sometime between 4:00  
11 p.m. and -.  
12 [REDACTED]: And 8 o'clock.  
13 [REDACTED]: Okay. And then, is that  
14 - is it - are they ever removed when someone is  
15 WAB?  
16 [REDACTED]: Yes. When, so, again, WAB,  
17 with all belongings, everything should come out  
18 with you when you're WAB.  
19 [REDACTED]: So do those linens then  
20 and clothing?  
21 [REDACTED]: Yes.  
22 [REDACTED]: Do you know if they did  
23 for Reyes that day?  
24 [REDACTED]: No, I don't remember that.  
25 [REDACTED]: Okay. And is that like a

1 policy thing?

2 [REDACTED]: You got to return your  
3 linen.

4 [REDACTED]: Okay.

5 [REDACTED]: I don't think it's in  
6 policy that I know of.

7 [REDACTED]: All right. So, they  
8 should have been removed when Reyes left, but  
9 you don't know if they were?

10 [REDACTED]: Correct.

11 [REDACTED]: And then they certainly  
12 should have been removed once it was verified  
13 that Reyes wasn't coming back?

14 [REDACTED]: Yes.

15 [REDACTED]: And that verification  
16 would have been made at either 4:00 p.m. or  
17 certainly by 8:00 p.m.

18 [REDACTED]: Yes.

19 [REDACTED]: Okay. Did you conduct  
20 any counts or rounds in the SHU during your  
21 shift on August 9th?

22 [REDACTED]: No.

23 [REDACTED]: Rounds?

24 [REDACTED]: Well, rounds, yes. Not  
25 counts.

1 [REDACTED]: Okay. So, sorry, I said  
2 counts or rounds.

3 [REDACTED]: Oh.

4 [REDACTED]: So you did conduct rounds  
5 though?

6 [REDACTED]: Yes. And Friday is a  
7 shower day so we're - meaning, we got to shower  
8 everybody in SHU, so at one point or another,  
9 everybody that worked in SHU before 4 o'clock  
10 in the afternoon, went in and out the tiers at  
11 least a good 40 times.

12 [REDACTED]: Okay. What time are  
13 inmates showered?

14 [REDACTED]: We start at 6:00.

15 [REDACTED]: Okay. Was Epstein  
16 showered on that date then?

17 [REDACTED]: Yes he was because he goes  
18 to his attorney visit.

19 [REDACTED]: And he gets showered  
20 prior to going?

21 [REDACTED]: Correct.

22 [REDACTED]: Okay. All right, these  
23 are the - you said you weren't involved in any  
24 counts, so we'll give you the count sheet.  
25 These are the round sheets from August 9, 2019.

1 I can't make out this stuff. Does any of that  
2 - your signatures or initials?

3 [REDACTED]: The RCG right in the  
4 middle.

5 [REDACTED]: You're RCG? Okay.

6 [REDACTED]: Correct. Middle.

7 [REDACTED]: All right. And then -  
8 all right, so you were involved in those rounds  
9 that are listed on there. Why do COs conduct  
10 counts and rounds?

11 [REDACTED]: To make sure the inmates  
12 are - why they conduct rounds?

13 [REDACTED]: Sure, we'll do each. Why  
14 do COs conduct rounds?

15 [REDACTED]: To make sure everybody is  
16 breathing --

17 [REDACTED]: And why -.

18 [REDACTED]: -- and make sure everybody  
19 is still there.

20 [REDACTED]: And why do they conduct  
21 counts?

22 [REDACTED]: To count and make sure all  
23 the bodies are there.

24 [REDACTED]: Okay. Do all the COs who  
25 work in the SHU know how to properly conduct

1 and report counts and rounds?

2 [REDACTED]: Yes. If they got the ART  
3 training, which is the initial training when  
4 you start or the new training, we go over the  
5 count time and we go over rounds. And when we  
6 do the SHU training, we also go over the  
7 rounds.

8 [REDACTED]: So in that annual  
9 refresher training, do they go over SHU counts  
10 and rounds as well or just general --

11 [REDACTED]: Well --

12 [REDACTED]: -- institution?

13 [REDACTED]: -- general institution  
14 counts.

15 [REDACTED]: Okay.

16 [REDACTED]: Now the rounds in the units  
17 are different than the SHU rounds, but it is  
18 part of the annual training because there's a  
19 section that says, "SHU."

20 [REDACTED]: Okay. So during that  
21 section that's title, "SHU," for the annual  
22 refresher training, they actually talk about  
23 conducting counts and rounds?

24 [REDACTED]: Correct.

25 [REDACTED]: Okay. And I'm assuming

1 everybody that worked that day would have at  
2 least taken the annual refresher training.

3 [REDACTED]: Yes.

4 [REDACTED]: Do all COs who work in  
5 the SHU know how to properly document counts  
6 and rounds?

7 [REDACTED]: Yes.

8 [REDACTED]: And how do they know how  
9 to document?

10 [REDACTED]: Well, through the training.

11 [REDACTED]: Do they - so during that  
12 annual refresher training and entry training  
13 they teach you how to document as well?

14 [REDACTED]: Well, we just log in.

15 Whenever you do a round, you got to log it in,  
16 so that's kind of the way they tell us.

17 [REDACTED]: And when you say, "Log it  
18 in," how do you log it in?

19 [REDACTED]: Well, you could log in your  
20 rounds on TRUSCOPE or you could in the SHU,  
21 which the rounds sheets we still have, that's  
22 the actual paper you write it in.

23 [REDACTED]: Do they - have they done  
24 both? Do you not only have this paper that I  
25 just showed you there with the rounds, do they

1 also have - do you also have to go into  
2 TRUSCOPE and log them in manually as well?

3 [REDACTED]: Yes. But not the every 30  
4 minute rounds. Like, in the unit, you document  
5 your rounds. In SHU, you have to do it on the  
6 paper, you don't have to write on TRUSCOPE, "I  
7 did a round 30 minutes, I did a round within 40  
8 minutes, I did a round in 30 minutes." You  
9 don't have to write it over and over and over  
10 on TRUSCOPE.

11 [REDACTED]: When do you have to do it  
12 in TRUSCOPE?

13 [REDACTED]: Just throughout your shift  
14 that you conducted rounds.

15 [REDACTED]: So it's not every 30  
16 minutes but at some point you've got to go in?

17 [REDACTED]: Yes.

18 [REDACTED]: And do you have to  
19 document, like within TRUSCOPE that you did it  
20 every 30 minutes or just that it - how does  
21 that -.

22 [REDACTED]: That they were done.

23 [REDACTED]: That they were done.

24 [REDACTED]: Yes.

25 [REDACTED]: So it's not like it's

1 where every 30 minutes you have to see what  
2 time it is -.

3 [REDACTED]: Correct.

4 [REDACTED]: Okay. Is it ever  
5 acceptable for a CO to document a count or a  
6 round prior to conducting the count or a round?

7 [REDACTED]: No.

8 [REDACTED]: What do you know about  
9 COs assigned to the SHU doing this?  
10 Documenting the rounds and the count slips  
11 prior to ever conducting the rounds or the  
12 count slips?

13 [REDACTED]: The time that I'm there, it  
14 was never done.

15 [REDACTED]: It was never done?

16 [REDACTED]: No.

17 [REDACTED]: Do you know anything  
18 about that?

19 [REDACTED]: No.

20 [REDACTED]: Even after the fact, have  
21 you heard about that?

22 [REDACTED]: Even after the fact.

23 [REDACTED]: Who else is responsible  
24 for conducting counts and rounds inside the MCC  
25 SHU aside from the people that are actually

1 working in the SHU?

2 [REDACTED]: Well, the SHU Lieutenant,  
3 the Operations Lieutenant, they both have to  
4 conduct rounds on all ranges in SHU.

5 [REDACTED]: So when Opera- so there  
6 was no SHU Lieutenant on August 9, 2019,  
7 correct?

8 [REDACTED]: Correct. [REDACTED]  
9 was hurt, if (Indiscernible \*00:58:37) think he  
10 was hurt.

11 [REDACTED]: I think he was on leave  
12 and then got hurt that weekend, but yes. So he  
13 wasn't there, so that would have placed the  
14 responsibility on the Operations Lieutenant?

15 [REDACTED]: Well, regardless, the  
16 Operations Lieutenant has to do his or her  
17 rounds.

18 [REDACTED]: Oh, okay. So, even if  
19 the SHU Lieutenant is there, the Operations  
20 Lieutenant also has to conduct a round in the  
21 SHU?

22 [REDACTED]: Correct.

23 [REDACTED]: And is it once per shift?

24 [REDACTED]: Yes.

25 [REDACTED]: And what does a round for

1 the Operations Lieutenant look like? What does  
2 it entail? Is it just them visiting the SHU or  
3 do they actually have to walk the tiers?

4 [REDACTED]: They have to walk the  
5 tiers.

6 [REDACTED]: Is that policy?

7 [REDACTED]: There's a sign in book and  
8 then there's these little papers on the end of  
9 every range that they have to sign on the  
10 bottom.

11 [REDACTED]: So on your shift, it  
12 appears that Lieutenant [REDACTED] is actually the  
13 one that conducted a round, is that correct?

14 [REDACTED]: Yes.

15 [REDACTED]: Now, by that  
16 certification, mean that he actually walked the  
17 tiers?

18 [REDACTED]: Yes.

19 [REDACTED]: Okay. So if Lieutenant  
20 [REDACTED] was the person to have walked the tiers,  
21 would have that - would that refresh your  
22 memory? Would that conversation, the fact that  
23 Epstein's cell is now empty, would that have  
24 come up?

25 [REDACTED]: It depends on the time he

1 walked around.

2 [REDACTED]: Okay.

3 [REDACTED]: That just means he walked  
4 in from 6:00 to 2 o'clock in the afternoon. It  
5 doesn't tell - like, it's not even specific  
6 that when he went up there I was there --

7 [REDACTED]: Okay.

8 [REDACTED]: -- or any other officer  
9 spoke to him.

10 [REDACTED]: Would you believe that  
11 Lieutenant [REDACTED], if he's doing the rounds,  
12 should have been tipped off on the fact that  
13 that cell was empty?

14 [REDACTED]: Yeah, depending on the time  
15 that he did.

16 [REDACTED]: Okay.

17 [REDACTED]: The time that he did walk.

18 [REDACTED]: Was there any action that  
19 he should have taken at that point?

20 [REDACTED]: Well, if - I'm guessing if  
21 he saw an empty cell, everybody is asking, you  
22 know, he should have asked where he went.

23 [REDACTED]: Right.

24 [REDACTED]: Well, went downstairs,  
25 depending who he asked.

1 [REDACTED]: And by this, are you able  
2 to tell when Lieutenant [REDACTED] actually  
3 conducted that round?  
4 [REDACTED]: No.  
5 [REDACTED]: You're not able to tell?  
6 [REDACTED]: No.  
7 [REDACTED]: Where is that Lieutenant  
8 log? I know it's here - some - oh, no, no, no.  
9 I have another one right here.  
10 [REDACTED]: (Indiscernible \*01:00:45).  
11 [REDACTED]: No, no, no, it's -  
12 there's Lieutenant round logs. So what is this  
13 that I'm showing you?  
14 [REDACTED]: These are from TRUSCOPE.  
15 [REDACTED]: And is that how - can you  
16 find where during your shift, a Lieutenant - is  
17 that when Lieutenants do rounds, that's where  
18 they log in and they say when they did a round?  
19 [REDACTED]: Correct. On TRUSCOPE.  
20 [REDACTED]: Okay. Can you find  
21 during your shift who it says did their round  
22 in the SHU.  
23 [REDACTED]: Lieutenant [REDACTED] did a  
24 round in 9-South at 11:27 and he did it on 10-  
25 South at 11:28.

1 [REDACTED]: Okay. And 10-South is  
2 the -.  
3 [REDACTED]: The upper level.  
4 [REDACTED]: Of the SHU?  
5 [REDACTED]: Yes.  
6 [REDACTED]: Correct? And it's like a  
7 separate unit in the SHU?  
8 [REDACTED]: Yes.  
9 [REDACTED]: For the high-profile and  
10 single cell inmates?  
11 [REDACTED]: Yes.  
12 [REDACTED]: And where Epstein was  
13 housed, that would have been in 9-South?  
14 [REDACTED]: Correct.  
15 [REDACTED]: Okay. Great. So -.  
16 [REDACTED]: 11:27 a.m., that's when he  
17 --  
18 [REDACTED]: That's when he would have  
19 visited.  
20 [REDACTED]: -- should have did the  
21 round.  
22 [REDACTED]: Okay.  
23 [REDACTED]: Or more or less.  
24 [REDACTED]: But you don't recall  
25 having a conversation with him at that time?

1 [REDACTED]: No.

2 [REDACTED]: No? And you're sure in  
3 August of 2019 that Lieutenants at that time  
4 did actually conduct rounds of the entire unit  
5 to include walking the tiers?

6 [REDACTED]: Yes.

7 [REDACTED]: Check? Okay. So if  
8 Lieutenants tell us now when we're talking to  
9 them, "No, no, no, no, that's the Lieutenant's  
10 discretion. They can just pop in, check with  
11 the staff and then leave." Is that -.

12 [REDACTED]: No. You have to - by  
13 policy, do a round throughout the whole  
14 building and make sure you log it in. And in  
15 SHU, we have the round sheets which that's part  
16 of your SHU round. You can't just walk into  
17 SHU, do a 360 and walk right back out. You  
18 have to sign the round sheets.

19 [REDACTED]: And what's your opinion  
20 if Lieutenants are telling us, "No, no, no, no,  
21 no, we don't actually have to walk the tiers,  
22 we can just check with the COs and go to the  
23 next unit." What's your opinion of that?

24 [REDACTED]: I'd say that's crap.

25 [REDACTED]: Do you believe those

1 people know better and they know that they need  
2 to actually conduct rounds?

3 [REDACTED]: Every Lieutenant should  
4 know that they have to do rounds in Special  
5 Housing, walk around every tier and every  
6 range.

7 [REDACTED]: And how do they know  
8 that? Is that something provided at training  
9 or how do they know?

10 [REDACTED]: Well, I became a Lieutenant  
11 and that was pretty much, "This is what you got  
12 to do. When you do rounds, that's part of your  
13 SHU rounds," not just --

14 [REDACTED]: And --.

15 [REDACTED]: -- go and sign the book and  
16 leave.

17 [REDACTED]: And at the time we're  
18 talking about, August 9, 2019, you were not  
19 actually a Lieutenant yet, but you do know that  
20 that was still policy at that time?

21 [REDACTED]: Correct.

22 [REDACTED]: Do you know where that  
23 policy is found? Is that a SHU policy or is it  
24 a Psychology policy or is there --.

25 [REDACTED]: I think that's a Lieutenant

1 policy.

2 [REDACTED]: And there's a separate  
3 Lieutenant's book that shows all your policies?

4 [REDACTED]: Well, we have the  
5 Lieutenant's log and just like when staff does  
6 their round, we have to insert it into  
7 TRUSCOPE. So the Lieutenant, when they do  
8 their rounds, they have to log into TRUSCOPE  
9 and say they conducted rounds in Special  
10 Housing.

11 [REDACTED]: But do we know where that  
12 policy is found?

13 [REDACTED]: That I do not know.

14 [REDACTED]: Okay. Do you know if  
15 it's found in the SHU policy?

16 [REDACTED]: I don't know that.

17 [REDACTED]: You don't know? Okay, no  
18 problem. So what are the OIC's  
19 responsibilities when it comes to conducting  
20 counts and rounds?

21 [REDACTED]: Well, when it comes to  
22 conducting rounds, you got to make sure  
23 everybody does a round every 30 minutes, within  
24 40 minutes, throughout the day and we got to  
25 make sure the round sheets are filled out. We

1 got to make sure the counts - make sure that  
2 there's - it's an accurate count and we got to  
3 make sure the count slip is filled out the  
4 right way.

5 [REDACTED]: And you said that on this  
6 one specifically, you said you're all the -.

7 [REDACTED]: The 2 o'clock.

8 [REDACTED]: The 2 o'clock ones?

9 [REDACTED]: Uh-huh.

10 [REDACTED]: Okay. So that's all your  
11 initials are.

12 [REDACTED]: Correct.

13 [REDACTED]: And were those, do you  
14 remember, were those rounds conducted?

15 [REDACTED]: Yes.

16 [REDACTED]: Yes?

17 [REDACTED]: I know for a fact those  
18 rounds - like I said, it was shower day, so  
19 usually shower days, we're in and out, in and  
20 out, in and out, throughout the whole day and  
21 we don't finish showers until about 2:00,  
22 sometimes 3 o'clock in the afternoon.

23 [REDACTED]: Okay. So you're  
24 constantly interacting with each --

25 [REDACTED]: Yes.

1 [REDACTED]: -- each. So as far as  
2 the times go though, are they like specific  
3 times or do you kind of like add those later on  
4 in the day? How does that work?

5 [REDACTED]: Well, we usually go in,  
6 sign it, if I forget, I already know that I  
7 went back another 20 minutes, 30 minutes --

8 [REDACTED]: Right.

9 [REDACTED]: -- then I'll fill it out.

10 [REDACTED]: Okay.

11 [REDACTED]: You try to make it as  
12 accurate as I could when I'm there, but we're  
13 all human. Sometimes I - just because I didn't  
14 write it down, doesn't mean I didn't go down  
15 the range.

16 [REDACTED]: Yeah.

17 [REDACTED]: I just forgot to write it  
18 down.

19 [REDACTED]: Well, what is the purpose  
20 of signing a 30 minute round sheet?

21 [REDACTED]: To confirm that you did  
22 your round.

23 [REDACTED]: Okay. And aside from  
24 when you were there and you were signing it in,  
25 do you know if on August 9th specifically, if

1 the people that signed this document also  
2 conducted their rounds?

3 [REDACTED]: No. I would assume they  
4 did --

5 [REDACTED]: You do?

6 [REDACTED]: -- just signing it.

7 [REDACTED]: Do you know anything  
8 about people writing down that they did it when  
9 they actually in fact did not do it?

10 [REDACTED]: The only thing I know is  
11 part of the times it would be off. Like, all  
12 right, like I said before, I walked around but  
13 I didn't write it, "Oh, shit, what time did I  
14 do the round? 7:15, maybe it was actually  
15 7:05," but, you know, I'll guess the time. Not  
16 that I wrote it down and I didn't walk around  
17 at all.

18 [REDACTED]: Now, you're off at 2:00,  
19 correct?

20 [REDACTED]: Yes.

21 [REDACTED]: Should someone have  
22 filled in the other --

23 [REDACTED]: Yes

24 [REDACTED]: -- times? Who should  
25 have -.

1 [REDACTED]: We should have.  
2 [REDACTED]: Who should have filled  
3 that out?  
4 [REDACTED]: [REDACTED].  
5 [REDACTED]: [REDACTED] should have filled  
6 that out?  
7 [REDACTED]: Or anybody else that was  
8 there.  
9 [REDACTED]: Okay. And do you see  
10 these initials over here where it says,  
11 "Signature," from 4:00 p.m. until midnight, do  
12 you know who that would have been? Would have  
13 been -.  
14 [REDACTED]: If it's a JN, it should be  
15 Noel.  
16 [REDACTED]: Okay. Or TN --  
17 [REDACTED]: Hold on.  
18 [REDACTED]: -- maybe.  
19 [REDACTED]: Right, (Indiscernible  
20 \*01:06:57).  
21 [REDACTED]: I don't know if it's T or  
22 a J.  
23 [REDACTED]: J or a -.  
24 [REDACTED]: It's T.  
25 [REDACTED]: T?

1 [REDACTED]: T and so Tova Noel?

2 [REDACTED]: Yes.

3 [REDACTED]: But you believe [REDACTED] is  
4 the one that should have certified the 2:00 to  
5 4:00?

6 [REDACTED]: Yeah.

7 [REDACTED]: Do you believe [REDACTED]  
8 should have also while he was on duty, been the  
9 one that had a signature from 4:00 p.m. on?

10 [REDACTED]: He could have. He could  
11 have. It's not - you don't have to be the  
12 person (Indiscernible \*01:07:18). Anybody  
13 could sign the rounds but I just did it because  
14 I was in and out the range, so I always signed  
15 them. But anybody could have signed the rounds  
16 as long as they did them.

17 [REDACTED]: So what would your  
18 opinion be if I tell you that someone like a  
19 Tova Noel says that they actually fill this in  
20 at the very start of their shift prior to ever  
21 conducting any rounds just to make sure that  
22 it's filled out correctly. What would you say  
23 to that?

24 [REDACTED]: They fucked up because they  
25 still not done it. Sorry.

1 [REDACTED]: No.

2 [REDACTED]: Excuse my language.

3 [REDACTED]: That's what we're looking  
4 for is some kind of, you know, honest answer.

5 [REDACTED]: Yeah. No. That's a big no  
6 go.

7 [REDACTED]: Do you know if anyone was  
8 doing that?

9 [REDACTED]: I never worked with her  
10 like that. I know she worked in SHU a couple  
11 of times, but - and she was pretty new, so.

12 [REDACTED]: So she - let's say  
13 hypothetically, she's saying that she's doing  
14 it, not based upon what people are telling her,  
15 but watching other people and that's how they  
16 did it. Do you know of anybody else that ever  
17 did it that way?

18 [REDACTED]: No. Again, I - if it was -  
19 if they were working with me, it never  
20 happened.

21 [REDACTED]: Okay.

22 [REDACTED]: Yeah. You know, I got, like  
23 I said, not to toot my own horn, but I am very  
24 prideful of my job and I was Officer of the  
25 Year, Rookie of the Year, also won numerous

1 awards and I got promoted within five year.

2 [REDACTED]: Okay. I got you.

3 [REDACTED]: Obviously I was doing  
4 something right.

5 [REDACTED]: Sure. So being that, you  
6 know, you've been around the block and you  
7 sound like you're an ideal employee - how do I  
8 ask this question? Would it surprise you that  
9 she's saying that that's the way she thought it  
10 was supposed to be done?

11 [REDACTED]: Yes, definitely.

12 [REDACTED]: And why?

13 [REDACTED]: And we always say, "If you  
14 see somebody else doing something wrong,  
15 correct it, don't follow it."

16 [REDACTED]: Okay.

17 [REDACTED]: So, I think - yes.

18 [REDACTED]: Do you remember ever  
19 speaking with Tova Noel about how to fill out  
20 round sheets?

21 [REDACTED]: No.

22 [REDACTED]: No? And even as the OIC  
23 and she's newer, would that have been something  
24 that you dealt with her with and try to like  
25 train her on it?

1 [REDACTED]: I mean, I always decide to  
2 do rounds within 30 to 40 minutes.

3 [REDACTED]: Right.

4 [REDACTED]: Yeah.

5 [REDACTED]: But did you ever talk  
6 about the actual documentation of it?

7 [REDACTED]: No.

8 [REDACTED]: No?

9 [REDACTED]: Not specifically to her,  
10 no.

11 [REDACTED]: All right. And speaking  
12 of Tova on August 9th, referring back to that  
13 Lieutenant log, are you able to determine who  
14 it was that would have been the supervisor on  
15 duty that --

16 [REDACTED]: For that night?

17 [REDACTED]: -- that conducted a round  
18 during - between 4:00 p.m. and midnight?

19 [REDACTED]: That should have been

20 [REDACTED].

21 [REDACTED]: [REDACTED]?

22 [REDACTED]: It says here - I don't know  
23 Lieutenant - on the 9th.

24 [REDACTED]: On the 9th, correct, so  
25 not the 10th, the 9th.

1 [REDACTED]: Oh, okay.

2 [REDACTED]: Would have been [REDACTED] or

3 -

4 [REDACTED]: Well, [REDACTED] was Acting  
5 Lieutenant so she made the round at 7:31 p.m.

6 [REDACTED]: Okay. And at 7:31 p.m.  
7 on August 9th --

8 [REDACTED]: Correct.

9 [REDACTED]: -- when she conducted a  
10 round, would she have known that she had to  
11 actually conduct the round and walk down the  
12 tiers being that she was an Acting Lieutenant.

13 [REDACTED]: Yes.

14 [REDACTED]: So how would she know  
15 that?

16 [REDACTED]: She's the Acting  
17 Lieutenant, so usually if you're an Acting  
18 Lieutenant then you pretty much have to do  
19 everything that the actual Lieutenant does  
20 which is also part of conducting your rounds.  
21 Now, it's her and another Lieutenant working  
22 that night. Sometimes the other Lieutenant  
23 might say, "Don't worry about SHU, I'll do the  
24 rounds." But according to the log, she did the  
25 rounds at that time.

1 [REDACTED]: Now, is that  
2 certification that they make at the bottom of  
3 these round sheets, is that certifying that  
4 they actually conducted a round of the tiers?

5 [REDACTED]: Yes.

6 [REDACTED]: All right. So that's not  
7 just saying that they visited the SHU, but  
8 actually that they conducted a round in the  
9 SHU.

10 [REDACTED]: Yes.

11 [REDACTED]: Okay. Do you recall  
12 having any conversations with anyone with  
13 regard to rounds on August 9th, 2019? It could  
14 be Epstein rounds, rounds in the SHU, anything  
15 like that?

16 [REDACTED]: Just staff, "Hey, let's  
17 make sure we got these - keep these rounds up.

18 [REDACTED]: Okay. But you are - you  
19 said you did create the round sheet that  
20 specifically said that Epstein rounds needed to  
21 be done every 30 minutes (Indiscernible  
22 \*01:11:54).

23 [REDACTED]: Right.

24 [REDACTED]: Okay. And do you  
25 remember if, you know, when you're -.

1 [REDACTED]: So whoever was there, day  
2 watch - saw that paper. Monday I came in and  
3 that paper wasn't there anymore.

4 [REDACTED]: So it was there when you  
5 left at 2:00 p.m. on Friday, August 9th.

6 [REDACTED]: Yeah, was here.

7 [REDACTED]: And that was gone by  
8 Monday.

9 [REDACTED]: By Monday.

10 [REDACTED]: Okay.

11 [REDACTED]: I was off weekends.

12 [REDACTED]: But it was definitely  
13 there on August 9th?

14 [REDACTED]: For a fact, yes.

15 [REDACTED]: Okay. And you said it  
16 was hanging right on the computer?

17 [REDACTED]: Yeah.

18 [REDACTED]: So it was like blocking  
19 the screen or how -.

20 [REDACTED]: No, it was right next to  
21 the screen.

22 [REDACTED]: Right next to the screen.

23 [REDACTED]: It wasn't blocking the  
24 screen. It was next to the screen.

25 [REDACTED]: Is it hanging on the PC?

1 [REDACTED]: Yeah.

2 [REDACTED]: So, not the monitor --

3 [REDACTED]: Oh, no.

4 [REDACTED]: -- but the actual computer  
5 itself.

6 [REDACTED]: Yeah, like on the side.

7 [REDACTED]: And not only, obviously,  
8 that's a big orange document, was it the same  
9 size as what we're showing you or is that  
10 enlarged?

11 [REDACTED]: It was --

12 [REDACTED]: The same size as --

13 [REDACTED]: -- the same exact --.

14 [REDACTED]: -- as a regular piece of  
15 paper.

16 [REDACTED]: That, but a little bright  
17 orange paper with black letter.

18 [REDACTED]: So roughly 11" by 12" or  
19 13" or whatever those are. Okay. And so  
20 obviously that's a notice for everyone. Do you  
21 remember on August 9th though specifically  
22 talking with anyone about conducting rounds on  
23 Epstein?

24 [REDACTED]: It was something we spoke  
25 about every day.

1 [REDACTED]: Oh, you did.

2 [REDACTED]: Like --

3 [REDACTED]: There were conversations,  
4 "Make sure you -."

5 [REDACTED]: -- "Hey, look, this guy is  
6 still here. He's right there," you know,  
7 "Let's make sure -."

8 [REDACTED]: Even though he was in  
9 attorney conference though?

10 [REDACTED]: No. Make sure we're doing  
11 rounds. And everybody spoke about it, "Make  
12 sure we're doing round, make sure we're doing  
13 rounds."

14 [REDACTED]: So even though he's gone  
15 for the majority of your day at least, was that  
16 something, you know, when you were like leaving  
17 your shift, would you have said, "Hey, make  
18 sure --

19 [REDACTED]: Oh, yeah. Yeah.

20 [REDACTED]: -- you know, for God,  
21 make sure."

22 [REDACTED]: Hell yeah. And, everybody  
23 already got like from the Warden, Lieutenants,  
24 "Hey, make sure you guys do your rounds."

25 [REDACTED]: So that was going to be

1 my next question. So, who else was instructing  
2 you on doing rounds and specifically doing  
3 rounds on Epstein?

4 [REDACTED]: Everybody.

5 [REDACTED]: And can you remember --

6 [REDACTED]: So -.

7 [REDACTED]: -- any specific direction  
8 coming from anyone?

9 [REDACTED]: So, Warden [REDACTED] used to  
10 walk around a lot in SHU and he say, "Hey, make  
11 sure you guys keep an eye on him," pretty much  
12 directly, but in the indirectly telling us to  
13 do our job.

14 [REDACTED]: Right.

15 [REDACTED]: Same thing with Lieutenant  
16 [REDACTED]. He used to walk around, "Hey guys, make  
17 sure you do your rounds." And, you know,  
18 [REDACTED], the same thing, "Hey, make  
19 sure you guys do rounds."

20 [REDACTED]: Now being that you were  
21 the OIC and [REDACTED] was the SHU Lieutenant, can  
22 you remember any specific conversations with  
23 him with regard to Epstein and doing rounds or  
24 anything?

25 [REDACTED]: Well, he used to tell us

1 just, "Make sure you're on top of it.

2 [REDACTED]: Do you know from the time  
3 that [REDACTED] was placed with on July 30th and the  
4 need for Epstein to be placed with an inmate, a  
5 cellmate. Can you recall any conversations  
6 specifically with [REDACTED] with regards to Epstein?

7 [REDACTED]: I think he told us to put  
8 him in with Reyes. Uh-huh.

9 [REDACTED]: And again, do you know  
10 why he was - Reyes was chosen? Now, I know you  
11 said he was an older gentleman --

12 [REDACTED]: Right.

13 [REDACTED]: -- and he had a cane or  
14 something like that, but I mean, you --

15 [REDACTED]: So I think -.

16 [REDACTED]: -- you don't know  
17 anything other than the fact that Psychology -.

18 [REDACTED]: Psychology probably  
19 recommended him or they looked through the  
20 whole SHU roster and felt he was probably the  
21 safest person to put him with.

22 [REDACTED]: Okay. And do you know if  
23 people were conducting rounds on Epstein like  
24 your sign said? Because you weren't there when  
25 he was there, so do you know if -.

1 [REDACTED]: So, after 2 o'clock, they  
2 should have been conducting rounds.

3 [REDACTED]: Right.

4 [REDACTED]: And I don't remember -

5 [REDACTED]: Well, he would get back  
6 around like 8 o'clock, right?

7 [REDACTED]: Right. I don't --

8 [REDACTED]: So, like 8:00 p.m. on -.

9 [REDACTED]: -- remember if we started  
10 showers or not going on but they should -  
11 regardless while he was there or not, they  
12 should have still continued the rounds.

13 [REDACTED]: And I know that they  
14 should have, but do you know if they were?

15 [REDACTED]: I can't say, "Yes, they  
16 did," or, "No, they did not.

17 [REDACTED]: But whenever you were  
18 there, they were being done?

19 [REDACTED]: Yes.

20 [REDACTED]: Okay.

21 [REDACTED]: We were all over the place.

22 [REDACTED]: All right. So this is  
23 where it's going to get a little complicated,  
24 so just bear with me. I'm going to show you  
25 these count slips from August 9th up until

1 midnight of August 10th. I'm just going to  
2 have you help - this is where, remember, I said  
3 I was going to help you, you know, put this  
4 puzzle together. I believe we already know the  
5 answers but I don't want to give you the  
6 answers in fear that I'm wrong. So this is  
7 from the 5:00 a.m. count to the midnight count  
8 and I want to show you the Lieutenant's log  
9 which, where is that? So here's the  
10 Lieutenant's log. And we didn't print out that  
11 paper that I made, did I?

12 [REDACTED]: Which one?

13 [REDACTED]: The one that I drafted  
14 yesterday and said, "Make sure we print this  
15 out." All right, so, we'll just start with  
16 8:00 a.m., since that's when you came in, so we  
17 can actually - the reason I was showing you the  
18 5:00 a.m. is because I really wanted you to  
19 notice - okay, two. Is ZA the SHU?

20 [REDACTED]: Yes.

21 [REDACTED]: And so 77 is the total  
22 count in the SHU for inmates?

23 [REDACTED]: Correct.

24 [REDACTED]: Then we look back at  
25 these count slips and we see - sorry I'm

1 looking over you, but, ZA says -.

2 [REDACTED]: Thomas.

3 [REDACTED]: And at 10:00 it says,

4 "77," correct?

5 [REDACTED]: Yes.

6 [REDACTED]: All right. So we'll put

7 that here. It says on the Lieutenant's log,

8 "77," --

9 [REDACTED]: 77, yes.

10 [REDACTED]: -- correct? All right.

11 So now where are we at? We're at the 4:00 p.m.

12 count.

13 [REDACTED]: 4:00 p.m., yes.

14 [REDACTED]: Correct? So for ZA, it

15 shows 76 total, right?

16 [REDACTED]: Yes.

17 [REDACTED]: One in attorney client,

18 brings it down to 75.

19 [REDACTED]: Yes.

20 [REDACTED]: So what should the count

21 slip reflect then?

22 [REDACTED]: At this time?

23 [REDACTED]: Yes.

24 [REDACTED]: The count, the physical

25 bodies in SHU.

1 [REDACTED]: Okay. So it should  
2 reflect --  
3 [REDACTED]: 75.  
4 [REDACTED]: -- 75. Okay, great. So  
5 here where ZA, ZA shows 75, correct?  
6 [REDACTED]: Yes.  
7 [REDACTED]: Okay. Now we're looking  
8 at 10:00 p.m. ZA says 73, right? 73 total  
9 bodies it says at 10:00 p.m.? Now the ZA -  
10 where is it? ZA count slip says, "73 plus 1."  
11 First, can you think of any reason why it would  
12 say, "Plus 1?"  
13 [REDACTED]: It shouldn't say, "Plus 1,"  
14 unless somebody came in at night.  
15 [REDACTED]: Okay.  
16 [REDACTED]: But regardless, that  
17 shouldn't be like that, it should be 74.  
18 [REDACTED]: Okay.  
19 [REDACTED]: Not 73 plus 1.  
20 [REDACTED]: So this is where you're  
21 going to start getting interested. So at  
22 midnight, the ZA count says, "72." "72,"  
23 right? So the count slip says, "73." Now,  
24 reviewing this, the E-1 says, "72," same  
25 institutional count, says, "72," the count slip

1 still says, "73." Now let's look at this. And  
2 granted, you just told us this could have been  
3 done later in the day so maybe this wasn't done  
4 at the time.

5 [REDACTED]: By that time, it should  
6 have been done.

7 [REDACTED]: So 8:00 a.m. So we have  
8 these different places where it says these  
9 people were moved. So the 8:30 a.m., do you  
10 agree that inmate Reyes was removed and it  
11 brings the count down to 76?

12 [REDACTED]: Yes.

13 [REDACTED]: All right. So we go down  
14 to 75. [REDACTED] is placed on dry cell from  
15 ZA.

16 [REDACTED]: Okay.

17 [REDACTED]: Moves it down to --

18 [REDACTED]: 75.

19 [REDACTED]: -- 75. All right. So  
20 that 4:00 should have said - the 4:00 p.m.  
21 count should have said -.

22 [REDACTED]: Should have been 75. Which  
23 is 75.

24 [REDACTED]: Right. But, shouldn't  
25 have this said, "75?"

1 [REDACTED]: No.

2 [REDACTED]: Because the 75, one  
3 person in attorney, that should be 74, right?

4 [REDACTED]: Yes. So this is fine at  
5 76. So now -.

6 [REDACTED]: But that, isn't that  
7 referring to Epstein being in attorney?

8 [REDACTED]: Yes.

9 [REDACTED]: So, shouldn't this say 75  
10 based upon this?

11 [REDACTED]: Reyes was moved before that.

12 [REDACTED]: Unless -.

13 [REDACTED]: So this is at 3:15, the  
14 count goes down to 75, so shouldn't this E-1  
15 say 75 here?

16 [REDACTED]: No, because this guy could  
17 have still been doing dry cell in SHU.

18 [REDACTED]: Okay.

19 [REDACTED]: Meaning, dry cell, he's  
20 inside a cell. The water is off, he doesn't  
21 have any clothes. He uses the bathroom inside  
22 of SHU.

23 [REDACTED]: So -.

24 [REDACTED]: Let me keep my thought.  
25 All right. So then this brings it down. So

1 3:15, now we go over to - it brings it down to  
2 74 here, Hemmingway. Brings that count to 74.  
3 [REDACTED]: He got kicked out.  
4 [REDACTED]: Reid gets 73.  
5 [REDACTED]: He got kicked out.  
6 [REDACTED]: Felix goes down to 71.  
7 [REDACTED]: Another one -.  
8 [REDACTED]: [REDACTED] comes in, goes to  
9 72. That's at 8:28 p.m. So 72 is the count at  
10 8:28 p.m. ZA still says 73. Now let's look at  
11 that. It says now, R&D now has one in it.  
12 Fernandez is in R&D dry cell. It actually  
13 doesn't even say he's on it in this thing.  
14 [REDACTED]: No.  
15 [REDACTED]: But, ZA says, "73,"  
16 there's no one for that one, correct?  
17 [REDACTED]: Right.  
18 [REDACTED]: And this is where it  
19 says, "73 plus 1." Would the thought maybe,  
20 saying, "73 plus 1," that one being Fernandez  
21 on dry cell, and they're using the  
22 institutional count 73?  
23 [REDACTED]: Should have been, if he's  
24 in dry cell in SHU, he's counted inside of SHU.  
25 [REDACTED]: Right. So -.

1 [REDACTED]: If he's not in SHU, then he  
2 shouldn't be counted.

3 [REDACTED]: So he's not in SHU.

4 [REDACTED]: Correct. So that means,  
5 the count should have been 73.

6 [REDACTED]: And should have that  
7 count been changed way back here if he's not in  
8 SHU? Should have this, like we talked about,  
9 this 4:00 p.m. --

10 [REDACTED]: Yes.

11 [REDACTED]: -- should have said 75?

12 [REDACTED]: Correct.

13 [REDACTED]: And why is that?

14 [REDACTED]: You count physical bodies.

15 [REDACTED]: Physical bodies. You  
16 don't count ghost counts or you don't count  
17 people that aren't in your --.

18 [REDACTED]: No. if you don't see the  
19 flesh and it's a stand up count, so every  
20 person or inmate, whether it's in SHU or in a  
21 unit, they have to stand up for the count and  
22 you verify it, one, two, three, four, five,  
23 six, then the person behind you has to verify  
24 that count.

25 [REDACTED]: All right, and so what is

1 your -.

2 [REDACTED]: If it's a body there, he  
3 gets counted.

4 [REDACTED]: What is your opinion then  
5 if in fact that at 3:15, [REDACTED] is moved out  
6 of the SHU and placed --

7 [REDACTED]: Then the count just  
8 dropped.

9 [REDACTED]: -- and placed into -  
10 right. But the fact that the count slip for ZA  
11 matches still what the E-1 says. Does that  
12 tell you anything about if the count was  
13 conducted or not?

14 [REDACTED]: It should have been - and  
15 everything is should have. So --

16 [REDACTED]: So that should have said  
17 - the 4:00 p.m. count should have in fact, if  
18 [REDACTED] isn't in there, that should have  
19 actually said, "74," correct?

20 [REDACTED]: Yes.

21 [REDACTED]: So does that tell you  
22 that they did or did not conduct the count in  
23 the SHU?

24 [REDACTED]: If they counted 75 physical  
25 bodies, then that's a good count.

1 [REDACTED]: Right.

2 [REDACTED]: But now, if there is not 75  
3 physical bodies in the SHU, then they went off  
4 whatever it is they were going off and verified  
5 it with this paper right here, which not  
6 everybody has access to it. This is the E-1  
7 that we keep count on.

8 [REDACTED]: So would the SHU people  
9 that are in the SHU, would they have access to  
10 know what the count was for this E-1, what  
11 they're utilizing for that count?

12 [REDACTED]: No. Unless somebody says,  
13 "Hey, you're missing one, your count is 75."

14 [REDACTED]: So the only way someone  
15 in the SHU would be able to actually know what  
16 number to provide is by actually doing the  
17 count?

18 [REDACTED]: Correct.

19 [REDACTED]: Really? All right. So  
20 if we know that [REDACTED] is now not in the  
21 SHU, how are they coming up with that 75 number  
22 for 4:00 p.m. and then as well as at 10:00  
23 p.m., they're coming up with a wrong number and  
24 again at midnight, they're writing down the  
25 wrong number. They're writing down the number

1 that they think the institutional count is, but  
2 there's not that many people that are actually  
3 in SHU. How do we explain that?

4 [REDACTED]: So, the only thing I can  
5 think of is they put - they locked somebody up  
6 between the 4 o'clock count and the 10 o'clock  
7 count meaning somebody from the unit did  
8 something wrong and they ended up in the  
9 Special Housing Unit. So that's how the  
10 numbers would be different.

11 [REDACTED]: So if we have information  
12 that -.

13 [REDACTED]: And - sorry to interrupt.

14 [REDACTED]: No, go ahead.

15 [REDACTED]: Again, everybody is human  
16 and everybody makes mistakes, unless somebody  
17 write in the log missed one inmate going from a  
18 unit out or leaving from SHU to a unit.

19 [REDACTED]: Well, that's exactly  
20 right. So at 3:15, [REDACTED] was never keyed  
21 out of the SHU. He wasn't keyed out of the SHU  
22 until this count at midnight.

23 [REDACTED]: So he was placed in dry  
24 cell where?

25 [REDACTED]: So, at - he was placed in

1 dry cell at - are R&D and RA the same thing?

2 [REDACTED]: Okay. That's right.

3 [REDACTED]: Yeah, can you just read  
4 what it is that you showed me?

5 [REDACTED]: Oh, I'm sorry.

6 [REDACTED]: I'm sorry.

7 [REDACTED]: -- no --

8 [REDACTED]: Okay. Sorry.

9 [REDACTED]: -- I mean, you should  
10 read it, too.

11 [REDACTED]: Just, I pointed to the line  
12 that states, on the day watch for Friday,  
13 August 9th, there's a line that says, "Inmate  
14 Fernandez, 86824054 on dry cell with staff  
15 watch in R&D." Is R- Agent asked a question.

16 [REDACTED]: So, with this knowledge  
17 and now also, with like I showed you - or first  
18 of all, are count slips for RA and R&D, are  
19 they the same thing?

20 [REDACTED]: Well it should be just R&D.  
21 There's -

22 [REDACTED]: Because one was on one of  
23 these - let me see. It's at 12:00 a.m. It  
24 actually says, "RA."

25 [REDACTED]: That should be a B.

1 [REDACTED]: Instead of a D?

2 [REDACTED]: Yes. It should be a BA  
3 which is on the second floor of persons placed  
4 on watch, that's where they go.

5 [REDACTED]: Should that - instead of  
6 saying, "RA," --

7 [REDACTED]: So -.

8 [REDACTED]: -- it should say, "BA?"

9 [REDACTED]: Correct. If it's -.

10 [REDACTED]: Because that -.

11 [REDACTED]: If it's there. But they  
12 probably wrote R&D.

13 [REDACTED]: Well, it doesn't - so  
14 this one says R&D. At 10:00 p.m. there's a  
15 count slip from R&D that says, "1." It says  
16 that's [REDACTED].

17 [REDACTED]: [REDACTED], yes.

18 [REDACTED]: 10:00 p.m. And just from  
19 reviewing this stuff, I'm assuming that this  
20 one at 10:00 p.m. and this one that says, "RA,"  
21 at 12:00 a.m. are one in the same. Would that  
22 be your logic as well?

23 [REDACTED]: Yes. It should have the  
24 same number.

25 [REDACTED]: So why is it - one say,

1 "RA" and one say "R&D?"

2 [REDACTED]: Maybe he spelled the name -  
3 spelled it wrong.

4 [REDACTED]: All right, so the "RA" is  
5 the one that's wrong?

6 [REDACTED]: It should have been "R&D."

7 [REDACTED]: R&D.

8 [REDACTED]: Correct.

9 [REDACTED]: Instead of RA. Okay. So  
10 this RA is just - but that - you believe that's  
11 actually the same --

12 [REDACTED]: Yes.

13 [REDACTED]: -- the same location.

14 [REDACTED]: Yes.

15 [REDACTED]: All right. So with all  
16 that information now, knowing that he's in dry  
17 cell, he's out of the SHU, however somehow,  
18 their count slips are matching what the  
19 institutional counts show, how do we explain  
20 that if they don't have access to the  
21 institutional count?

22 [REDACTED]: Well they shouldn't have  
23 access.

24 [REDACTED]: Is there a way that they  
25 can? Like how would they know to write that

1 number if only, for instance - let's even just  
2 talk about 12:00 a.m. Only 72 people are  
3 physically in the SHU but they're writing 73  
4 and they're off ever since you leave. So 4:00  
5 p.m. --

6 [REDACTED]: 10:00 p.m.

7 [REDACTED]: -- 10:00 p.m. and 12:00  
8 a.m. counts are all off and we're trying to -  
9 this is where we're saying we're hoping that as  
10 the OIC you can help us --

11 [REDACTED]: So --

12 [REDACTED]: -- put that puzzle  
13 together.

14 [REDACTED]: -- my only assumption would  
15 be, whoever was working that night, had access  
16 to the E-1, which is that's what we use.

17 [REDACTED]: And do you know if - I  
18 think you said it was, what, [REDACTED], [REDACTED],  
19 [REDACTED]. Who was it that was -.

20 [REDACTED]: I don't think [REDACTED]  
21 would have access.

22 [REDACTED]: But they're not actually  
23 supposed to have access?

24 [REDACTED]: Correct.

25 [REDACTED]: So yeah, I'm just trying

1 to --

2 [REDACTED]: And -.

3 [REDACTED]: -- rectify this thing.

4 [REDACTED]: Unless they cheated and

5 said, "Hey, how many do we have up here?"

6 That's my only - it's either they had access,

7 they looked at it.

8 [REDACTED]: Because we've also been

9 told at least by one of these people that they

10 write the count slips before ever doing the

11 count. So how would they know what number to

12 put in the count slips if they didn't actually

13 do the count?

14 [REDACTED]: So they shouldn't and my

15 other explanation is they actually did have the

16 bodies, but one of them was in SHU and was

17 never written on the log. So now, there's this

18 other thing called a PP-38 that shows who goes

19 in and outside of the building and what moves

20 are being made inside the building.

21 [REDACTED]: So would that help us

22 rectify this?

23 [REDACTED]: That would actually help

24 you because it would - that's our little cheat

25 sheet, like I told you before, that we log in

1 during the day or right before I get relieved  
2 at 2 o'clock, I'm going to print out that PP-  
3 38, it's going to show me every inmate movement  
4 in the building and whatever specific date I  
5 wanted. So if I'm doing today, three from SHU  
6 just saying, "Left to another institution, to  
7 Brooklyn." On that PP-38, it would say,  
8 "Jones, Smith, Roberts moved to Brooklyn." So  
9 now, I go that, I have 757, I just lost three.  
10 Now I'm going down to 754. And just like it is  
11 here, inmate 123 left to Brooklyn so now my  
12 numbers go down. Again, we're all human,  
13 sometimes there's a lot of movement, we might  
14 miss one or two. So this right here -.

15 [REDACTED]: But if these numbers  
16 appear to all add up starting the day at 77 --

17 [REDACTED]: Correct.

18 [REDACTED]: -- I showed you at 5:00  
19 a.m., then I can show you all the way through  
20 after Epstein, you know, died, where I'm  
21 assuming they definitely did the counts because  
22 there's a - here's one that was done at 11:00  
23 a.m., I guess that was the 10:00 a.m. count on  
24 Saturday --

25 [REDACTED]: On Saturday, yes.

1 [REDACTED]: -- as well as the 5:00  
2 p.m. count on Saturday. They're now all adding  
3 up with what the numbers claim to be on this  
4 Lieutenant's log. So, I'm assuming if they  
5 were wrong on the Lieutenant's log and right on  
6 this, that would be reflected in these later  
7 counts, correct?

8 [REDACTED]: Yes. Yes.

9 [REDACTED]: So that - so I'll  
10 definitely get this document that you just  
11 suggested, but does this information suggest to  
12 you that the counts were or were not conducted  
13 in the SHU?

14 [REDACTED]: I think they were conducted  
15 wrong. If the names - the only way I would  
16 actually confirm it is the 38. Because an  
17 inmate could be in SHU, he's already keyed in  
18 SHU. Maybe he's on staff watch, it's still in  
19 SHU.

20 [REDACTED]: Right.

21 [REDACTED]: So there's no need to key  
22 him out.

23 [REDACTED]: And the 38 will be able  
24 to tell you this?

25 [REDACTED]: Correct. The 38 will be

1 able to tell you if inmate Smith, inmate  
2 [REDACTED], was keyed out of SHU.

3 [REDACTED]: Okay. Now -.

4 [REDACTED]: And it would reflect on  
5 this. So if the 38 - if you keyed out an  
6 inmate, the count would be different. It would  
7 be 75 and that's a hundred percent accurate  
8 comparing everything.

9 [REDACTED]: Yeah, so in talking with  
10 the Lieutenant, Ops Lieutenant that was on at  
11 midnight, that person said, "Fernandez was  
12 never keyed out," and that's why the counts  
13 were off, and she keyed him out at midnight and  
14 placed him over. Does that give you any more  
15 indication?

16 [REDACTED]: So, that means --

17 [REDACTED]: So, (Indiscernible  
18 \*01:31:29).

19 [REDACTED]: -- the counts weren't  
20 conducted correctly --

21 [REDACTED]: Yeah, so --

22 [REDACTED]: -- until -.

23 [REDACTED]: -- so the Ops Lieutenant  
24 at midnight says, "Hey, I found this  
25 discrepancy. This inmate Fernandez was place

1 on dry cell. I had to verify that that's in  
2 fact where the person was. I had to key him  
3 out of SHU and place him into there."

4 [REDACTED]: That's the reason you got a  
5 later --

6 [REDACTED]: Yeah.

7 [REDACTED]: -- out count for R&D.

8 [REDACTED]: Yeah. That's the reason  
9 for the change at midnight.

10 [REDACTED]: Yes.

11 [REDACTED]: And that, to me, tells me  
12 that's the reason why all these counts were  
13 actually wrong.

14 [REDACTED]: Correct. And they were  
15 just written - somebody must have had access to  
16 this and -.

17 [REDACTED]: Right. But as far as you  
18 know, no one actually knows how many inmates  
19 are actually in there unless you actually count  
20 them?

21 [REDACTED]: Correct. You have to count  
22 them.

23 [REDACTED]: Yes.

24 [REDACTED]: You can't assume -.

25 [REDACTED]: That's - so it would just

1 kind of like them trying to keep track or  
2 something on a piece of paper doing adding and  
3 subtracting? Would that be a possible way that  
4 they would get the count that they're using?

5 [REDACTED]: So, the way you count -.

6 [REDACTED]: If they're not actually  
7 counting, and they're --

8 [REDACTED]: They're assuming -.

9 [REDACTED]: -- just - because --

10 [REDACTED]: They're - they're -.

11 [REDACTED]: -- one of these people,  
12 again, told us, "I write the count slips before  
13 I ever do the counts."

14 [REDACTED]: So, if that person has  
15 access or that person just assumes that the  
16 count that started in the morning - because we  
17 don't count at 10 o'clock in the morning during  
18 Monday through Friday --

19 [REDACTED]: Yeah.

20 [REDACTED]: -- unless it's a holiday.

21 [REDACTED]: Right.

22 [REDACTED]: So if the count at 5  
23 o'clock in the morning was 75, not me  
24 personally, the person could have said, "I'm  
25 going to go with that count unless I see

1 somebody leaving," and just --

2 [REDACTED]: So -.

3 [REDACTED]: -- it is a possibility that  
4 person, he or she, could have wrote it.

5 [REDACTED]: So, for instance, at the  
6 4:00 p.m. count, someone would have gone off of  
7 the 5:00 a.m. count --

8 [REDACTED]: In the morning, yes.

9 [REDACTED]: -- and just how many  
10 people they remembered that came and went?

11 [REDACTED]: Correct.

12 [REDACTED]: As a - okay. But it's  
13 not like they knew what the institutional count  
14 would actually have been.

15 [REDACTED]: Correct, unless whoever was  
16 there had access to this.

17 [REDACTED]: So let's look at the 4:00  
18 p.m. then.

19 [REDACTED]: And this is called the PP-  
20 E1.

21 [REDACTED]: So at 4:00 p.m. count,  
22 this is August 9th. That's ZA, it looks like  
23 it was signed by who?

24 [REDACTED]: Noel and [REDACTED].

25 [REDACTED]: Does [REDACTED] have access?

1 [REDACTED]: That I wouldn't be able to  
2 tell you if he did or didn't. He has more time  
3 than she does. So it could have been a  
4 possibility that he had access.

5 [REDACTED]: Okay. And being that  
6 this number lists 75 whereas we believe it  
7 should have been 74 --

8 [REDACTED]: Yes.

9 [REDACTED]: -- do you believe that  
10 they actually conducted that count?

11 [REDACTED]: My - I would give them the  
12 benefit of the doubt that they did.

13 [REDACTED]: Okay. And how would the  
14 come - if they actually did, how would they get  
15 the wrong number and specifically the number  
16 that the institution had?

17 [REDACTED]: They didn't have everybody  
18 stand up and just assumed that they were right.

19 [REDACTED]: So I guess that's what  
20 I'm asking is, if they actually didn't conduct  
21 the count, (Indiscernible \*01:34:37) -.

22 [REDACTED]: They could have just walked  
23 around, looked in but not actually -.

24 [REDACTED]: And that's what I mean,  
25 and that's where in the beginning I was saying,

1 "What's the difference between a count and a  
2 round," so a count, you're actually counting  
3 the inmates, correct?

4 [REDACTED]: So the way you're supposed  
5 to do -.

6 [REDACTED]: Not just conducting a  
7 round.

8 [REDACTED]: Correct. If you're doing a  
9 stand up count which every count is a stand up  
10 count, you stand at the door, acknowledge your  
11 presence, stand up count, okay, [REDACTED] is  
12 standing up, Smith is standing up, that's two.  
13 I go all the way around, I do that to every  
14 single cell, the eight cells. By the time I  
15 get to the end, I counted 15, I write 15. Then  
16 the next person behind me has to do the same  
17 exact thing. Most likely, they start from this  
18 way, the opposite way and not - and actually  
19 count and you confirm the number, "I got 15,  
20 how many you got?" "I got 14." "Oh, okay, now  
21 we got to count again." Everybody stand up.  
22 Now we have the same count, write down 15, we  
23 go down to next tier. That's how a count  
24 should be conducted.

25 [REDACTED]: Okay. But is that how

1 they were conducted in the SHU?

2 [REDACTED]: That's how I did them when  
3 we were there.

4 [REDACTED]: Okay. So as far as this  
5 one though, if they actually conducted the  
6 count, and I get that you're giving them the  
7 benefit of the doubt, would you find it  
8 extremely coincidental that they got the same  
9 number that the institution had which were both  
10 wrong?

11 [REDACTED]: So if they did conduct the  
12 count, they would have had the numbers wrong  
13 from the institution.

14 [REDACTED]: So the institution had it  
15 wrong and they have everybody keyed and the one  
16 guy never was keyed out.

17 [REDACTED]: So, the institution -.

18 [REDACTED]: And they just  
19 coincidentally got the same exact number that  
20 the institution had.

21 [REDACTED]: So if the institution - the  
22 institution would only know if it was keyed  
23 out.

24 [REDACTED]: That's what I'm saying.  
25 That's what I'm saying.

1 [REDACTED]: Correct.

2 [REDACTED]: So the institution didn't  
3 know because somebody didn't key out Fernandez.

4 [REDACTED]: They probably -.

5 [REDACTED]: But -.

6 [REDACTED]: They probably fucked up and  
7 didn't actually count and just wrote it - it  
8 comes down to that. Excuse my language, but -.

9 [REDACTED]: No, then that's what I'm  
10 assuming happened but I just want - I want to  
11 know from you, why? Why do you believe that?

12 [REDACTED]: Laziness maybe.

13 [REDACTED]: No, no, no, no, no, why  
14 do you - so, why do you believe -.

15 [REDACTED]: So sorry.

16 [REDACTED]: What makes you believe  
17 that the count wasn't conducted? I basically  
18 gave you the answer. But, like, I'm just  
19 looking for you, if you're agreeing with my  
20 logic and if that actually is the same logic  
21 you have. I'm not trying to provide you that  
22 answer, I'm just trying to see, like, "Hey, in  
23 your -."

24 [REDACTED]: So they -.

25 [REDACTED]: You're the OIC, you're

1 the expert in this matter basically. Does this  
2 information tell you that that count wasn't  
3 done?

4 [REDACTED]: Yes. It does tell me that  
5 the count was not done and they just assumed  
6 and went by the cheat sheet --

7 [REDACTED]: Okay.

8 [REDACTED]: -- because the body wasn't  
9 even there.

10 [REDACTED]: But going back to what  
11 you said before, they don't actually have a  
12 cheat sheet, they'd have to just kind of guess?

13 [REDACTED]: Go off the count that was  
14 at 5 o'clock in the morning if it was the same  
15 number. Or they logged in where there was -.

16 [REDACTED]: And there's no log that  
17 can - there's no screen that they can say who's  
18 logged into this right now, who's there, what's  
19 our total count in here?

20 [REDACTED]: No, it's just a - E - well,  
21 that, no, that part, because I can log in and  
22 tell you how much - how many inmates every unit  
23 has right now.

24 [REDACTED]: Because you're a  
25 Lieutenant.

1 [REDACTED]: Without physically  
2 counting. Yes.

3 [REDACTED]: But what about the people  
4 that work in the SHU?

5 [REDACTED]: If you work Control before,  
6 you would have that access.

7 [REDACTED]: Right. Oh, so if you've  
8 been in Control prior to that date.

9 [REDACTED]: Correct. You would have  
10 access.

11 [REDACTED]: So, if for instance, if  
12 [REDACTED] worked in Control, he could have access -  
13 -

14 [REDACTED]: Yes.

15 [REDACTED]: -- to see, what's the  
16 number.

17 [REDACTED]: If she worked in Control  
18 two days prior, she would have access because  
19 that's what you do in Control. You -.

20 [REDACTED]: When you say, "She," are  
21 you talking about Tova Noel?

22 [REDACTED]: Correct, Noel. If she  
23 worked in Control before, she would have  
24 access, and the reason they give us access -  
25 well, all the Lieutenants have access, but the

1 reason they give the officers access is because  
2 you work in Control and you have to print out  
3 this sheet, which is the E-1 that gives all the  
4 numbers of all the units.

5 [REDACTED]: Okay.

6 [REDACTED]: So if [REDACTED] worked there  
7 before, he would have access and he would have,  
8 you know -.

9 [REDACTED]: Would he have indefinite  
10 access? When do they take that access away?

11 [REDACTED]: Usually when we have  
12 program review and unless you're assigned to  
13 Control, you cannot have access --

14 [REDACTED]: Okay.

15 [REDACTED]: -- and they just take it  
16 back from you.

17 [REDACTED]: All right. So is it - am  
18 I understanding correctly, likely someone  
19 worked in Control and had access and they  
20 looked to see what the institutional count was  
21 and they just wrote that down?

22 [REDACTED]: Yes.

23 [REDACTED]: Okay. But you do believe  
24 that this - what did you call it, 38, is --

25 [REDACTED]: PP-38.

1 [REDACTED]: -- will help us?

2 [REDACTED]: That has more - that paper  
3 would not lie.

4 [REDACTED]: And is that paper what  
5 the Lieutenants use to fill out their logs?

6 [REDACTED]: Yes.

7 [REDACTED]: Okay. And as far as the  
8 Lieutenant log goes though, that could have  
9 been created at any time though during the day  
10 and specifically after all the stuff actually  
11 happened?

12 [REDACTED]: Yes.

13 [REDACTED]: All right. And would it  
14 be likely that it was created once the  
15 Lieutenant at midnight actually noticed this  
16 discrepancy, would they have the ability to go  
17 in and then correct everything?

18 [REDACTED]: Yes. So now we have a day  
19 watch Lieutenant log, an evening watch  
20 Lieutenant log, and a morning watch Lieutenant  
21 log.

22 [REDACTED]: So would this - would the  
23 - let's say, would the morning watch at  
24 midnight have access to the day before  
25 Lieutenant log?

1 [REDACTED]: Yes.

2 [REDACTED]: So they --

3 [REDACTED]: Yes.

4 [REDACTED]: -- could actually go in -  
5 so the person --

6 [REDACTED]: And fix it.

7 [REDACTED]: -- that worked at  
8 midnight on August 10th could have gone into  
9 August 9th and fixed everything?

10 [REDACTED]: Correct, the discrepancies  
11 on the numbers.

12 [REDACTED]: Okay.

13 [REDACTED]: Yes.

14 [REDACTED]: All right.

15 [REDACTED]: Or correct based on the 38.

16 [REDACTED]: Right. And they probably  
17 referenced the 38 to fill out the --

18 [REDACTED]: Yes, because if you saw --

19 [REDACTED]: -- Lieutenant's log.

20 [REDACTED]: -- on the 38 you had -  
21 again, let's say Fernandez wasn't on the  
22 Lieutenant's log but then on the 38 you saw  
23 that he moved to R&D, you go back and key him  
24 out because the numbers have to be accurate by  
25 the time of every shift, the ending of every

1 shift.

2 [REDACTED]: Right. And when we read  
3 this for this Fernandez on dry cell with staff  
4 watching R&D, is it possible that Fernandez was  
5 in SHU dry watch and then later in the day  
6 moved to R&D dry watch?

7 [REDACTED]: He could have went from a  
8 unit into dry watch or Special Housing, SHU, to  
9 dry watch.

10 [REDACTED]: How does that typically  
11 work? If you're on dry watch, is there a  
12 reason for them to bring you from the SHU on  
13 dry watch to R&D on dry watch or would it  
14 typically just go right from the SHU to dry  
15 watch in R&D?

16 [REDACTED]: It would go - there's no  
17 reason to take you out of SHU --

18 [REDACTED]: Yeah, why would -.

19 [REDACTED]: -- unless you're short  
20 staffed.

21 [REDACTED]: Okay.

22 [REDACTED]: If there's two -.

23 [REDACTED]: So in this case, do you  
24 believe they were short staffed?

25 [REDACTED]: Yes, because there was only

1 two officers and one on morning watch.

2 [REDACTED]: Okay. And morning watch,  
3 right. So what about the day watch?

4 [REDACTED]: Then you're supposed to  
5 have four officers in SHU during the day. If  
6 it would have been three, then removing one  
7 officer would have left it with just two  
8 officers in SHU. So if you have just three  
9 officers and I'm going to put, for example,  
10 Officer [REDACTED] to do dry watch and I'm  
11 sitting there and I cannot move, I have to  
12 watch this inmate throughout the whole day.

13 [REDACTED]: So with that being said,  
14 do you believe it's more likely than not that  
15 he was moved to the dry cell in R&D at 3,  
16 whatever time we said it was, 3:15?

17 [REDACTED]: It could have been.

18 [REDACTED]: Or because it does -  
19 because at 3:15, it says, "Fernandez --

20 [REDACTED]: From.

21 [REDACTED]: -- placed on dry cell  
22 from ZA."

23 [REDACTED]: SHU, that's SHU.

24 [REDACTED]: So to me, it looks like  
25 he left.

1 [REDACTED]: So, he was -.

2 [REDACTED]: So according to this,  
3 it's saying he left --

4 [REDACTED]: SHU.

5 [REDACTED]: -- SHU.

6 [REDACTED]: Yes. So he should have  
7 been keyed out from Special Housing --

8 [REDACTED]: And who was --

9 [REDACTED]: -- at that time.

10 [REDACTED]: -- responsible for keying  
11 him out?

12 [REDACTED]: Control or the OIC in SHU.

13 [REDACTED]: And who would have been  
14 the OIC at that time after you left?

15 [REDACTED]: At that time, it should  
16 have been [REDACTED] because he came in at 4:00.  
17 No. [REDACTED], he had - would have been more  
18 experienced because he worked that floor, so if  
19 anything, it should have been [REDACTED], but  
20 anybody from SHU could call Control, "Control,  
21 I just lost Fernandez," in that case, "Key him  
22 out for me." "Okay."

23 [REDACTED]: Okay. So the people that  
24 are in the SHU may not have been able to do it  
25 themselves is what you're saying?

1 [REDACTED]: Correct.

2 [REDACTED]: So they should have  
3 contacted Control?

4 [REDACTED]: Yes.

5 [REDACTED]: And Control should have  
6 made that -.

7 [REDACTED]: Made that change, yes.

8 [REDACTED]: All right.

9 [REDACTED]: But now, Control cannot  
10 make the change if they do not know about it.

11 [REDACTED]: Right. And in this case,  
12 we know that that key - the key - he wasn't  
13 keyed out until midnight --

14 [REDACTED]: Correct.

15 [REDACTED]: -- so likely that  
16 notification wasn't made.

17 [REDACTED]: Right. They probably just  
18 took him down to R&D, like if he was leaving  
19 the building, made out count for him and just  
20 forgot about him.

21 [REDACTED]: And that 38 would verify  
22 if Fernandez in fact was gone from the SHU at  
23 3:15 p.m.?

24 [REDACTED]: Yes.

25 [REDACTED]: Okay. So we got to get

1 that 38.

2 [REDACTED]: Where can we access that 38?

3 [REDACTED]: On SENTRY.

4 [REDACTED]: SENTRY has it?

5 [REDACTED]: Yes.

6 [REDACTED]: All right. Is there  
7 anything else before we move on, kind of -.

8 [REDACTED]: You covered that.

9 [REDACTED]: We kind of really covered  
10 it. I just wanted to make sure. That was kind  
11 of the primary reason for - I wanted to make  
12 sure what your opinion was on that whole thing  
13 and specifically if that indicates to you that  
14 those counts were not actually conducted. And  
15 again, for my understanding, from your  
16 response, you believe now that they were not  
17 conducted, correct?

18 [REDACTED]: Correct.

19 [REDACTED]: And that's if [REDACTED]  
20 was in fact moved at 3:15.

21 [REDACTED]: Right.

22 [REDACTED]: All right. Just, I know  
23 there's a lot of documents. Can you just make  
24 sure that whatever we reviewed here, just  
25 initialing, date the tops of them.

1 [REDACTED]: Did you show him the 5:30?  
2 Now, right?  
3 [REDACTED]: Yeah, because I showed  
4 him that that was the good count for the  
5 counts. It started that day.  
6 [REDACTED]: You got one more.  
7 [REDACTED]: It's been pain in the ass,  
8 man.  
9 [REDACTED]: Yes, it has.  
10 [REDACTED]: Excuse me.  
11 [REDACTED]: Again, it's just --  
12 [REDACTED]: Excuse me, guys.  
13 [REDACTED]: -- you know, there's a  
14 lot of documents that we talked about.  
15 [REDACTED]: Just like, man.  
16 [REDACTED]: All right. So, how oft-  
17 being that we believe now that those counts  
18 were falsified by staff working the SHU, how  
19 often were counts falsified by staff in the SHU  
20 and was this a common practice?  
21 [REDACTED]: See, that happened four  
22 years in and I was just working the SHU for  
23 about almost, I would say, six months. So from  
24 - again, when I started working in the SHU, it  
25 was six of us throughout during the day. By

1 the time I got out of SHU, it was three of us.  
2 So when I - it's human nature, people get lazy,  
3 but the whole time that I was there, I didn't  
4 hear about, "Oh, this guy is going to write the  
5 rounds," or, "This guy is going to count," and  
6 just give in the slips. So, again, I was  
7 pretty new in SHU. I've always worked the unit  
8 and when I counted the unit, I had to count  
9 with somebody.

10 [REDACTED]: Did anyone ever, since  
11 you were new to the unit, ever tell you, "Oh,  
12 this is the way we do it in SHU, we don't  
13 actually do counts."

14 [REDACTED]: No. No.

15 [REDACTED]: So you -.

16 [REDACTED]: I worked with pretty - some  
17 solid guys then.

18 [REDACTED]: So do you know of anybody  
19 that were falsifying their counts?

20 [REDACTED]: No.

21 [REDACTED]: Would it surprise you if  
22 those people we just discussed, specifically I  
23 guess it's [REDACTED] since Noel was new, would it  
24 surprise you if [REDACTED] falsified a count?

25 [REDACTED]: [REDACTED], I don't think he

1 would.

2 [REDACTED]: You don't think he would  
3 falsify it.

4 [REDACTED]: I don't think he would  
5 falsify a count.

6 [REDACTED]: All right.

7 [REDACTED]: Noel, I didn't know too  
8 much.

9 [REDACTED]: But being that we, you  
10 know, somehow they miraculously get the same  
11 number that the institution had because  
12 [REDACTED] wasn't keyed out, that does make you  
13 believe that it was falsified, correct?

14 [REDACTED]: I don't know how to answer  
15 that. I would hope not. I really would hope  
16 not, but it's kind of too easy to figure out.

17 [REDACTED]: Right.

18 [REDACTED]: Again, I think -.

19 [REDACTED]: So the evidence suggests  
20 he did, you just hope it's not -.

21 [REDACTED]: Correct.

22 [REDACTED]: Okay.

23 [REDACTED]: Correct.

24 [REDACTED]: So, but knowing him,  
25 there's no reason for you to believe that -.

1 [REDACTED]: That he actually did  
2 falsify.

3 [REDACTED]: Right. So you don't  
4 believe him to be a very dishonest person.

5 [REDACTED]: Correct. And he left work,  
6 at 10 o'clock because he relieved me from 2:00  
7 to 10:00, so.

8 [REDACTED]: Right. So is he - he's a  
9 good employee otherwise?

10 [REDACTED]: Yes. He would have did the  
11 4 o'clock count. He should do the 10 o'clock  
12 count, but sometimes we leave at 9:50.

13 [REDACTED]: Sure.

14 [REDACTED]: And then, there's always  
15 two people left, so the two people could  
16 conduct the count.

17 [REDACTED]: Is [REDACTED] still here at  
18 the MCC?

19 [REDACTED]: Yes.

20 [REDACTED]: What's his current  
21 position?

22 [REDACTED]: He's a Senior Officer.

23 [REDACTED]: Senior Officer  
24 Specialist? Okay.

25 [REDACTED]: Just a Senior Officer.

1 [REDACTED]: Just Senior Officer?  
2 Okay. So do you recall what conversations you  
3 had with SHU staff who worked on August 9,  
4 2019, including Michael Thomas and Tova Noel  
5 about making entries related to counts and  
6 rounds? So, specifically what I'm asking here  
7 is that you're the OIC. Do you remember any  
8 conversations that you would have had with any  
9 of the people that worked in the SHU?  
10 [REDACTED]: Well, I didn't see Noel.  
11 [REDACTED]: I don't mean -.  
12 [REDACTED]: The 9th?  
13 [REDACTED]: I don't mean on the 9th -  
14 -  
15 [REDACTED]: Like -.  
16 [REDACTED]: -- people that worked on  
17 the 9th, did you ever have conversations with  
18 the people that worked on the 9th about, "Make  
19 sure you're doing it correctly and this is how  
20 it's supposed to be done."  
21 [REDACTED]: I do, I would say, "Do what  
22 you're supposed to do," as I'm leaving.  
23 [REDACTED]: Yeah, yeah, yeah.  
24 [REDACTED]: "Don't fuck it up. Do what  
25 you got to do."

1 [REDACTED]: And do you follow what  
2 I'm saying though? I'm not saying that you  
3 would have had a conversation with them on the  
4 9th. I'm saying --

5 [REDACTED]: Like in general?

6 [REDACTED]: -- of the people that  
7 worked on the 9th. So these people are the  
8 ones like Noel, [REDACTED], [REDACTED], you know, these  
9 are the people that actually worked on the 9th.  
10 Ever leading up to the 9th, so any day leading  
11 up to the 9th, would have you had a  
12 conversation with them to say, "Make sure  
13 you're doing your rounds and counts correctly."

14 [REDACTED]: Yep. I'm sure I've told  
15 them - because everybody wants to work SHU.  
16 SHU is a pain in the butt, but, if you want to  
17 work SHU, you got to do your rounds and do your  
18 stuff how you're supposed to do it.

19 [REDACTED]: All right. Can you  
20 remember any specific conversations or when  
21 those conversations would have taken place?

22 [REDACTED]: Probably walking around,  
23 talking to them, seeing [REDACTED] or [REDACTED] or  
24 anybody. Thomas has been working for the  
25 Bureau for a very long time, even before I did,

1 so he's worked SHU before and he knows what to  
2 do in SHU.

3 [REDACTED]: Right.

4 [REDACTED]: But he's not - he works in  
5 a different department. But -.

6 [REDACTED]: What about the newer  
7 people like --

8 [REDACTED]: Newer people? Everybody -.

9 [REDACTED]: -- Tova Noel? She's  
10 newer to the - it was her quarterly bided post,  
11 you're the OIC, do you know if you had any  
12 conversations with her or would have you?

13 [REDACTED]: I would have said, "Do what  
14 you got to do. Don't fuck it up for us." Just  
15 like that. But that's just the way I speak.

16 [REDACTED]: When you say, "Do what  
17 you got to do," though, what does that mean?

18 [REDACTED]: Follow the rules and do  
19 what's according to policy.

20 [REDACTED]: Okay. So not, do what  
21 you got to do, it's like, do what you're  
22 supposed to do.

23 [REDACTED]: Do - do - yeah, I should  
24 have rephrased it a little bit, but that's the  
25 way I speak to everybody --

1 [REDACTED]: Yeah, yeah, yeah.

2 [REDACTED]: -- so it's pretty much,  
3 we're cool, but I'm still telling you to do  
4 what you have to do based on the policy, make  
5 sure you don't do anything that's not supposed  
6 - that you're not supposed to - against policy.  
7 If it's in black and white, that's how you got  
8 to do it.

9 [REDACTED]: Okay. And do you recall  
10 ever saying that to Tova Noel being that she  
11 was newer?

12 [REDACTED]: That's - I'm sure I -  
13 because again, I speak like that to everybody.

14 [REDACTED]: Okay.

15 [REDACTED]: Even now as Lieutenant, I  
16 talk to you more as a co-worker than, "I'm your  
17 supervisor."

18 [REDACTED]: Sure.

19 [REDACTED]: But I always tell everyone,  
20 "Do your job. It's simple, just do your job."

21 [REDACTED]: And I know I'm hammering  
22 this, but I mean, are you confident you would  
23 have had that conversation --

24 [REDACTED]: Yes.

25 [REDACTED]: -- with Tova Noel?

1 [REDACTED]: Yes.

2 [REDACTED]: Or --

3 [REDACTED]: Yes.

4 [REDACTED]: -- would have you had  
5 that conversation with Michael Thomas being  
6 that he's not typically a -.

7 [REDACTED]: Probably not.

8 [REDACTED]: No?

9 [REDACTED]: Just because he has way  
10 more time than I do.

11 [REDACTED]: Okay. What about [REDACTED]?

12 [REDACTED]: [REDACTED], the same thing, he  
13 worked with us in SHU I think before that or  
14 maybe after. He got - I was the SHU OIC during  
15 the day and he was the SHU OIC at night.

16 [REDACTED]: Okay. So [REDACTED] --

17 [REDACTED]: So -.

18 [REDACTED]: -- knew what to do.

19 [REDACTED]: Yes.

20 [REDACTED]: And he knew the right way  
21 to do it.

22 [REDACTED]: Yes.

23 [REDACTED]: Okay. And what about  
24 [REDACTED]?

25 [REDACTED]: [REDACTED], [REDACTED] was

1 pretty new. Excuse me. He was pretty new and  
2 I think he already worked for the warehouse.

3 [REDACTED]: Okay.

4 [REDACTED]: So, same thing.

5 [REDACTED]: So --

6 [REDACTED]: [REDACTED] do-.

7 [REDACTED]: -- if [REDACTED] was working,  
8 [REDACTED] was the OIC at night?

9 [REDACTED]: Yes.

10 [REDACTED]: So would [REDACTED], do you  
11 believe, have had that conversation with  
12 [REDACTED]?

13 [REDACTED]: Yes.

14 [REDACTED]: To do what's -.

15 [REDACTED]: Same thing with [REDACTED], he  
16 would have, "Hey, do the right thing."

17 [REDACTED]: Okay. And you didn't  
18 work on August 10th you said, correct?

19 [REDACTED]: Correct.

20 [REDACTED]: Is there any way you  
21 would have been able to know if the counts on  
22 August 10th were correct?

23 [REDACTED]: No.

24 [REDACTED]: No.

25 [REDACTED]: No way.

1 [REDACTED]: What - I know we just  
2 talked about it, but what is the daily  
3 Lieutenant's log?

4 [REDACTED]: It's a log that we have in  
5 the system that every Lieutenant has to pretty  
6 much fill out every single day and make sure  
7 it's accurate right before their shift ends.

8 [REDACTED]: Does a Lieutenant have  
9 their own Lieutenant's log or is it an overall  
10 Lieutenant's log?

11 [REDACTED]: It's an overall  
12 Lieutenant's log.

13 [REDACTED]: So every Lieutenant has  
14 access to that same log.

15 [REDACTED]: Correct, it's on the share  
16 drive.

17 [REDACTED]: So I was going to say,  
18 where can it be found and accessed? What's the  
19 share drive?

20 [REDACTED]: The share drive, you log  
21 into - well, here in this building, you log in,  
22 you go to I think it's the G drive, double  
23 click and you're going to see Lieutenant's log.

24 [REDACTED]: So is it just like a  
25 document and you'd go into like a shared folder

1 or would it be on something like a SENTRY or  
2 BOPWARE?

3 [REDACTED]: Shared folder.

4 [REDACTED]: A shared folder? So just  
5 a document that you create every day --

6 [REDACTED]: Yes.

7 [REDACTED]: -- and you - so it's not  
8 actually in a system?

9 [REDACTED]: No.

10 [REDACTED]: All right.

11 [REDACTED]: It's in a shared folder.

12 It's not like on TRUSCOPE or SENTRY or anything  
13 like that.

14 [REDACTED]: And at the end of the  
15 day, is that then uploaded into some kind of  
16 BOP system?

17 [REDACTED]: It stays on the drive and  
18 once you log in, you open the Lieutenant's log,  
19 you make the changes to the number, you save it  
20 and every day it gets saved.

21 [REDACTED]: Okay. And is there  
22 anything that's done with that though? Is it  
23 then uploaded into something or it just stays  
24 in the share folder?

25 [REDACTED]: It stays in the shared

1 folder, from my knowledge.

2 [REDACTED]: Okay. And does anyone  
3 aside from Lieutenants have access to change  
4 that log?

5 [REDACTED]: No, just the - well, the  
6 Captain, the AW and the Warden.

7 [REDACTED]: Yeah.

8 [REDACTED]: But -.

9 [REDACTED]: So Lieutenants and above?

10 [REDACTED]: Correct.

11 [REDACTED]: Nobody below a  
12 Lieutenant?

13 [REDACTED]: Nobody below Lieutenant.

14 [REDACTED]: What about the people in  
15 Control?

16 [REDACTED]: No, they don't have access  
17 to that.

18 [REDACTED]: So even Control doesn't -  
19 -

20 [REDACTED]: No.

21 [REDACTED]: -- can't manipulate --

22 [REDACTED]: No.

23 [REDACTED]: -- the Lieutenant's log?

24 [REDACTED]: Correct.

25 [REDACTED]: Okay. And I don't know

1 that you'll be able to answer this, but are the  
2 times listed on the Lieutenant's log that you  
3 just reviewed accurate?

4 [REDACTED]: I don't know.

5 [REDACTED]: Is it all based upon  
6 whoever is entering it?

7 [REDACTED]: Yes.

8 [REDACTED]: Okay. Is there any kind  
9 of a verifying process? Like does anybody  
10 oversight over that to kind of audit the  
11 documents?

12 [REDACTED]: The only way you could  
13 verify it and the only thing would be the  
14 moves. So if inmate movement in the  
15 institution, you could verify it because you go  
16 to the PP-38.

17 [REDACTED]: And who creates that  
18 document, the 38?

19 [REDACTED]: The 38? You would call  
20 Control, "Inmate Joe Smith left today." Or,  
21 "Inmate Joe Smith was in 11 South, he was  
22 moved." "Okay." I could call downstairs at  
23 10:30, that's the time he moved, but it could  
24 be off within a couple of - it could be off a  
25 few minutes --

1 [REDACTED]: So even -.

2 [REDACTED]: -- because Control has to  
3 key it in.

4 [REDACTED]: All right, so, that's  
5 something that's created by Control. But what  
6 we just said, we were going to use that to  
7 verify if Fernandez left at 3:15, if the people  
8 in the SHU never called Control to log  
9 Fernandez out, would that be listed on the 38?

10 [REDACTED]: No.

11 [REDACTED]: So therefore, that might  
12 not actually be the accurate document because  
13 if they didn't call, the PP-38 wouldn't  
14 (Indiscernible \*01:55:27).

15 [REDACTED]: The 38 would only verify  
16 the movement and the time that it was keyed in.

17 [REDACTED]: That it was keyed.

18 [REDACTED]: Correct.

19 [REDACTED]: So if it wasn't keyed  
20 until midnight, which --

21 [REDACTED]: Then -.

22 [REDACTED]: -- what the Lieutenant  
23 said, like, "I found out that this person moved  
24 earlier and he's actually in a different  
25 location, I needed to make that key change at

1 midnight."

2 [REDACTED]: The time that he --

3 [REDACTED]: That's what --

4 [REDACTED]: -- actually moved?

5 [REDACTED]: -- reflected on the 38.

6 [REDACTED]: Correct. Because it's the

7 time, not the time it was keyed in the

8 Lieutenant's log --

9 [REDACTED]: All right. So there --.

10 [REDACTED]: -- because I can change

11 those logs.

12 [REDACTED]: So in this instance, the

13 38 would actually be incorrect if he wasn't

14 keyed out when he actually moved.

15 [REDACTED]: Correct. It wouldn't be

16 anything because he was never keyed.

17 [REDACTED]: All right. So therefore,

18 this 38 actually would make it even more

19 confusing.

20 [REDACTED]: Not really because it would

21 tell you if he got moved and at what time he

22 got moved.

23 [REDACTED]: All right. So the 38

24 would list probably the same thing in the

25 Lieutenant's log, that's at midnight, Fernandez

1 was moved at 3:15 p.m. to dry - from ZA.

2 [REDACTED]: So the 38 would have the  
3 actual time he was keyed in.

4 [REDACTED]: Yeah, the keyed.

5 [REDACTED]: So it would show you -  
6 let's say the Lieutenant said she didn't find  
7 out or he didn't find out until midnight that  
8 this inmate, Fernandez, was moved and never  
9 keyed out. She keys him out, now the date on  
10 the 38 would be August 10th because it's after  
11 midnight.

12 [REDACTED]: Right.

13 [REDACTED]: August 10th, 1:45 in the  
14 morning, that's what the 38 would say. But on  
15 the log, it would say he got moved at 3:30,  
16 because that's when -.

17 [REDACTED]: In the Lieutenant's log.

18 [REDACTED]: Correct.

19 [REDACTED]: So in this case, probably  
20 the Lieutenant's log is the more accurate one.

21 [REDACTED]: Yes.

22 [REDACTED]: All right. Good to know.

23 [REDACTED]: Just had a question. If  
24 you're moving an inmate, right, doesn't the  
25 outer doors of the SHU have to be buzzed by

1 Control?

2 [REDACTED]: Yes.

3 [REDACTED]: When Control - does Control  
4 have eyes on --

5 [REDACTED]: Yes.

6 [REDACTED]: -- on - wouldn't they see an  
7 inmate being moved?

8 [REDACTED]: Yes.

9 [REDACTED]: And wouldn't they question,  
10 "How come he's not keyed in?"

11 [REDACTED]: Well, depending on the  
12 time. So like when let's say it was between 8  
13 o'clock in the morning and 2 o'clock in the  
14 afternoon, inmates are going in and out, in and  
15 out, even SHU, like medical, dental, court,  
16 attorney visits. So now you have six, seven  
17 inmates going in and out, not at all times  
18 you're looking, "Oh, is an inmate coming out,"  
19 they pop - you know, you call for the door.  
20 You probably could just open the door right  
21 there, but then have to run to the window, give  
22 somebody a set of keys.

23 [REDACTED]: Okay. And then just to  
24 clarify on that same question. If that PP-38  
25 will show the key in time of when the

1 Lieutenant puts it in, what do you think the  
2 Lieutenant or whoever updated that document got  
3 the 3:15 time?

4 [REDACTED]: Or she called R&D and said,  
5 "Hey, what time this inmate got downstairs?"  
6 "Oh, he came around 3:30." "All right. Well,  
7 you should have told me, you know, key him  
8 out," or whatever.

9 [REDACTED]: At midnight, would that  
10 employee that was on shift during evening watch  
11 still be on there?

12 [REDACTED]: Yep.

13 [REDACTED]: What was that last  
14 question? Was what?

15 [REDACTED]: The employee in R&D, would  
16 that person still be on shift at midnight.

17 [REDACTED]: What is the time for the  
18 shifts --

19 [REDACTED]: So, it would be --

20 [REDACTED]: -- in R&D?

21 [REDACTED]: The shifts are 4:00 to  
22 12:00, 4:00 to midnight. But usually, if  
23 you're on dry cell --

24 [REDACTED]: Yeah.

25 [REDACTED]: -- watching somebody, you

1 would not leave exactly at midnight. You would  
2 leave a couple of minutes after unless you were  
3 doing a double doing dry cell.

4 [REDACTED]: All right. Let's talk -  
5 the fact that that this guy [REDACTED] wasn't  
6 specifically tied to Epstein, is there any  
7 chance two years later we're going to be able  
8 to talk to anybody to verify when he got to the  
9 dry cell?

10 [REDACTED]: No. He probably is not  
11 even in the institution anymore, [REDACTED].

12 [REDACTED]: That's what I mean. So  
13 like even talking to R&D, do you think that  
14 there's any way that they'd even remember when  
15 this guy placed down there?

16 [REDACTED]: No, because who knows who  
17 was in R&D that day, who knows if they're still  
18 working here.

19 [REDACTED]: But what about, like for  
20 instance, we have the count slips at least for  
21 10:00 p.m. Actually, where there was no count  
22 slip for him at 4:00 p.m. but we have the count  
23 slips for R&D and RA at 10:00 p.m. and  
24 midnight. Do you believe that even they would  
25 be able to recall if it was [REDACTED] that they

1 watched?

2 [REDACTED]: No. No.

3 [REDACTED]: And why is that?

4 [REDACTED]: Just because a lot of  
5 inmate movement.

6 [REDACTED]: How reliable do you  
7 believe that that Lieutenant log saying that he  
8 left at 3:15, how reliable at this point, us  
9 looking at it back then and the person making  
10 that change potentially at midnight that night,  
11 how reliable do you view that 3:15 time?

12 [REDACTED]: If it's Lieutenant  
13 [REDACTED], that's - she's very by the book. I'm  
14 not saying that everybody else is not.

15 [REDACTED]: Right.

16 [REDACTED]: But, and she knows her job.

17 [REDACTED]: Do you -.

18 [REDACTED]: So if, that would probably  
19 be maybe the only Lieutenant, especially on  
20 morning watch, that would catch a mistake like  
21 that.

22 [REDACTED]: Okay.

23 [REDACTED]: And she - numbers didn't  
24 add up, she went back and changed it, made it  
25 accurate

1 [REDACTED]: Okay. And certainly you  
2 believe that the institutional count was made  
3 accurate by her, but what I guess I'm  
4 specifically requesting, you know, wondering,  
5 how accurate do you think she would have made  
6 the movement of 3:15 moved ZA from - or moved  
7 to dry cell from ZA?

8 [REDACTED]: Very.

9 [REDACTED]: Very?

10 [REDACTED]: Very accurate, yes.

11 [REDACTED]: So you believe that that  
12 3:15 then is probably the right time?

13 [REDACTED]: Around the time that he got  
14 moved, yes.

15 [REDACTED]: Okay. Sounds good. And  
16 no one in the SHU has access to the  
17 Lieutenant's log?

18 [REDACTED]: No.

19 [REDACTED]: All right. We're going  
20 to move on now.

21 [REDACTED]: Oh, sorry.

22 [REDACTED]: What - no, I'm sorry,  
23 this is - again, like I said, you're kind of  
24 like - when I saw that one page interview  
25 report, I was like, "Oh, this is the guy that,

1 you know, has all the answers." But what is  
2 the MCC policy on conducting cell searches in  
3 the SHU? And let's specifically talk about, if  
4 you can remember, in August. So in August of  
5 2019, do you remember what the MCC policy was  
6 on conducting cell searches in the SHU?

7 [REDACTED]: You got to conduct cell  
8 search every time an inmate comes out. I don't  
9 know if that's actual policy or not.

10 [REDACTED]: Was it something like  
11 some of the shifts you had to do five cell  
12 searches --

13 [REDACTED]: Per shift

14 [REDACTED]: -- during that shift?

15 [REDACTED]: Yes.

16 [REDACTED]: Or if the person may be,  
17 you know, in the day watch, maybe if someone  
18 went to rec, you're supposed to -.

19 [REDACTED]: So, the way we did it, you  
20 came out to the shower, that was our cell  
21 search.

22 [REDACTED]: Okay.

23 [REDACTED]: So, every Monday, Wednesday  
24 and Friday we showered everybody, everybody's  
25 cell was searched.

1 [REDACTED]: So every Monday,  
2 Wednesday and Friday everyone's cell was  
3 searched?

4 [REDACTED]: Yes, because everybody got  
5 a shower. So we took that as okay -.

6 [REDACTED]: And officers would  
7 actually go in and search their cells?

8 [REDACTED]: Yes.

9 [REDACTED]: Okay. And what about the  
10 non-shower days, how would you do searches or  
11 would you -.

12 [REDACTED]: When somebody went to rec,  
13 when somebody went to R&D, if somebody has to  
14 go to medical, we'll bring you out and we  
15 search the cell.

16 [REDACTED]: Okay. And then, what is  
17 the responsibility of the SHU OIC with regard  
18 to SHU cell searches, if anything?

19 [REDACTED]: To make sure they're logged  
20 in and make sure they get conducted.

21 [REDACTED]: Okay. So like, is the  
22 OIC the one - were you the one that would  
23 actually log them into like TRUSCOPE?

24 [REDACTED]: Well, anybody could log  
25 them in but most the time I did it or I was

1 searching the cell myself.

2 [REDACTED]: And what is the  
3 responsibility of the SHU Lieutenant with  
4 regard to cell searches, if any?

5 [REDACTED]: To make sure the OIC got it  
6 done.

7 [REDACTED]: Okay. And were cell  
8 searches being conducted and logged in to  
9 TRUSCOPE for the SHU in August of 2019?

10 [REDACTED]: They should have. Yes.

11 [REDACTED]: All right. So we  
12 requested to - just because we're going to get  
13 into what was found in Epstein's cell later,  
14 but you're the one who logged this in, but we  
15 only found one cell search for June 9, 2019.

16 [REDACTED]: August 9th.

17 [REDACTED]: Or sorry, August 9 - is  
18 that June 9th or August 9th? What does that  
19 say?

20 [REDACTED]: August 9th.

21 [REDACTED]: Okay. August 9, 2019.  
22 Does that - would that be normal that there  
23 would only be one logged in?

24 [REDACTED]: No. Again, it's depending  
25 on what was going on during the day -.

1 [REDACTED]: So that would have been  
2 one of those shower days, I guess, though.

3 [REDACTED]: And I worked - yes, from  
4 1:00 - I worked until 2 o'clock that day.

5 [REDACTED]: But do you believe that  
6 there was only one cell search conducted or do  
7 you believe that there were more?

8 [REDACTED]: There was one cell search  
9 probably logged in.

10 [REDACTED]: Okay. But all of them  
11 were conducted?

12 [REDACTED]: Should have been conducted,  
13 yes.

14 [REDACTED]: And do you believe that -  
15 I know we're talking two years ago. Do you  
16 believe that all of them were conducted?

17 [REDACTED]: The majority.

18 [REDACTED]: Yeah.

19 [REDACTED]: The majority.

20 [REDACTED]: Any reason - do you know  
21 if Epstein's cell would have been searched on  
22 August 9th?

23 [REDACTED]: It should have been because  
24 him and [REDACTED] both left at the same time.

25 [REDACTED]: Right. And who would

1 have done that cell search?

2 [REDACTED]: Well, took them out to the  
3 shower.

4 [REDACTED]: Okay. And is that like  
5 everybody? Does everybody - how does that  
6 work? Who -.

7 [REDACTED]: So, technically the OIC is  
8 not supposed to - he has the big set which is  
9 the keys to the - on the ranges and the door  
10 and everybody else goes in and out the tiers.

11 [REDACTED]: Okay.

12 [REDACTED]: But we were all involved.  
13 We all moved inmates from this tier to another  
14 tier. Okay, "You two on that side, okay, bring  
15 them out," search their cell. If I'm on this  
16 side, I'm going to bring them out, do the cell  
17 search.

18 [REDACTED]: Okay. And this isn't -  
19 I'm not trying to be an I gotcha, at all at any  
20 moment, I'm just trying to get a greater  
21 understanding. So if all of the cells were  
22 searched, why would only one search be entered  
23 for that day?

24 [REDACTED]: I'm busy during the day.

25 [REDACTED]: And was that like, does

1 that happen often though, like it's too busy to  
2 actually log the searches in?

3 [REDACTED]: The system is kind of a  
4 pain in the butt because you've got to do one  
5 by one by one, you know, unless you do all of  
6 them. I mean, unless you do one, then enter,  
7 then another one and enter. It's not like you  
8 could do multiple cell searches or click them  
9 that you did them at one time.

10 [REDACTED]: Okay. Now it's my  
11 understanding that after you left, the night  
12 watch is then responsible for conducting, on  
13 every shift, five cell searches, correct?

14 [REDACTED]: Yes.

15 [REDACTED]: And who would have logged  
16 that in?

17 [REDACTED]: Anybody could have logged  
18 it.

19 [REDACTED]: Anyone?

20 [REDACTED]: But it should be the OIC.

21 [REDACTED]: So that would have been  
22 [REDACTED] who should have done that?

23 [REDACTED]: Correct. [REDACTED]. Yes.

24 [REDACTED]: All right. And does the  
25 fact that you had your one that you entered

1 earlier in the day, the fact that there's none  
2 for the rest of the day, is that problematic in  
3 your opinion?

4 [REDACTED]: Not really because  
5 throughout the day, we pretty much do the  
6 showers. So we went into every single cell.

7 [REDACTED]: Okay.

8 [REDACTED]: Now maybe it should have  
9 been keyed so it could reflect because if  
10 there's no cameras, you can say, "Yeah, all  
11 right," --

12 [REDACTED]: Right.

13 [REDACTED]: -- you only did one because  
14 you keyed in one. But, you know, they should  
15 because they also have rec at night time. When  
16 you bring back an inmate or you bring them out  
17 to attorney visit, you're still bringing the  
18 inmates out.

19 [REDACTED]: Okay.

20 [REDACTED]: So they should have been  
21 keyed in.

22 [REDACTED]: So although they were not  
23 keyed in, do you believe that they were being  
24 conducted on August 9, 2019?

25 [REDACTED]: Yes.

1 [REDACTED]: Yes?

2 [REDACTED]: Yes.

3 [REDACTED]: What about after you  
4 left, do you believe that there would have been  
5 - the five cell searches would have been  
6 conducted on 2019 at this point?

7 [REDACTED]: They should have because I  
8 know we had legal visits and maybe we had  
9 regular like visits for the inmates with their  
10 family members.

11 [REDACTED]: Do you recall, what is  
12 the policy at least in August of 2019 related  
13 to what inmates are allowed to have in their  
14 cells?

15 [REDACTED]: Well, no contraband of  
16 course. Five hard cover books only.

17 [REDACTED]: What about like medical?

18 [REDACTED]: Two sheets, one blanket.  
19 If you have the CPAP machine, you can get that.

20 [REDACTED]: How - and just for the  
21 record, how do you spell that? What is it?  
22 That machine?

23 [REDACTED]: What, the CPAP?

24 [REDACTED]: Is it CPAC or CPAP?

25 [REDACTED]: CPAP, CPAP.

1 [REDACTED]: Is it for snoring?  
2 [REDACTED]: Yes.  
3 [REDACTED]: That's what you're  
4 talking about? So you can breathe better?  
5 [REDACTED]: Yes.  
6 [REDACTED]: Okay.  
7 [REDACTED]: So CPAP, right?  
8 [REDACTED]: I actually don't know.  
9 [REDACTED]: Is it?  
10 [REDACTED]: That's why I was asking.  
11 [REDACTED]: Is it C-P-A-P?  
12 [REDACTED]: I think that's what it is.  
13 Not even sure. But it was a machine that you  
14 use to help you breathe in the middle of the  
15 night --  
16 [REDACTED]: I just know --.  
17 [REDACTED]: -- and you go to sleep with  
18 it.  
19 [REDACTED]: (Indiscernible \*02:08:22).  
20 [REDACTED]: I just know the  
21 transcriber for this would be like, "What the  
22 heck is he saying?"  
23 [REDACTED]: Is that for sleep apnea?  
24 [REDACTED]: Yes. That's - I think it  
25 helps you - it clears your whatever it is, your

1 nose or your throat so you can be able to  
2 breathe better in the middle of the night.

3 [REDACTED]: And I did interrupt, I  
4 apologize, when you were getting into the  
5 linens. How many sheets and blankets and all  
6 that? Can you -.

7 [REDACTED]: It should be - if it's  
8 August, it should be two sheets, one blanket.

9 [REDACTED]: Two sheets, one blanket.  
10 That's for each individual --

11 [REDACTED]: Yes.

12 [REDACTED]: -- inmate. So, for each  
13 cell, if there's two inmates, it would be four  
14 sheets and two blankets.

15 [REDACTED]: Correct.

16 [REDACTED]: Okay.

17 [REDACTED]: And the wintertime, it's  
18 two sheets, two blankets.

19 [REDACTED]: Okay. Was Epstein  
20 authorized to have pills in his cell within the  
21 SHU?

22 [REDACTED]: Well, if you have  
23 medication, yes, you can have your own  
24 medication.

25 [REDACTED]: And that's - okay.

1 [REDACTED]: We don't set a number on  
2 that.

3 [REDACTED]: Who is responsible for  
4 determining what medication inmates have?

5 [REDACTED]: The Medical Department.

6 [REDACTED]: And do they provide it to  
7 them?

8 [REDACTED]: Yes.

9 [REDACTED]: And then they're able to  
10 just keep it in their cell and take it?

11 [REDACTED]: Yes.

12 [REDACTED]: Is there ever a problem  
13 with like overdose or anything like that?

14 [REDACTED]: I mean, we've had inmates  
15 take more than they're supposed to take.

16 [REDACTED]: Is it dependent upon what  
17 type of medication if they can have it in their  
18 cell or not?

19 [REDACTED]: So, certain medication, the  
20 pill line, which is Medical, they'll come  
21 around and give it to you daily if that's what  
22 - you're only supposed to have it daily,  
23 Medical Department will come around and give it  
24 to the inmates themselves.

25 [REDACTED]: Okay.

1 [REDACTED]: Anything else, if you have  
2 your own medication, it would be in your cell.  
3 [REDACTED]: Okay. I'm going to just  
4 show you some pictures of August 10th and I  
5 just wanted, if you can just kind of let me  
6 know what I'm looking at. Is this L Tier, is  
7 that where Epstein would have been housed?  
8 [REDACTED]: Yes.  
9 [REDACTED]: Okay. And then another  
10 picture of L Tier. This wasn't his cell there.  
11 [REDACTED]: No.  
12 [REDACTED]: Do you remember what cell  
13 number he was in?  
14 [REDACTED]: I know exactly. It was the  
15 first one to the right, 221 maybe?  
16 [REDACTED]: 221 or maybe 222 or  
17 something?  
18 [REDACTED]: (Indiscernible \*02:10:30).  
19 [REDACTED]: All right. I think it's  
20 220, but is this his tier?  
21 [REDACTED]: That's L Tier, yes, here on  
22 the right.  
23 [REDACTED]: Does this look like it  
24 would have been - it looks like it would have  
25 been 220.

1 [REDACTED]: Yeah.

2 [REDACTED]: But would that have been  
3 Epstein's cell?

4 [REDACTED]: Yes.

5 [REDACTED]: All right. So 220 was  
6 the first door on the right when you're walking  
7 down the --

8 [REDACTED]: Yes.

9 [REDACTED]: -- the tier?

10 [REDACTED]: When you walk into - yes.

11 [REDACTED]: All right. So, I want to  
12 just - I'll let you look through these. Can  
13 you just let me know if this looks like an  
14 abnormal amount of linens and blankets and  
15 clothing? And we don't know, so that's why  
16 we're asking. And that's again, not a gotcha,  
17 I don't know if it's more than should be or  
18 what.

19 [REDACTED]: No, I think this was his  
20 and his bunkie's.

21 [REDACTED]: So does that make you  
22 believe that his bunkie's was never removed?  
23 And when should have they been removed?

24 [REDACTED]: As soon as they figure out  
25 that he's not coming back.

1 [REDACTED]: So at either 4:00 p.m. or  
2 certainly before 8:00 p.m.?

3 [REDACTED]: Yes.

4 [REDACTED]: Would it have been when  
5 Epstein was returned to attorney client visit,  
6 definitely at that time, should have they made  
7 sure -.

8 [REDACTED]: Well, by 8 o'clock, they  
9 should - while walking Epstein back into the  
10 cell, they should have said, "Oh shit, he  
11 doesn't have a bunkie," and, "Oh shit, his  
12 bunkie is gone."

13 [REDACTED]: All right. So by looking  
14 at those photos, you just believe that that was  
15 actually both Epstein and Reyes's?

16 [REDACTED]: Yes.

17 [REDACTED]: Okay.

18 [REDACTED]: It probably -.

19 [REDACTED]: So it does look like more  
20 than one inmate so it looks like that would be  
21 the amount of linens and clothing for two  
22 inmates?

23 [REDACTED]: Well, probably a couple of  
24 extra sheets in there.

25 [REDACTED]: And do you know if

1 Epstein was provided extra sheets than he was  
2 supposed to have been provided?

3 [REDACTED]: He shouldn't have.

4 [REDACTED]: Can you just explain to  
5 me, how does that work? How does the process -  
6 .

7 [REDACTED]: Well, when the inmate comes  
8 into the Special Housing Unit, we give them two  
9 sheets, one blanket. When they do the showers,  
10 we should go in there - initial these two?

11 [REDACTED]: Please. Not all of them,  
12 we just need the top picture.

13 [REDACTED]: When we should go - when we  
14 go in there when we bring them out to the  
15 shower, we should go in there and shake it  
16 down, that's when we go in there and take  
17 anything extra that they're not supposed to  
18 have.

19 [REDACTED]: So if he took a shower  
20 that day on August 9th - so you believe from  
21 looking at those pictures, he actually had even  
22 more than if it were just him and [REDACTED], he had  
23 some extra --

24 [REDACTED]: Yes, he probably had like  
25 two extra blankets.

1 [REDACTED]: Is that an issue?

2 [REDACTED]: They should never have  
3 that.

4 [REDACTED]: Okay. So, if that cell  
5 was searched on August 9th, at that point,  
6 someone should have removed them?

7 [REDACTED]: Yes. Somebody should  
8 remove all the extra, left him with what he's  
9 supposed to have and nothing more.

10 [REDACTED]: And on that date, who  
11 would have been responsible for doing that?

12 [REDACTED]: When we brought them out to  
13 the shower.

14 [REDACTED]: So not only do they bring  
15 them out to the shower but they also are  
16 responsible for (Indiscernible \*02:13:15).

17 [REDACTED]: Correct. Might as well.  
18 If you're on the same tier, you put them in the  
19 shower, it takes two seconds.

20 [REDACTED]: So where is the shower?  
21 Are the showers on the same tier?

22 [REDACTED]: Yes.

23 [REDACTED]: Okay.

24 [REDACTED]: So on that tier, if you  
25 look at his cell, right to the right.

1 [REDACTED]: So -.

2 [REDACTED]: This is the shower here.

3 [REDACTED]: Okay. Like there?

4 [REDACTED]: Yeah.

5 [REDACTED]: Okay. So it's kind of

6 like almost in the middle or the start is like

7 almost like the second door.

8 [REDACTED]: Yes.

9 [REDACTED]: This one?

10 [REDACTED]: No, it's actually, see this

11 little gate?

12 [REDACTED]: (Indiscernible

13 \*02:13:46).

14 [REDACTED]: You can't really see it.

15 [REDACTED]: Can you see it from here?

16 [REDACTED]: No.

17 [REDACTED]: Like it's the start of

18 the tier?

19 [REDACTED]: Yeah. So if you come in,

20 you walk in, you kind of make a right turn.

21 You see this gate right here?

22 [REDACTED]: Maybe I'll have you - if

23 you can mark it on either SHU map here that

24 we're going to - I'm going to show you for a

25 second just so you can - I'm going to ask you

1 about like the cameras and what cameras should  
2 have been in there, that kind of stuff, so you  
3 can just show me where. So do you know if  
4 Epstein was provided any of these special  
5 privileges to have extra clothing or linen?

6 [REDACTED]: No, I know he should not  
7 have.

8 [REDACTED]: Okay.

9 [REDACTED]: But he always asked for a  
10 clean uniform every time he showered.

11 [REDACTED]: Would he give his other  
12 uniform --

13 [REDACTED]: Yes.

14 [REDACTED]: -- back though?

15 [REDACTED]: Yes.

16 [REDACTED]: So what is your belief on  
17 why he would have had extra blankets?

18 [REDACTED]: Somebody who doesn't  
19 normally work SHU just said, "Okay," or he  
20 probably asked for one because he was cold.

21 [REDACTED]: And how would people that  
22 worked in the SHU know what the rules were with  
23 as far as exchanging your linens and your  
24 clothing?

25 [REDACTED]: Well, we talk about it.

1 Two sheets, one blanket.

2 [REDACTED]: Is that not provided at  
3 training?

4 [REDACTED]: I don't remember. I don't  
5 think that's in the SHU training, but it also  
6 tells you not to have an excess of linen inside  
7 the SHU.

8 [REDACTED]: The training does?

9 [REDACTED]: Yes.

10 [REDACTED]: Okay. So at training,  
11 they do say they're not supposed to have, you  
12 know, extra?

13 [REDACTED]: Correct.

14 [REDACTED]: And then, from working in  
15 the SHU, would it be the OIC to tell people,  
16 (Indiscernible \*02:15:10).

17 [REDACTED]: The OIC or anybody who kind  
18 of -.

19 [REDACTED]: Works in there?

20 [REDACTED]: Because OIC is not always  
21 there, so.

22 [REDACTED]: All right. During  
23 showers, who would have been working on August  
24 9, 2019 looking at the daily assignment roster?

25 [REDACTED]: Would have been [REDACTED],

1 [REDACTED], Monge and myself.

2 [REDACTED]: Okay. As far as, did you  
3 notice that there was an extra mattress in  
4 Epstein's cell.

5 [REDACTED]: There's one on the floor.

6 [REDACTED]: Yes. We're told that  
7 Epstein actually had two mattresses, one on the  
8 floor, one on the bottom bunk and then [REDACTED]  
9 had one as well. Would that be abnormal that  
10 he was provided two mattresses?

11 [REDACTED]: Definitely shouldn't have  
12 happened. Somebody probably felt bad for him  
13 because he maybe said his back hurts.

14 [REDACTED]: Do you know where Epstein  
15 slept?

16 [REDACTED]: Well, this only shows two  
17 right here.

18 [REDACTED]: It's the height of the  
19 mattress.

20 [REDACTED]: I think he slept on the bed  
21 and [REDACTED] slept on the floor.

22 [REDACTED]: Oh, that's your belief?

23 [REDACTED]: I think so.

24 [REDACTED]: Oh, we were told the  
25 opposite.

1 [REDACTED]: Opposite?

2 [REDACTED]: So you believe [REDACTED] was  
3 actually on the floor?

4 [REDACTED]: I think so.

5 [REDACTED]: Okay. But if they had -  
6 if there in fact were three mattresses in there  
7 -.

8 [REDACTED]: There weren't supposed to  
9 be three mattresses in there.

10 [REDACTED]: When and how would have  
11 that happened?

12 [REDACTED]: Maybe one of them wasn't  
13 thick enough, somebody else gave him another  
14 one or they just didn't see the mattress  
15 because a lot of times, the inmates put it on  
16 the wall and if you don't physically go inside  
17 the cell, you just give them another mattress.

18 [REDACTED]: So it - how would they  
19 explain the fact that they didn't have a  
20 mattress?

21 [REDACTED]: One would be standing  
22 against the wall.

23 [REDACTED]: But, I mean, would they  
24 say like somebody came in and took it?

25 [REDACTED]: No, just sometimes we move

1 mattresses around because we're going to put  
2 two inmates over there. They only have one,  
3 then we'll take it.

4 [REDACTED]: Okay. Is that a big  
5 problem if there are extra mattresses then?

6 [REDACTED]: You're not supposed to, but  
7 depending who is in charge that's there --

8 [REDACTED]: Yeah.

9 [REDACTED]: -- and at night time, if  
10 you don't want to deal with it - well, not me  
11 or - but if some people don't want to deal with  
12 it, like, "All right, here's another mattress."

13 [REDACTED]: So what's the purpose of  
14 making sure that inmates only have one mattress  
15 as well as the correct amount of linens and  
16 blankets?

17 [REDACTED]: Well, the linen because  
18 just so we can have for everybody. The  
19 mattress, the same thing, you only have one  
20 mattress, that's all you're allowed.

21 [REDACTED]: Are there any kind of  
22 security issues that go along with it?

23 [REDACTED]: Unless it's a troubled  
24 inmate, they'll put the mattress to barricade  
25 the door.

1 [REDACTED]: No, I mean like is there  
2 any security issues that go along with making  
3 sure an inmate doesn't have extra linens or  
4 doesn't have extra blankets, is something,  
5 like, to do with, like, potentially escaping or  
6 harming themselves or anything like that. Is  
7 that ever taught or do you know anything about  
8 that? Or was it more of an administrative  
9 thing?

10 [REDACTED]: It's more an administrative  
11 thing.

12 [REDACTED]: Okay. So your  
13 understanding was administrative, nothing to do  
14 with like harming themselves or escaping.

15 [REDACTED]: Right. I don't think the  
16 mattress or linen have anything to do with  
17 that.

18 [REDACTED]: Okay. Who did you say  
19 was responsible for making sure that inmates  
20 had the correct amount of linens and mattresses  
21 and things?

22 [REDACTED]: Everybody.

23 [REDACTED]: Everybody?

24 [REDACTED]: Everybody.

25 [REDACTED]: Okay. What - can you

1 just explain - we're going to move to the next  
2 one. What - did you want to follow up on  
3 anything with that?

4 [REDACTED]: No, no.

5 [REDACTED]: Can you explain cell  
6 rotations in the SHU for me?

7 [REDACTED]: Cell rotations have to be  
8 conducted every 21 days.

9 [REDACTED]: Every 21 days?

10 [REDACTED]: Yes.

11 [REDACTED]: And is that like every 21  
12 days from the time that the inmate arrives at  
13 the SHU or is it like on a set schedule, this  
14 is the day, this is the 21st day?

15 [REDACTED]: From the inmate arrives to  
16 the cell.

17 [REDACTED]: Okay. So every inmate is  
18 different.

19 [REDACTED]: So if an inmate comes in  
20 and he's assigned to cell 101 today, within 21  
21 days or at 21 days, he needs to move to another  
22 cell that is not cell 101.

23 [REDACTED]: Okay. And who is  
24 responsible for kind of making sure that that  
25 happens?

1 [REDACTED]: The Lieutenant should  
2 oversee but usually we all go and assist them  
3 and we have a print out of the 21 - "Oh, this  
4 guy is on 18 days, it's time for him to move."  
5 "Oh, this guy is on 21 days, let's move him."  
6 [REDACTED]: So is it has to be done  
7 by 21 days, it can be done prior to 21? Is  
8 that what you're saying?  
9 [REDACTED]: Yes.  
10 [REDACTED]: Okay. So it's not like  
11 the OIC's responsibility, it's everybody's  
12 joint responsibility?  
13 [REDACTED]: Yes. As long as you're not  
14 in the same cell for more than 21 days, you can  
15 move every 15 and you can move every 10 as long  
16 as it doesn't go over 21.  
17 [REDACTED]: So, who is like checking  
18 to make sure that that's done or is it some  
19 kind of an alert that is provided?  
20 [REDACTED]: Excuse me. Usually the OIC  
21 and the Lieutenant.  
22 [REDACTED]: Are the ones saying, "Let  
23 these go." Yeah.  
24 [REDACTED]: "Hey, we got to move these  
25 guys." The Lieutenant goes like, "Hey, OIC,

1 you got to get these guys moved."

2 [REDACTED]: All right. And then  
3 after they're moved, who is responsible for  
4 keying the movement?

5 [REDACTED]: Well, the OIC could do it -  
6 -

7 [REDACTED]: Okay.

8 [REDACTED]: -- but usually we'll call  
9 Control.

10 [REDACTED]: So Control or the OIC?

11 [REDACTED]: Yes.

12 [REDACTED]: All right. As the OIC  
13 though, is that kind of like your job every 21  
14 days to make sure and then you can either call  
15 Control or is it -.

16 [REDACTED]: Well, I used to do it on my  
17 own because I can -.

18 [REDACTED]: Right, right.

19 [REDACTED]: Instead of calling Control,  
20 waiting five minutes for them to pick up, I  
21 just do it on my own.

22 [REDACTED]: Now are you aware that  
23 Epstein was in the wrong cell on August 9th and  
24 10th of 2019?

25 [REDACTED]: No.

1 [REDACTED]: And so he was in cell 220  
2 as we just discussed and in the system he's  
3 logged in at 206L. Do you know anything about  
4 that?

5 [REDACTED]: I actually found that out  
6 the week after.

7 [REDACTED]: (Indiscernible \*02:20:49)  
8 so, if you found out, do you know why that is,  
9 like what happened? Because obviously the  
10 conspiracy theorists are going to be all over  
11 that if that gets out, that he was in the wrong  
12 cell. So, do you know if it would have been  
13 one of those things that - was he ever moved or  
14 was he just moved in the system or vice versa?  
15 Do you know how that --

16 [REDACTED]: I think -.

17 [REDACTED]: -- discrepancy happened?

18 [REDACTED]: I think what happened was  
19 when he was moved up from suicide watch, he was  
20 placed in, let's say, 206. And then, after he  
21 went to attorney conference, when they got him  
22 with his bunkie - I mean, once, let's say, he  
23 went - he did go to attorney conference, "Okay,  
24 he's coming back, we're going to put him with  
25 this bunkie," we're just going to move him and

1 somebody forgot to key him in to the right  
2 cell.

3 [REDACTED]: So do you know if Epstein  
4 was ever in a different cell other than 220?

5 [REDACTED]: No. He was actually with  
6 Tartaglione.

7 [REDACTED]: So that was - so when he  
8 was with Tartaglione prior to July 23rd, he was  
9 actually in a different cell?

10 [REDACTED]: Yes.

11 [REDACTED]: Is that listed on that?  
12 Does it show?

13 [REDACTED]: Trying to remember what  
14 cell is downstairs right from above that one.

15 [REDACTED]: Well, I have a list of  
16 the SHU map if that helps you out. It's the  
17 first and second floor. I can't remember which  
18 one is the first page and - I would just assume  
19 that whatever L Tier is on, that's the second  
20 floor, correct?

21 [REDACTED]: Yes. Now -.

22 [REDACTED]: So the letter corresponds -.

23 [REDACTED]: The numbers are off --

24 [REDACTED]: Yeah.

25 [REDACTED]: -- on that for some

1 reason.

2 [REDACTED]: Definitely.

3 [REDACTED]: And we all - and we can't  
4 explain that, why that SHU map shows the wrong  
5 letters or the wrong numbers, I mean. Seems  
6 like they say the wrong - they show the wrong -  
7 or the correct letters although the numbers  
8 appear to be wrong.

9 [REDACTED]: This is also - I'm not - is  
10 this the second floor?

11 [REDACTED]: Here, let me see.

12 [REDACTED]: I'm not -.

13 [REDACTED]: My understanding would be  
14 since this says, "L," that this would be the  
15 second floor and this would be the first floor.  
16 Is H, K, M, are they on the first floor?

17 [REDACTED]: Yes. H is on the bottom.

18 [REDACTED]: So H is on the - H is not  
19 even on the same thing as K and M? Oh yeah --

20 [REDACTED]: They're on -.

21 [REDACTED]: -- because this is  
22 showing --

23 [REDACTED]: They're on -.

24 [REDACTED]: -- stairs, so I guess -  
25 so is this like - this is what you're - is

1 there like three levels then?

2 [REDACTED]: No, there's only two, but  
3 so H is downstairs, GT is right upstairs and  
4 then there's J, K, L, M.

5 [REDACTED]: So does this not make  
6 sense the way that this is -.

7 [REDACTED]: No, not really.

8 [REDACTED]: So, okay. So even  
9 looking at this, this doesn't even add up --

10 [REDACTED]: No.

11 [REDACTED]: -- the way you're looking  
12 at it?

13 [REDACTED]: Because this is the  
14 officer's station and the office is the second  
15 floor G Tier. This is a weird - but he -.

16 [REDACTED]: So this doesn't add up to  
17 you? So we're going to have to see about  
18 getting a different SHU map.

19 [REDACTED]: No.

20 [REDACTED]: But, from your  
21 understanding, does this kind of look right  
22 though? If this is the officer's station over  
23 there, is this where --

24 [REDACTED]: So -.

25 [REDACTED]: -- Epstein was housed?

1 Looking at it that way?

2 [REDACTED]: No, so this is the office.

3 That probably means the Lieutenant's office

4 which is on the second floor --

5 [REDACTED]: So that's the LT's

6 office?

7 [REDACTED]: -- right next to G Tier.

8 Correct.

9 [REDACTED]: Okay. So that's where --

10 [REDACTED]: And then recreation --

11 [REDACTED]: -- we thought this was --

12 [REDACTED]: -- would be downstairs.

13 [REDACTED]: So this office and this

14 are not even on the same floor?

15 [REDACTED]: No. This is on the second

16 floor and this is downstairs.

17 [REDACTED]: All right.

18 [REDACTED]: So these might be the

19 original blue prints where the rooms might have

20 been changed over time.

21 [REDACTED]: All right. Yeah, we're

22 probably going to have to just ask the SIA to

23 give us a tour. Where -- so if this is -- if

24 we're going to assume that this is the second

25 floor --

1 [REDACTED]: That's if -.

2 [REDACTED]: -- because it has L.

3 [REDACTED]: That's LT and then the  
4 officer's station should be right here.

5 [REDACTED]: Right here?

6 [REDACTED]: Because I could look up to  
7 the office.

8 [REDACTED]: So I'm going to write  
9 this circle where you're pointing and just put  
10 OS for Officer's Station. And this would be  
11 Epstein?

12 [REDACTED]: Yes.

13 [REDACTED]: I'll write E there.

14 [REDACTED]: And this is the shower --

15 [REDACTED]: Does -.

16 [REDACTED]: -- like I was telling  
17 earlier.

18 [REDACTED]: Oh, so this is the shower  
19 here? All right, so the shower is actually  
20 outside of the tier.

21 [REDACTED]: Yes.

22 [REDACTED]: Shower. And then, if  
23 this is 220, where would 206 be?

24 [REDACTED]: 19, 18 --

25 [REDACTED]: It's all the way down?

1 [REDACTED]: -- 17, 16, 15, 14, 13.  
2 [REDACTED]: Or is there even? I  
3 mean, this sheet says 206 -.  
4 [REDACTED]: How many cells are in there?  
5 [REDACTED]: There's four on one side  
6 and four on the opposite side.  
7 [REDACTED]: And would you understand  
8 it to mean 206L for 206 L Tier?  
9 [REDACTED]: No, 206 is lower. That's  
10 the -.  
11 [REDACTED]: Oh, so this wouldn't even  
12 mean that he was on the L Tier. 206 -.  
13 [REDACTED]: Lower and then like upper.  
14 [REDACTED]: Because this is where it  
15 says, if I'm reading this correctly, does it  
16 say that on 8/10/2019 that's where he should  
17 have been assigned --  
18 [REDACTED]: Correct.  
19 [REDACTED]: -- 206 lower? Does that  
20 show you at all - it says, "Z range," right?  
21 [REDACTED]: Yeah. So -.  
22 [REDACTED]: What does that --  
23 [REDACTED]: So -.  
24 [REDACTED]: -- show you that where  
25 it's saying that is that he was assigned? And

1 it seems like he had a lot of assignments in  
2 there.

3 [REDACTED]: So H is the suicide watch.

4 [REDACTED]: Okay. So where it says,  
5 "H," next to -.

6 [REDACTED]: So he went from 201, which  
7 that's G Tier, to suicide watch on the 8th of  
8 August, then he went to SHU.

9 [REDACTED]: The 8th of August?

10 [REDACTED]: Of July, I'm sorry, of  
11 July. D05.

12 [REDACTED]: So July 23rd is when he  
13 should have been placed in the -.

14 [REDACTED]: That's when actually -.

15 [REDACTED]: And July 30th he should  
16 have returned.

17 [REDACTED]: July 23rd he was in suicide  
18 watch.

19 [REDACTED]: Right.

20 [REDACTED]: July 29th, he went to SHU -  
21 -

22 [REDACTED]: What -.

23 [REDACTED]: -- and -.

24 [REDACTED]: What cell was he placed in?

25 [REDACTED]: 206 on July 29th. Then -

1 hmm. He has - so he was never placed in 220.

2 We never keyed him into 220.

3 [REDACTED]: Well, does it show that  
4 he was in 206 ever since the time he came back?

5 [REDACTED]: Yeah.

6 [REDACTED]: Could you -.

7 [REDACTED]: So it says the 29th he was  
8 in H001 then the next day - the next date would  
9 be 206.

10 [REDACTED]: And by the number 206,  
11 does that tell you at all where that is in the  
12 SHU?

13 [REDACTED]: 206, I have to -.

14 [REDACTED]: I mean, do they - is it -  
15 so each tier doesn't have like their own  
16 number? Is it just, you know, 206 could be  
17 like G Tier or -.

18 [REDACTED]: So I think - little  
19 confusing because I think it goes H Tier is  
20 one, two, three, four, these are all four, 205,  
21 five, six, then this one should be 06, L Tier  
22 should be 06.

23 [REDACTED]: L Tier --

24 [REDACTED]: I have to see it.

25 [REDACTED]: -- should be 206?

1 [REDACTED]: I have to see it, sorry.

2 [REDACTED]: Yeah, yeah, and I get it.

3 [REDACTED]: See, because it's a little  
4 confusing.

5 [REDACTED]: Trying to - absolutely.

6 [REDACTED]: Because the way they have  
7 it is the opposite. Like one is on the bottom,  
8 two is on top and then three back to the  
9 bottom, four to the top.

10 [REDACTED]: Yeah, so we'll definitely  
11 have to check on that. But do you know, was he  
12 even ever in 206 after he returned from suicide  
13 watch?

14 [REDACTED]: If -.

15 [REDACTED]: So he returned from  
16 suicide watch, it sounds like, like you just  
17 said, on the 29th of July. I guess I thought  
18 it was the 30th based upon that email. So the  
19 29th of July through August 9th, 21 days does  
20 not even elapse.

21 [REDACTED]: He should be on 220. So he  
22 should have got keyed into 220 because that's  
23 where --

24 [REDACTED]: So someone --

25 [REDACTED]: -- what it says.

1 [REDACTED]: -- keyed him in  
2 incorrectly is what it sounds like?  
3 [REDACTED]: Unless they put him there  
4 and said, "Oh, shit, he needs a bunkie and then  
5 moved him. But once they moved him, he was  
6 never keyed into the right cell.  
7 [REDACTED]: All right. And do you  
8 know who would have keyed in the 206?  
9 [REDACTED]: Maybe Control the day they  
10 came upstairs? Maybe whoever was working SHU?  
11 [REDACTED]: All right, then -.  
12 [REDACTED]: So probably maybe even me,  
13 but I don't think I would put him in the wrong  
14 cell.  
15 [REDACTED]: So from the time - and  
16 you're the one that put him in the cell?  
17 [REDACTED]: Yeah, like, I wouldn't put  
18 him - if you came to 205, that's where I would  
19 key you into, 205.  
20 [REDACTED]: So, are you - but are you  
21 the one that placed him initially into 220?  
22 [REDACTED]: No.  
23 [REDACTED]: Do you know who did?  
24 [REDACTED]: I don't remember that.  
25 [REDACTED]: Do you know how it was

1 decided that he went into 220? My  
2 understanding is he was placed in that cell  
3 because you could see - you could all - you  
4 could see his door up front.

5 [REDACTED]: They put him there so we  
6 can see him, but maybe [REDACTED] was in that cell  
7 already.

8 [REDACTED]: Who made the  
9 determination to place him in that cell?

10 [REDACTED]: I don't know. Not me.  
11 Like I said, maybe because [REDACTED] was already in  
12 there.

13 [REDACTED]: Yeah, yeah.

14 [REDACTED]: Could have been in there,  
15 so, you know, it's easier to move him in with  
16 [REDACTED].

17 [REDACTED]: Oh, yeah. So, that's  
18 what I was saying before. I thought the  
19 determination was made because from the  
20 officer's station, like you said --

21 [REDACTED]: You could -.

22 [REDACTED]: -- where I circled --

23 [REDACTED]: You could see him.

24 [REDACTED]: -- you could see the  
25 door.

1 [REDACTED]: Yes.

2 [REDACTED]: So that's why I thought  
3 it was decided to put Epstein in that one.

4 [REDACTED]: Right. Because it's right  
5 off the -.

6 [REDACTED]: So what I'm asking is, do  
7 you know who made that decision?

8 [REDACTED]: Probably between the  
9 Captain, AW and the Warden.

10 [REDACTED]: So at that point, he's in  
11 220. Who is responsible for making sure that  
12 he's coded at 220?

13 [REDACTED]: Well, when he came - when  
14 he comes up from suicide watch, it should have  
15 been Control.

16 [REDACTED]: So Control apparently put  
17 him in, what you're saying, in 206?

18 [REDACTED]: Correct.

19 [REDACTED]: So after he's now in -  
20 he's not in 206, he's in 220, who is  
21 responsible for making that change?

22 [REDACTED]: Well, whoever notices it or  
23 when we conduct the bed book count which most  
24 likely we didn't. It regularly should have  
25 been me to key him, "Oh, okay, he's there," but

1 I never saw that he was in the wrong cell.

2 [REDACTED]: So that's what I guess,  
3 so how would that - so I guess the question is,  
4 how would it be noticed that he was in the  
5 wrong cell? Is that something that's supposed  
6 to be like reviewed or you're supposed to be  
7 checking? How does that --

8 [REDACTED]: When you conduct a bed -.

9 [REDACTED]: -- and I don't know, so  
10 again -.

11 [REDACTED]: Well, no, when you conduct  
12 a bed book count, which now, it happens every  
13 week, before, maybe once a month, or the next  
14 time you notice would be, "Oh, 21 days to move  
15 him," you would have come out that cell and he  
16 was never in that cell. But you still see him,  
17 you see who is there.

18 [REDACTED]: Yeah, yeah.

19 [REDACTED]: But you just don't verify  
20 with the bed book count.

21 [REDACTED]: Now, are you confident  
22 that he was always in 220 though from the time  
23 he returned from suicide watch?

24 [REDACTED]: That I remember? Yes.

25 [REDACTED]: All right.

1 [REDACTED]: The only time I remember he  
2 was in another cell, was when he was in  
3 [REDACTED] cell, which that was right before  
4 he went to suicide watch.

5 [REDACTED]: Okay. From the time he  
6 came back from suicide watch, he was always in  
7 220.

8 [REDACTED]: Yes.

9 [REDACTED]: And this, 206, was that  
10 just an administrative error?

11 [REDACTED]: That most likely was.

12 [REDACTED]: Okay.

13 [REDACTED]: Because I know he was up  
14 there.

15 [REDACTED]: All right.

16 [REDACTED]: So after [REDACTED], which  
17 I wasn't even here when that happened, after he  
18 was his bunkie, he was placed on suicide watch  
19 and I think I came back and he was already up  
20 there in the cell.

21 [REDACTED]: All right. So the only  
22 two cells that you know of is when he was with  
23 [REDACTED] and then when he returned from -.

24 [REDACTED]: Yes.

25 [REDACTED]: So from basically July,

1 at least 30th, the 29th, to August 10th, 220 is  
2 the cell he was always in?

3 [REDACTED]: Yes.

4 [REDACTED]: This 206 thing was an  
5 administrative error.

6 [REDACTED]: Correct.

7 [REDACTED]: And it would have been  
8 caught if there were weekly bed book counts  
9 done.

10 [REDACTED]: Yes.

11 [REDACTED]: All right, and that's -  
12 other than that bed book count, is there  
13 another time that that would have been that  
14 that could have been or should have been  
15 caught?

16 [REDACTED]: Maybe when, if you were  
17 moving him, if you were moving his bunkie, but  
18 there's no -.

19 [REDACTED]: Okay, get a note to make  
20 sure we ask for Reyes's cell assignment. And  
21 he was always from 220 - I mean, from 7/29 to  
22 8/10 - July 29th to August 10th, he was always  
23 with Reyes?

24 [REDACTED]: Yes.

25 [REDACTED]: Okay. All right. Now

1 we're going to talk about - do you mind just  
2 initialing. Now would the Lieutenant have any  
3 oversight over this as well?

4 [REDACTED]: If he was there, yes.

5 [REDACTED]: Is that something he  
6 suppo- he's, you know, I think it was, we were  
7 told that the Lieutenant comes in and audits  
8 the books and things like that. Is this  
9 something that he would have been auditing?

10 [REDACTED]: I'm not sure if that's -  
11 because I haven't worked like as a SHU  
12 Lieutenant, but he does have to confirm the  
13 rounds. Only way he would order that is  
14 probably before the SHU meeting, which the SHU  
15 meetings we usually had on Thursdays.

16 [REDACTED]: Okay. Anything more you  
17 want to ask on that?

18 [REDACTED]: I don't know if you want him  
19 to sign the SHU.

20 [REDACTED]: We're still going to look  
21 at that. So, this has been a great confusion  
22 too that we're hoping you can help us. What  
23 cameras are actually located in the SHU outside  
24 of 10 South and G Tier?

25 [REDACTED]: At this point in time.

1 [REDACTED]: So, not at this point in  
2 time, in August of 2019.

3 [REDACTED]: So in August we only had --

4 [REDACTED]: I'm sorry, man. Sorry.

5 [REDACTED]: -- one camera at the end of  
6 the range. So you walk in through the rear  
7 door.

8 [REDACTED]: Can you - again, I guess  
9 this is too confusing.

10 [REDACTED]: So -.

11 [REDACTED]: Are you able to determine  
12 - if we're saying that this is the second  
13 floor, here is L Tier. There is Epstein's cell  
14 --

15 [REDACTED]: So there was always --

16 [REDACTED]: -- officer's station.

17 [REDACTED]: -- a camera right here.

18 [REDACTED]: That points down this  
19 range?

20 [REDACTED]: Yeah.

21 [REDACTED]: All right. So that  
22 should have been at least where Epstein's cell  
23 was located.

24 [REDACTED]: Well, it wouldn't - it  
25 would see both.

1 [REDACTED]: We have this camera  
2 angle. Where is this camera? This is the  
3 officer's station.

4 [REDACTED]: That - this is outside of  
5 10 South, which is the second floor and this is  
6 the other office that I was in, the  
7 Lieutenant's office on top.

8 [REDACTED]: Okay. So the  
9 Lieutenant's office is here.

10 [REDACTED]: Yes.

11 [REDACTED]: So, LT right there.

12 [REDACTED]: Uh-huh.

13 [REDACTED]: And then this floor  
14 though is 10 South?

15 [REDACTED]: Yes. This is the entrance  
16 to 10 South.

17 [REDACTED]: 10 - I'm putting 10 South  
18 on the door and pointing to the LT's door. Is  
19 this the officer's station?

20 [REDACTED]: Yes.

21 [REDACTED]: I'm circling the  
22 officer's station. Where would Epstein have  
23 been located?

24 [REDACTED]: It's up - you can't see it  
25 through there.

1 [REDACTED]: This over here?

2 [REDACTED]: Yeah.

3 [REDACTED]: So I'm going to put E and  
4 pointing to it. So that's where Epstein's cell  
5 would have been. What is this over here?

6 [REDACTED]: That's on J Tier.

7 [REDACTED]: That would have been G  
8 Tier? All right, so I'm going to put G -.

9 [REDACTED]: J, J.

10 [REDACTED]: J? Oh.

11 [REDACTED]: Yeah, J as in Jack.

12 [REDACTED]: J up that way. All  
13 right. So that's our point of reference. What  
14 other cameras other than this should have there  
15 been in the SHU?

16 [REDACTED]: Well, there's another one  
17 out here that focused on the whole MPA, which  
18 the MPA is this general right here area.

19 [REDACTED]: Okay.

20 [REDACTED]: And then every range, when  
21 you walk in, has a camera towards the end.  
22 This is --

23 [REDACTED]: So every range --

24 [REDACTED]: -- in August.

25 [REDACTED]: -- is supposed to have a

1 camera?

2 [REDACTED]: Yes. They did. They still  
3 have them there.

4 [REDACTED]: So when you call it a  
5 range, you're talking about --

6 [REDACTED]: All right, so -.

7 [REDACTED]: -- each tier?

8 [REDACTED]: Yes, each tier. So, I walk  
9 into the tier, there's a camera at the end of  
10 all of them. Now -.

11 [REDACTED]: So, every one of them  
12 should have had a camera.

13 [REDACTED]: Yes. They did have  
14 cameras, they are still there.

15 [REDACTED]: That should have been  
16 working.

17 [REDACTED]: Correct.

18 [REDACTED]: Ok so.

19 [REDACTED]: They're still there, the  
20 cameras.

21 [REDACTED]: Are you able to tell,  
22 what is this a picture of?

23 [REDACTED]: That's the Sally port, the  
24 visiting elevator.

25 [REDACTED]: On the 9th floor?

1 [REDACTED]: Yep.

2 [REDACTED]: So when you say,  
3 "Visiting elevator," what does that mean?

4 [REDACTED]: So you walk in through the  
5 first floor and only - if there's visitors, you  
6 can come out through there. So -.

7 [REDACTED]: You can visit the SHU?

8 [REDACTED]: Yes.

9 [REDACTED]: Like outsiders?

10 [REDACTED]: Yes. Visit the SHU  
11 inmates.

12 [REDACTED]: I didn't know that. So  
13 instead of bringing the SHU, the inmates  
14 downstairs, the visitors actually --

15 [REDACTED]: Yep.

16 [REDACTED]: -- come into the SHU?

17 [REDACTED]: And they walk into the room  
18 in here, they sit down with their visitors.

19 [REDACTED]: So this is called the -.

20 [REDACTED]: 9 Sally - 9 visiting Sally.

21 [REDACTED]: 9 --

22 [REDACTED]: Visiting Sally.

23 [REDACTED]: -- visiting - is Sally,  
24 S-A-L-L-Y?

25 [REDACTED]: Yes.

1 [REDACTED]: All right, the second one  
2 we just went over. That's from 10 South  
3 outside of. What is this?

4 [REDACTED]: That's 10 South.

5 [REDACTED]: This is 10 South? And  
6 this again is 10 South?

7 [REDACTED]: Yes.

8 [REDACTED]: And again, 10 South. Is  
9 there a reason why - did you want to identify -  
10 .

11 [REDACTED]: No, no, it's okay.

12 [REDACTED]: I'm going to actually  
13 take those --

14 [REDACTED]: Yeah.

15 [REDACTED]: -- pictures out of this  
16 and just look at those three. All right. So  
17 the fact that we only have these three camera  
18 angles and saying that these are the three that  
19 are only working, do you know anything about  
20 that? Do you know if all those other cameras  
21 should have been working on each of the ranges?

22 [REDACTED]: Well, they should have.

23 [REDACTED]: All right. So, each  
24 tier, to your knowledge on every single one,  
25 including on L Tier where Epstein was located,

1 should have had a camera that pointed down.

2 [REDACTED]: They should have a working  
3 camera. They still have the camera. It works.  
4 At that time, I don't know if it did or didn't,  
5 but the camera was on the wall. It's there on  
6 the wall.

7 [REDACTED]: On the wall of every  
8 tier.

9 [REDACTED]: Correct.

10 [REDACTED]: Including Epstein's tier.

11 [REDACTED]: Yes.

12 [REDACTED]: Do you know anything  
13 about those cameras not working on August 9th  
14 or August 10th?

15 [REDACTED]: No.

16 [REDACTED]: Do you know anything  
17 about Epstein's tier, that camera not working  
18 on -.

19 [REDACTED]: No.

20 [REDACTED]: Who is responsible for  
21 making sure that the cameras were working?

22 [REDACTED]: I think the Com Department.  
23 Com Tech.

24 [REDACTED]: And do you remember in  
25 August 2019 who was working in the Com

1 Department? Anybody? Is there a Mr. [REDACTED]?

2 [REDACTED]: I think [REDACTED], that's the

3 only one. The only Com Tech that we've had and

4 that we still have.

5 [REDACTED]: And he's still here?

6 [REDACTED]: Yes.

7 [REDACTED]: [REDACTED]? All right, so

8 would [REDACTED] be the person to talk to about

9 this?

10 [REDACTED]: Maybe tell you more or less

11 if what cameras worked or didn't work at that

12 time.

13 [REDACTED]: Okay. But no one ever

14 talked to you? Is there any way that as the

15 OIC or anybody that worked in the SHU that you

16 would have known that the cameras were or were

17 not working?

18 [REDACTED]: No.

19 [REDACTED]: So who - is there anybody

20 that live monitors any of those cameras?

21 [REDACTED]: That I know of? No.

22 [REDACTED]: All right. So you don't

23 know anything else about the cameras? Is this

24 the first you're hearing that these cameras

25 were down?

1 [REDACTED]: I mean, I've heard it in  
2 the news, but not from the building.

3 [REDACTED]: Is that - does that raise  
4 any suspicion for you the fact that these  
5 cameras aren't - they don't have video of these  
6 cameras?

7 [REDACTED]: Not really. This building,  
8 there's always something going wrong in the  
9 building. So, it wouldn't surprise me or  
10 didn't surprise me when they said the cameras  
11 weren't working.

12 [REDACTED]: All right. But, I mean,  
13 that many? If we have how many tiers are in -  
14 you just do this top page. That many -.

15 [REDACTED]: In six tiers.

16 [REDACTED]: Six tiers and we don't  
17 have any cameras for any of the six tiers then.  
18 Is that to you like, "Wait, what?" Does -.

19 [REDACTED]: Not really.

20 [REDACTED]: No?

21 [REDACTED]: No, not really. Like I  
22 said, sometimes the lights go off in the tier  
23 and we got to reset the breaker, so ever since  
24 I started, there's always been a problem with  
25 something not working in this building. So the

1 camera doesn't surprise me, it's just another  
2 thing that didn't work for the moment.

3 [REDACTED]: So this is where like,  
4 it's just like, what are your - what is your  
5 opinion on the fact that we got no cameras  
6 working on at least, you know, definitely on  
7 Epstein's tier, he's in the wrong cell, you  
8 know, we could always - you know, the counts  
9 are basically, you know, potentially falsified,  
10 the counts weren't done. Is there anything  
11 that you're seeing here that you're like,  
12 "Somebody is covering up for somebody," or,  
13 "Somebody is like manipulating things or  
14 deleting cameras or taking anything down?" Is  
15 there a reason for you to believe any of that?

16 [REDACTED]: Mm, not really. I said,  
17 going on seven years now, a lot of stuff has  
18 gone wrong in this building and I highly doubt  
19 that stuff was on purpose. My -.

20 [REDACTED]: What about even to just  
21 cover up --

22 [REDACTED]: My belief -.

23 [REDACTED]: -- from what they were  
24 doing administratively? Is there anybody that  
25 would have been able to, like, knock cameras

1 out or knock them down or manipulate them?

2 [REDACTED]: No, because -.

3 [REDACTED]: Do Lieutenants have the  
4 ability to do that?

5 [REDACTED]: No, the Lieutenants don't  
6 and [REDACTED] leaves at like, I think, at 2:00 in  
7 the afternoon.

8 [REDACTED]: So like, for instance, if  
9 an Ops Lieutenant, would that - would an Ops  
10 Lieutenant be able to --

11 [REDACTED]: Go somewhere --

12 [REDACTED]: -- manipulate the  
13 cameras --

14 [REDACTED]: -- and turn the syst-.

15 [REDACTED]: -- or anything?

16 [REDACTED]: No.

17 [REDACTED]: No?

18 [REDACTED]: No.

19 [REDACTED]: Even from like the camera  
20 room or anything like that?

21 [REDACTED]: No, we don't have access to  
22 the camera room.

23 [REDACTED]: Okay.

24 [REDACTED]: We could log in to the  
25 camera system, but we can't turn on or turn off

1 any camera.

2 [REDACTED]: So who has the ability to  
3 turn on and turn off cameras?

4 [REDACTED]: That should be the Com  
5 shop.

6 [REDACTED]: All right, so just

7 [REDACTED] --

8 [REDACTED]: Yes.

9 [REDACTED]: -- is the only person  
10 that can do it? Okay. Do you know who BOP  
11 employee [REDACTED] [REDACTED] is?

12 [REDACTED]: He's a case manager here.

13 [REDACTED]: Okay. Still here?

14 [REDACTED]: Yes.

15 [REDACTED]: All right. Are you aware  
16 on August 9, 2019, when [REDACTED] worked and what  
17 his responsibilities were, like in - I don't  
18 even know if he's on here, let me see.

19 [REDACTED]: I didn't even think he was  
20 here that day.

21 [REDACTED]: He was. Yeah, okay. So,  
22 if you can find him on there and tell me if you  
23 can figure out what his role and  
24 responsibilities were, looking at the daily  
25 assignment roster.

1 [REDACTED]: [REDACTED]?

2 [REDACTED]: Yes.

3 [REDACTED]: He's Unit Team, he wouldn't  
4 be on this roster.

5 [REDACTED]: Well, if you look at the  
6 bottom, you'll find his name at least.

7 [REDACTED]: That's [REDACTED].

8 [REDACTED]: That's a different one?

9 [REDACTED]: Correct.

10 [REDACTED]: All right. So Unit Team,  
11 does that mean he's non-custody?

12 [REDACTED]: Yes.

13 [REDACTED]: Okay. And what were his  
14 roles and responsibilities, do you know?

15 [REDACTED]: He's a Case Manager, pretty  
16 much serving incident reports, referring them  
17 to DHO, give out legal phone calls.

18 [REDACTED]: Okay.

19 [REDACTED]: Deal with some --

20 [REDACTED]: Legal phone calls --

21 [REDACTED]: -- kind of legal --

22 [REDACTED]: -- is one of things that  
23 -. .

24 [REDACTED]: -- legal paperwork.

25 [REDACTED]: Okay. So --

1 [REDACTED]: Make copies.

2 [REDACTED]: -- did you have any  
3 conversations with [REDACTED] on August 9, 2019  
4 regarding Epstein?

5 [REDACTED]: No.

6 [REDACTED]: Did you ever - did you  
7 remember ever talking with [REDACTED] about  
8 Epstein?

9 [REDACTED]: Huh-uh.

10 [REDACTED]: Do you know anything  
11 about [REDACTED] allowing Epstein to make a  
12 telephone call on the evening of August 9,  
13 2019?

14 [REDACTED]: No.

15 [REDACTED]: Did you hear anything  
16 about that after the fact?

17 [REDACTED]: No, and that's new.

18 [REDACTED]: So do you know anything  
19 about Epstein being authorized a telephone call  
20 from the SHU?

21 [REDACTED]: No.

22 [REDACTED]: You ever hear anything  
23 about Epstein making a telephone call from  
24 inside the shower area?

25 [REDACTED]: No.

1 [REDACTED]: Do you know about inmates  
2 in general ever making telephone calls from  
3 that shower?

4 [REDACTED]: They're not supposed to.

5 [REDACTED]: They're not supposed to?

6 [REDACTED]: No.

7 [REDACTED]: Is there a jack there  
8 though?

9 [REDACTED]: There's no jack close to  
10 the shower. Usually for a phone call, we plug  
11 in the phone to the jack and give them the  
12 phone through the slot. They make their phone  
13 call, 15 minutes are up, you take the phone  
14 back.

15 [REDACTED]: So Epstein placed a  
16 telephone call from the shower, they plugged in  
17 the thing, gave Epstein the telephone and then  
18 closed the shower doors I guess and allowed him  
19 to speak in there. Has that ever happened  
20 before?

21 [REDACTED]: The only place that I think  
22 that would reach would be G Tier. Because  
23 they're inside the tiers, the jacks weren't  
24 working.

25 [REDACTED]: And am I saying that

1 correctly?

2 [REDACTED]: Yeah, I think the shower was  
3 in the G Tier. I think one -.

4 [REDACTED]: It was a shower in the G  
5 Tier --

6 [REDACTED]: Yeah.

7 [REDACTED]: -- not in the L Tier, so  
8 he placed a telephone call from a shower, not  
9 necessarily the L Tier shower. So he placed a  
10 telephone call from the shower, a shower and it  
11 was plugged into a non-recorded line.

12 [REDACTED]: Well, those are the legal  
13 phone calls because we can't listen to the - or  
14 the attorney phone calls aren't supposed to be  
15 on a recorded line, from my understanding.

16 [REDACTED]: All right. So is that  
17 something that you would allow inmates to do?

18 [REDACTED]: Personally, I put them  
19 downstairs.

20 [REDACTED]: When you say,  
21 "Downstairs," where is that?

22 [REDACTED]: In the recreation area, the  
23 law library.

24 [REDACTED]: So outside of the SHU?

25 [REDACTED]: Correct. No, it's actually

1 inside the SHU --

2 [REDACTED]: Okay.

3 [REDACTED]: -- but it's like a cage  
4 that where the computers were and plug in the  
5 phone in the tier and make it reach all the way  
6 downstairs.

7 [REDACTED]: Is it abnormal --

8 [REDACTED]: Not the shower.

9 [REDACTED]: -- that they allowed  
10 Epstein to place a call from the shower,  
11 whichever shower it was, it sounds like G Tier  
12 and use a legal line?

13 [REDACTED]: Not really, unless there's  
14 no - couldn't put him on the library or you  
15 couldn't put him in the rec cage then.

16 [REDACTED]: What if you told the officer  
17 that he wanted to call his mother?

18 [REDACTED]: You got social calls for  
19 that and those calls, they would be recorded.

20 [REDACTED]: And what would be a  
21 reason why that it would be on a legal line to  
22 call his, quote, unquote, mother?

23 [REDACTED]: There shouldn't be.

24 [REDACTED]: There shouldn't be?

25 [REDACTED]: There shouldn't be. Use

1 your minutes.

2 [REDACTED]: So you hadn't heard  
3 anything about this?

4 [REDACTED]: No.

5 [REDACTED]: This is the first you're  
6 hearing of it?

7 [REDACTED]: Yes.

8 [REDACTED]: Okay. Would it be  
9 abnormal that [REDACTED] would have set this up  
10 for him to be able to call his mother from the  
11 shower then and plug it in the legal line?

12 [REDACTED]: Unless he told him he was  
13 calling his attorney, but even with that,  
14 you've got to verify the attorney, "This is -  
15 is this attorney such and such?" "Yes, okay,  
16 I'm going to put your client on the phone."  
17 That's how it should have been.

18 [REDACTED]: And even at that, is  
19 someone supposed to monitor that telephone  
20 call?

21 [REDACTED]: Well, he can't sit there  
22 and listen to it, but once your time is up  
23 then, "All right, give me the phone back."

24 [REDACTED]: Okay. So no one is  
25 actually supposed to sit there and actually

1 monitor the call even though it's not recorded?  
2 [REDACTED]: Correct.  
3 [REDACTED]: They are not?  
4 [REDACTED]: They are not because of,  
5 it's a legal call.  
6 [REDACTED]: Okay. And it's only a  
7 legal call that's not supposed to be monitored?  
8 [REDACTED]: Correct.  
9 [REDACTED]: As far as a call to his  
10 mother or anybody other than a legal call, it  
11 should have been recorded?  
12 [REDACTED]: Yes. On a recorded line,  
13 yes.  
14 [REDACTED]: And does everybody in the  
15 SHU know that?  
16 [REDACTED]: Yes.  
17 [REDACTED]: Should [REDACTED] known  
18 that?  
19 [REDACTED]: Definitely.  
20 [REDACTED]: Okay. And when inmates  
21 place calls from the SHU, how is that - how do  
22 you keep track of that, if at all?  
23 [REDACTED]: Well, we have - on SENTRY,  
24 we have the TRUFONE, so we just print that or  
25 in SHU we should - I don't know if they're

1 still doing it, they had a log book so you  
2 request for the phone, I give it to you, I fill  
3 it - I put your name down that you had a phone  
4 call.

5 [REDACTED]: So I guess that's what -  
6 is it tr- Epstein didn't actually have one of  
7 those like keypad things.

8 [REDACTED]: PAC and PIN.

9 [REDACTED]: Oh, he didn't have one?

10 [REDACTED]: So if he didn't have one,  
11 how would he place a call?

12 [REDACTED]: He can't.

13 [REDACTED]: So the only way he could  
14 place a call is from an actual -.

15 [REDACTED]: Unit Team, yes.

16 [REDACTED]: So if the - if, in those  
17 cases, are the calls supposed to be monitored?

18 [REDACTED]: Yes.

19 [REDACTED]: So in this case, if  
20 Epstein placed a call and was told, like - my  
21 understanding is [REDACTED] got the approval to  
22 allow him to place a call but left him in the  
23 shower area, left the unit, and no one  
24 monitored the call. Is that a problem?

25 [REDACTED]: Yes. So --

1 [REDACTED]: Who -.

2 [REDACTED]: -- if it's -.

3 [REDACTED]: Who should have been  
4 responsible for monitoring that call?

5 [REDACTED]: He should have.

6 [REDACTED]: [REDACTED]?

7 [REDACTED]: Yes. He should just not  
8 stand there and listen to his conversation, but  
9 he should have verified --

10 [REDACTED]: Even if it's not a legal  
11 call.

12 [REDACTED]: Well, if he said -.

13 [REDACTED]: So he doesn't have one of  
14 these PAC and PINs, or whatever it's called and  
15 they said he -.

16 [REDACTED]: Then it's not going to be a  
17 social call, then it's going to be a legal  
18 call.

19 [REDACTED]: No, no, no. What I'm  
20 saying is, he doesn't have the ability to make  
21 a social call, but he's provided the approval,  
22 "Yes, allow him to make this call, but monitor  
23 it," stood there?

24 [REDACTED]: He should have stood by  
25 there.

1 [REDACTED]: And [REDACTED] is the one  
2 who should have done that?

3 [REDACTED]: Yes. Because he's the one  
4 who put him on the phone.

5 [REDACTED]: All right. And he  
6 shouldn't have passed that responsibility off  
7 to someone in the SHU?

8 [REDACTED]: Correct.

9 [REDACTED]: Okay.

10 [REDACTED]: So if, for instance, the  
11 Warden says, "Give Mr. Smith a phone call, a  
12 five minute phone call but make sure you stand  
13 there and monitor it," then, "Here's the phone,  
14 it's going to be on a non-recorded line," but I  
15 am going to stand there and listen to your  
16 conversation because it's not a legal phone  
17 call --

18 [REDACTED]: Right.

19 [REDACTED]: -- it's just kind of like a  
20 courtesy phone call, you're given the  
21 opportunity to call your family. "Okay, you're  
22 phone call is done? Thank you." Hang up the  
23 phone and walk away.

24 [REDACTED]: And how are those calls  
25 allowed, did you say?

1 [REDACTED]: Should be a book.  
2 [REDACTED]: In a written book?  
3 [REDACTED]: A log book. Yes.  
4 [REDACTED]: Okay. Not in anything in  
5 like a TRUSCOPE or anything --  
6 [REDACTED]: No.  
7 [REDACTED]: -- like that? SENTRY?  
8 [REDACTED]: You could put it on  
9 TRUSCOPE, just to kind of - in case something  
10 like this happens, cover yourself.  
11 [REDACTED]: Okay.  
12 [REDACTED]: Let's say an order like that  
13 did come down. Are they allowed to call any  
14 person they wanted or does it have to be a  
15 specific number off a list?  
16 [REDACTED]: It has to be a legal phone  
17 call only.  
18 [REDACTED]: No, no, no. If -.  
19 [REDACTED]: Only to your attorneys.  
20 [REDACTED]: If he doesn't have the  
21 ability to make a social call and they say  
22 that, "Yes, allow him to have this social  
23 call," would he even have a list if he never -.  
24 [REDACTED]: No. No, he could just call  
25 whoever he wants to on the phone.

1 [REDACTED]: Okay.

2 [REDACTED]: But I guess though, I  
3 want to make sure you're understanding that  
4 question. When you're given the ability to  
5 make phone calls, they vet people and you have  
6 a list of people that you're allowed to call,  
7 correct?

8 [REDACTED]: Right.

9 [REDACTED]: Like the monitored calls.  
10 If you're never given that - what's it called?  
11 PAC and -.

12 [REDACTED]: PIN and PAC.

13 [REDACTED]: PIN and PAC, if you're  
14 never given a PIN and PAC, do we even have a  
15 list of people that you -.

16 [REDACTED]: No.

17 [REDACTED]: So he wouldn't actually  
18 have a list.

19 [REDACTED]: Correct.

20 [REDACTED]: If you want to follow up  
21 on that --

22 [REDACTED]: No, no, no.

23 [REDACTED]: -- that's fine. But do  
24 you know if he had a list or not?

25 [REDACTED]: There was a - I think that

1 someone has mentioned that there was a list,  
2 but I'm not aware, I haven't seen a list, so I  
3 just wondered if he would know.

4 [REDACTED]: But if he doesn't have  
5 the PIN and PAC, no list would have ever --

6 [REDACTED]: Just nothing would --

7 [REDACTED]: -- been generated, right?

8 [REDACTED]: -- exist.

9 [REDACTED]: Right.

10 [REDACTED]: Unless his list of  
11 attorneys, that would be the only list he  
12 should have.

13 [REDACTED]: Okay.

14 [REDACTED]: When inmates are brought into  
15 the MCC, are they asked for a list of people  
16 that they would like to call or keep as a  
17 contact, anything like that?

18 [REDACTED]: So you're asked for an  
19 emergency contact, and that's it. When you see  
20 Unit Team, you give Unit Team a list of family  
21 members or whoever you want to call, they put  
22 it into the system.

23 [REDACTED]: Okay.

24 [REDACTED]: If it's attorneys, they  
25 also have a list of attorneys that you can call

1 and you only make that phone call with Unit  
2 Team there present.

3 [REDACTED]: If he did give that name to  
4 the Unit Team, where would they put it?

5 [REDACTED]: That would be Unit Team. I  
6 don't know where they have -.

7 [REDACTED]: Or it's not like in -.

8 [REDACTED]: No, it's not in SENTRY --

9 [REDACTED]: Okay.

10 [REDACTED]: -- like that.

11 [REDACTED]: And to you, though, is  
12 that extremely abnormal? Have you ever heard  
13 of something like that before? Somebody being  
14 provided a phone call?

15 [REDACTED]: It's happened before.

16 [REDACTED]: Not having one of these  
17 PAC and PINs and then walking away and letting  
18 them just speak?

19 [REDACTED]: Well, it's happened where  
20 they've given inmates a phone call or transfer  
21 a phone call when they don't have a PIN and  
22 PAC, but most of the time it's a five minutes  
23 call whoever you're going to call, just like if  
24 the Chaplain receives a death notification in  
25 the family, he brings you up, he gives you that

1 five minute phone call, but he's sitting there  
2 next to you listening to your phone call. Once  
3 your phone call is done, "Okay, go back to your  
4 cell."

5 [REDACTED]: But as far as, if this in  
6 fact happened where [REDACTED] gave him a call,  
7 leaves the tier, after 15 minutes calls  
8 somebody in the SHU and says, "Hey, let Epstein  
9 know his telephone call is done and get the  
10 phone back." Is that --

11 [REDACTED]: It's --.

12 [REDACTED]: -- pretty problematic or  
13 is it just --.

14 [REDACTED]: It shouldn't happen, but  
15 it's happened.

16 [REDACTED]: Okay.

17 [REDACTED]: It's happened.

18 [REDACTED]: Do you think it's because  
19 it was Epstein, he was a guy - "I want to give  
20 him his privacy because he's got this --" you  
21 know, "--he's --

22 [REDACTED]: Mm.

23 [REDACTED]: -- he's got this air  
24 around him, he's a big deal," or why do you  
25 think [REDACTED] would have done that?

1 [REDACTED]: Probably a million things  
2 on his head to do.

3 [REDACTED]: Okay. How severe do you  
4 believe that that would be though or if at all?

5 [REDACTED]: Should not have did that  
6 because of what happened.

7 [REDACTED]: Right.

8 [REDACTED]: But if it didn't happen,  
9 then it would be another regular inmate.

10 [REDACTED]: Okay. Anything more on  
11 that? How - we're getting - we're almost  
12 there, I promise. How was Epstein's  
13 interactions with other inmates?

14 [REDACTED]: Well, he only spoke to two,  
15 which was [REDACTED] and [REDACTED].

16 [REDACTED]: Never really any other  
17 dealings?

18 [REDACTED]: Everybody was always trying  
19 to talk to him.

20 [REDACTED]: But he wouldn't talk  
21 back?

22 [REDACTED]: Just regular conversation,  
23 nothing crazy.

24 [REDACTED]: Well, how, I guess, how  
25 were his interactions, I guess, with his cell

1 mates then, [REDACTED] and [REDACTED]?

2 [REDACTED]: Well, he always got along  
3 with [REDACTED] --

4 [REDACTED]: He did?

5 [REDACTED]: -- that I understood. They  
6 were both always talking. They never had issue  
7 with each other.

8 [REDACTED]: What about with [REDACTED]?

9 [REDACTED]: None either.

10 [REDACTED]: Okay. So both seemed to  
11 get along fine?

12 [REDACTED]: Yes.

13 [REDACTED]: Okay. When was the last  
14 time you interacted with or saw Epstein?

15 [REDACTED]: That should have been,  
16 what, August 9th.

17 [REDACTED]: So August 9th, the day  
18 you left work - last - what was his state of  
19 mind at that time?

20 [REDACTED]: He seemed calm.

21 [REDACTED]: Yeah? Anything --

22 [REDACTED]: He actually --

23 [REDACTED]: -- any -.

24 [REDACTED]: -- joked around because he  
25 asked for a new jumper and I told him, "No."

1 And he said, "Why not?" I was like, "It's a  
2 jail, this is what you got to do. Nobody else  
3 gets a jumper, it's not Versace," you know.  
4 He's, "Ha, ha, ha, ha," he laughed and that's  
5 it. I brought him downstairs to attorney  
6 visit.

7 [REDACTED]: Okay. Nothing abnormal  
8 though or out of the ordinary?

9 [REDACTED]: No.

10 [REDACTED]: Okay.

11 [REDACTED]: He was very polite.

12 [REDACTED]: Was he complaining about  
13 anything?

14 [REDACTED]: No.

15 [REDACTED]: Aside from the jumper?

16 [REDACTED]: Not really.

17 [REDACTED]: Did he talk about any  
18 other inmates or anything?

19 [REDACTED]: No, he just, like normal.

20 [REDACTED]: Express that he was in  
21 fear or anything like that?

22 [REDACTED]: No. He was just, you know,  
23 always worried about his attorney visit.

24 [REDACTED]: Were any threats made to  
25 Epstein that you're aware of?

1 [REDACTED]: No.

2 [REDACTED]: Do you know why Epstein  
3 was in prison?

4 [REDACTED]: Because of - what is it,  
5 the child molestation and a bunch of other  
6 stuff according to the news.

7 [REDACTED]: And did you have any  
8 specific feelings with regard to why he was in  
9 prison?

10 [REDACTED]: Not really, to me, just an  
11 inmate.

12 [REDACTED]: And would you have pretty  
13 frequent conversations with Epstein?

14 [REDACTED]: Mornings, I mean, "What's  
15 up? You all right?" "Yeah, I'm good."  
16 "Okay."

17 [REDACTED]: Anything of substance  
18 other than just, "Hello?"

19 [REDACTED]: No.

20 [REDACTED]: No? And you said you  
21 didn't work on August 10th, correct?

22 [REDACTED]: Correct.

23 [REDACTED]: When was your next shift?

24 [REDACTED]: Monday, whatever date the  
25 Monday was.

1 [REDACTED]: And did you speak with  
2 BOP employees at that time about Epstein's  
3 death?

4 [REDACTED]: Everybody was talking a  
5 lot, like, "Oh, shit, you hear what happened?"  
6 "Yeah." That's like regular - nothing into  
7 details.

8 [REDACTED]: What was your  
9 understanding of how he died?

10 [REDACTED]: According to what I heard  
11 and they said it was a suicide.

12 [REDACTED]: Suicide? And do you know  
13 anything about anyone else taking Epstein's  
14 life?

15 [REDACTED]: No.

16 [REDACTED]: Do you know anything  
17 about others assisting with taking Epstein's  
18 life?

19 [REDACTED]: Definitely, no.

20 [REDACTED]: Do you believe that  
21 Epstein took his own life?

22 [REDACTED]: Yes.

23 [REDACTED]: Did Epstein act alone in  
24 taking his own life?

25 [REDACTED]: Yes.

1 [REDACTED]: What would have prevented  
2 Epstein's death?

3 [REDACTED]: If he was still on suicide  
4 watch.

5 [REDACTED]: So you believe he should  
6 have still been on suicide watch?

7 [REDACTED]: If he was still on suicide  
8 watch, he would have had 24/7 supervision.

9 [REDACTED]: On that note, do you  
10 think he was appropriately placed in SHU or  
11 should have he been on like 10 South or G Tier?

12 [REDACTED]: Well, if he was on 10  
13 South, he would have been alone. If he was on  
14 G Tier, he still would have been alone.

15 [REDACTED]: And you think it was very  
16 important because of Psychology that he was  
17 with someone else?

18 [REDACTED]: Correct.

19 [REDACTED]: Okay.

20 [REDACTED]: I feel, if he already tried  
21 once, what's the chances he's going to not try  
22 again.

23 [REDACTED]: And do you believe he  
24 should have still been on suicide watch?

25 [REDACTED]: Yes.

1 [REDACTED]: You do?

2 [REDACTED]: I think it was, what, two  
3 weeks maybe or one week and then he came into  
4 population --

5 [REDACTED]: Well, how --.

6 [REDACTED]: -- or he came to Special  
7 Housing.

8 [REDACTED]: How often are inmates  
9 typically on suicide watch or psych  
10 observation?

11 [REDACTED]: Well, if you actually  
12 committed or did the noose and all that stuff,  
13 then at least two weeks.

14 [REDACTED]: So at least two weeks --

15 [REDACTED]: At least two weeks.

16 [REDACTED]: -- he should have been?

17 [REDACTED]: Yes.

18 [REDACTED]: And what is your belief,  
19 why did they release him early from suicide  
20 watch or psychological --?

21 [REDACTED]: Because he was Epstein.

22 [REDACTED]: So you think it was  
23 because he requested it?

24 [REDACTED]: Yes. Well, this is my --  
25 he's, according to everybody, very important,

1 so.

2 [REDACTED]: Right. And with all that  
3 we talked about and like, you know, again,  
4 speaking about the cameras, the, you know,  
5 logs, the count, shifts, you know, all this  
6 kind of stuff, do you believe there's any  
7 suspicious activity at play with regards to  
8 Epstein's death?

9 [REDACTED]: I think, maybe when he came  
10 to maybe a round or a count sheet, yes, could  
11 have been stuff messed up, but any foul play  
12 with staff, I don't think so.

13 [REDACTED]: What about even with like  
14 Psychology placing him into the SHU a little  
15 early? I know you said it's because he was  
16 Epstein, but do you think that it had anything  
17 to do with people hoping he killed himself?

18 [REDACTED]: I don't think so.

19 [REDACTED]: No?

20 [REDACTED]: I don't think so. I think  
21 this building is always under the radar with  
22 everything so instead of attracting attention,  
23 "Let's get him out of -" - because if not, his  
24 lawyer is going to eat MCC alive, that's what a  
25 lot of, I feel. This building is worried about

1 being on the paper.

2 [REDACTED]: Okay.

3 [REDACTED]: And what happens? They  
4 were on the paper.

5 [REDACTED]: Right. Now -.

6 [REDACTED]: If I'm not mistaken,  
7 another institution the same day, two inmates  
8 also committed suicide.

9 [REDACTED]: Oh wow, right.. Now what  
10 about, did anyone ever approach you, either  
11 inside or outside the institution about Epstein  
12 while he was here?

13 [REDACTED]: No.

14 [REDACTED]: With regard to harming  
15 him or assisting him?

16 [REDACTED]: No.

17 [REDACTED]: No? Okay. What are some  
18 of the systematic problems inside the MCC and  
19 specifically the SHU that allowed for Epstein  
20 to die?

21 [REDACTED]: The shortage of staff.  
22 Staff constantly working doubles with little  
23 sleep in between. I think that's - we don't  
24 have enough equipment, like, you know, we don't  
25 have enough tools to make this SHU specifically

1 succeed.

2 [REDACTED]: What about if you're told  
3 that people weren't doing counts and rounds, do  
4 you think that played into it as well?

5 [REDACTED]: Yes.

6 [REDACTED]: Do you think if rounds  
7 were actually conducted, he would at least be  
8 alive on August 10th?

9 [REDACTED]: It takes three minutes for  
10 a person to - when that's something look the  
11 line. If he wanted to commit suicide, he would  
12 have whether the staff would conduct the rounds  
13 or not.

14 [REDACTED]: What about if he had a  
15 cellmate with him?

16 [REDACTED]: Depending who the cell mate  
17 is and how the cell mate sleeps, because [REDACTED]  
18 also had medical problems. I think it would  
19 have been more of a chance for him to be alive  
20 if he had a cellmate. Not that --

21 [REDACTED]: So on that note -.

22 [REDACTED]: -- he definitely would not  
23 have tried.

24 [REDACTED]: Right. So on that note,  
25 who out of all the people here, who do you

1 believe holds the most responsibility for  
2 reassigning Epstein with a cellmate?

3 [REDACTED]: I think everybody played a  
4 little bit of part.

5 [REDACTED]: And can - and this will  
6 be the last question, tell me what people -  
7 what part people played in like how that could  
8 have been rectified as far as getting him a new  
9 cellmate?

10 [REDACTED]: Um -.

11 [REDACTED]: Where it should have  
12 begun, where should it have ended?

13 [REDACTED]: So it started with his  
14 bunkie leaving. So, yes, I told my relief he  
15 needs a bunkie. Maybe R&D should have called,  
16 say, "Hey, this is Epstein's -" - the whole  
17 building knew who Epstein's bunkie was. R&D  
18 should -.

19 [REDACTED]: So is it acceptable for  
20 anybody to say, "I had no idea who Reyes was  
21 and I didn't know that Reyes was Epstein's  
22 bunkie?"

23 [REDACTED]: No.

24 [REDACTED]: Did everybody in the  
25 building at the time know?

1 [REDACTED]: Everybody in the building.  
2 [REDACTED]: And how did they know  
3 that?  
4 [REDACTED]: Just word.  
5 [REDACTED]: Word of mouth?  
6 [REDACTED]: Everybody talks and it's  
7 not that many of us in this building, so.  
8 [REDACTED]: Okay. And I apologize  
9 for interrupting, I just wanted to ask this.  
10 [REDACTED]: That's known.  
11 [REDACTED]: Sorry.  
12 [REDACTED]: So, R&D, "Hey, we're losing  
13 this guy, Reyes is leaving." The Lieutenant,  
14 "Hey, Psychology, Reyes is leaving."  
15 Everybody, and since it was a Friday -.  
16 [REDACTED]: So who should have  
17 notified the Lieutenants?  
18 [REDACTED]: I think maybe I should have  
19 said, "Hey, sir, Reyes is leaving."  
20 [REDACTED]: And do you -  
21 [REDACTED]: "We got to get him a  
22 bunkie." Instead of, "Hey, sir, you know,  
23 Reyes is leaving today, Epstein needs a  
24 bunkie," and just me leaving.  
25 [REDACTED]: And do you believe that

1 you did tell a Lieutenant?

2 [REDACTED]: Oh, I definitely, without a  
3 doubt, strongly believe I told more than one  
4 person that Reyes was leaving.

5 [REDACTED]: I know you have the memo  
6 saying that you specifically told [REDACTED] as well  
7 as [REDACTED] and [REDACTED] were present, but as far  
8 as Lieutenants, do you have that belief that  
9 you, without saying I can actually put myself  
10 there, do you believe that you told a  
11 Lieutenant?

12 [REDACTED]: Yes. I think I spoke to  
13 [REDACTED] and [REDACTED].

14 [REDACTED]: And what do you believe  
15 you told them?

16 [REDACTED]: "[REDACTED] is leaving, Epstein  
17 is going to need a bunkie."

18 [REDACTED]: All right. So if they  
19 say, "We knew Reyes left, but we didn't know  
20 that he wasn't coming back," do you that that's  
21 true?

22 [REDACTED]: Yes. Because, like I  
23 explained before, there's a lot of WABs that go  
24 downstairs and within one hour, two hours,  
25 sometimes right before the 10 o'clock count,

1 they end up coming back. Or they say they're  
2 going to court, they'll spend two, three hours  
3 in R&D and come back. So it's not always  
4 because it says WAB on the paper, a hundred  
5 percent guarantee that they're not going to  
6 come back. Whether they take all their stuff  
7 or not.

8 [REDACTED]: So you think it's  
9 extremely likely you told, not only [REDACTED], but  
10 also [REDACTED]? Should they have made the  
11 notification to either the Captain or to the  
12 relief?

13 [REDACTED]: Maybe they did. I'm sure  
14 they did because of --

15 [REDACTED]: Well, if I can tell you -  
16 -

17 [REDACTED]: -- who Lieutenant -.

18 [REDACTED]: -- nobody notified the  
19 Captain. Should have they notified the  
20 Captain?

21 [REDACTED]: Yeah.

22 [REDACTED]: If it's claimed that they  
23 didn't tell their relief, should have they  
24 notified their relief?

25 [REDACTED]: Yes.

1 [REDACTED]: All right.

2 [REDACTED]: So something everybody,  
3 especially being Epstein, you pass it down.

4 [REDACTED]: Okay. Now let's say this  
5 is a unique situation. Let's say [REDACTED], he's  
6 working from 6:00 to 2:00.

7 [REDACTED]: Correct. He leaves the  
8 same time I leave.

9 [REDACTED]: [REDACTED], his relief, she's  
10 on a regular time shift until 4:00 so she can't  
11 start the Activities Lieutenant until 4:00.

12 [REDACTED]: Correct.

13 [REDACTED]: What would happen with  
14 those two hours in between? He leaves at 2:00,  
15 she starts at 4:00. Was he supposed to stay  
16 until 4:00 --

17 [REDACTED]: No.

18 [REDACTED]: -- until he's relieved or  
19 can he leave at 2:00 and then just the  
20 Activities Lieutenant goes unfilled for two  
21 hours?

22 [REDACTED]: He could leave at 2:00  
23 because you have Operations Lieutenant until 4  
24 o'clock.

25 [REDACTED]: Okay. So because - well,

1 I thought both Activities and [REDACTED] - I thought  
2 they both stopped at 2:00.

3 [REDACTED]: No, one is 6:00 to 2:00,  
4 another was 8:00 to 4:00.

5 [REDACTED]: Okay. So at that time  
6 when someone is doing the -

7 [REDACTED]: Somebody has to be in that  
8 position until the next Lieutenant comes in and  
9 takes over, and -.

10 [REDACTED]: But [REDACTED], at that time,  
11 they're allowing the Ops Lieutenants to leave  
12 two hours earlier than their shift due to  
13 traffic. So the Ops Lieutenant actually is  
14 leaving at 2:00 as well --

15 [REDACTED]: No.

16 [REDACTED]: -- and then he's being  
17 replaced by [REDACTED] who is, although the  
18 assignment says 4:00, he actually comes in at  
19 2:00.

20 [REDACTED]: So, if -.

21 [REDACTED]: Because [REDACTED] is there,  
22 can [REDACTED] and [REDACTED] both leave?

23 [REDACTED]: Yes, because [REDACTED] is  
24 still in the building.

25 [REDACTED]: Although [REDACTED] doesn't

1 take on Activities shift until 4:00?  
2 [REDACTED]: Until 4 o'clock, correct,  
3 yes.  
4 [REDACTED]: So there can be just one  
5 Ops Lieutenant from 2:00 to 4:00?  
6 [REDACTED]: Yes.  
7 [REDACTED]: Okay.  
8 [REDACTED]: Just like now, there's only  
9 one Ops Lieutenant from 6:00 to 10:00 --  
10 [REDACTED]: Okay.  
11 [REDACTED]: -- by themselves.  
12 [REDACTED]: So, [REDACTED] and [REDACTED], if  
13 they both knew, they didn't notify the Captain  
14 or their relief, what should have happened  
15 next? Should --  
16 [REDACTED]: If they did not -.  
17 [REDACTED]: -- at the 4 o'clock  
18 count, is that when - so you're saying you kind  
19 of could take a little bit of responsibility  
20 but you also believe that you not only notified  
21 your relief, but you also passed it up the  
22 chain, correct?  
23 [REDACTED]: Correct.  
24 [REDACTED]: So now it gets passed up  
25 the chain and nothing happens. When should -

1 what should have happened next with regard to  
2 the cellmate? When should have the next time  
3 this thing have been brought back up? The 4:00  
4 -.

5 [REDACTED]: Whenever - whoever was -  
6 the first person that found out that [REDACTED] was  
7 not coming back, that person should have passed  
8 it down to everybody again.

9 [REDACTED]: And that would have been,  
10 you believe somebody like [REDACTED] or one of  
11 those?

12 [REDACTED]: It could have been [REDACTED].  
13 It could have been R&D that the first person  
14 pretty much, like, "Oh, you know, Reyes is not  
15 coming back." "Okay." Let's say R&D found out  
16 first, then they should have called the Captain  
17 or even they should have just notified the  
18 Lieutenant. If Reyes found out -.

19 [REDACTED]: So R&D would actually go  
20 straight to the Captain?

21 [REDACTED]: Or most likely the  
22 Lieutenant first, then, "Okay, I did my part,  
23 that's pretty much - I did my part, I told the  
24 Lieutenant," that's, the rest is on - it's on  
25 them because I did my part in notifying

1 somebody.

2 [REDACTED]: Now, if we're told that  
3 R&D usually just goes direct to the SHU, does  
4 that sound right to you or do they usually go  
5 first to like the Ops or Activity and then  
6 somebody else -.

7 [REDACTED]: Like inform?

8 [REDACTED]: Yeah, so if they know,  
9 "Hey, Reyes isn't - we now know he didn't come  
10 back, he was released." R&D is the first  
11 person to get that word. What is their typical  
12 procedure? Do they contact both the SHU and  
13 the Lieutenant or do they contact one or the  
14 other?

15 [REDACTED]: Depending who is working.  
16 Sometimes they'll tell both of them, sometimes  
17 they'll call SHU, sometimes they'll just call  
18 the Lieutenant, the Lieutenant calls SHU and  
19 says, "Hey, this guy is not coming back." Or  
20 if they call SHU, then SHU would fix it on the  
21 computer or SHU would call Control, say, "Can  
22 you take [REDACTED] off the count?"

23 [REDACTED]: And would the person that  
24 got contacted in R&D, you said everybody knew,  
25 would the person in R&D know that [REDACTED] was

1 Epstein's cellmate?  
2 [REDACTED]: I would assume they did.  
3 [REDACTED]: And are they on this  
4 form?  
5 [REDACTED]: Are they, no.  
6 [REDACTED]: How would we find out who  
7 was working at approximately 4:00 - what does  
8 their shift go from? You said 2:00 to 10:00?  
9 [REDACTED]: Yes. Think -.  
10 [REDACTED]: How would we find out --  
11 [REDACTED]: There was one that -.  
12 [REDACTED]: -- who was - do we know  
13 who was working --  
14 [REDACTED]: It's -.  
15 [REDACTED]: -- 2:00 to 10:00?  
16 [REDACTED]: They're 6:00 to 2:00 --  
17 [REDACTED]: Not for R&D.  
18 [REDACTED]: -- 2:00 to 10:00 and 12:00  
19 to 8:00, R&D. 6:00 to 2:00, 12:00 to 8:00 and  
20 2:00 to 10:00, that's R&D's schedule.  
21 [REDACTED]: So the 2:00 to 10:00  
22 would be the people that would have found out,  
23 I'm assuming.  
24 [REDACTED]: Yes.  
25 [REDACTED]: How do we find out at

1 this point who was working in R&D from 2:00 to  
2 10:00?

3 [REDACTED]: You would have to get with  
4 an R&D supervisor.

5 [REDACTED]: Who is an R&D supervisor  
6 that we can get with right now?

7 [REDACTED]: Is that [REDACTED]?

8 [REDACTED]: [REDACTED] doesn't know. We  
9 reached out already.

10 [REDACTED]: Oh.

11 [REDACTED]: She said she doesn't know  
12 but wouldn't they keep track of like who worked  
13 -.

14 [REDACTED]: Rosencrance already did and  
15 she didn't seem to know. Is there like a  
16 schedule? Do they keep it somewhere?

17 [REDACTED]: That - because, this is our  
18 schedule and that goes back for years, so.

19 [REDACTED]: That's why I would think  
20 that also R&D would have something similar.

21 [REDACTED]: But with them --

22 [REDACTED]: So let's get with --

23 [REDACTED]: -- they're not -.

24 [REDACTED]: -- [REDACTED], let's ask  
25 her --

1 [REDACTED]: Okay.

2 [REDACTED]: -- about that.

3 [REDACTED]: They're not on our -  
4 they're not on a roster. The only time they  
5 would be on a roster if it's - if they're doing  
6 overtime with us.

7 [REDACTED]: Uh-huh.

8 [REDACTED]: So we could say they do  
9 night off, then we would put them on our roster  
10 for night off.

11 [REDACTED]: Okay. So it sounds like  
12 you have very limited liability because you do  
13 believe, in fact, you not only - and you're  
14 confident you passed it to [REDACTED]?

15 [REDACTED]: I'm very.

16 [REDACTED]: Under oath, like, "Yes, I  
17 did," or is it like, "I believe I did?"

18 [REDACTED]: No, like, very, very, very  
19 confident.

20 [REDACTED]: Like you can actually  
21 recall passing that information?

22 [REDACTED]: Yes. The same thing with  
23 [REDACTED] being there too.

24 [REDACTED]: So you specifically  
25 recall, like almost like you can see, you can

1 remember --

2 [REDACTED]: See --

3 [REDACTED]: -- I said this.

4 [REDACTED]: -- I'm in SHU, [REDACTED] is  
5 walking in, we're there, "Make sure this guy  
6 gets a bunkie." "All right, G."

7 [REDACTED]: You said, "Make sure  
8 Epstein," or, "This guy?" What did you say?

9 [REDACTED]: Well, Epstein

10 [REDACTED]: Okay. And [REDACTED] is the  
11 one that said, "All right, G?"

12 [REDACTED]: Uh-huh.

13 [REDACTED]: All right. And you  
14 believe, although you can't recall with such  
15 clarity, that you passed it to the Lieutenants.

16 [REDACTED]: Correct.

17 [REDACTED]: Okay.

18 [REDACTED]: If [REDACTED] or [REDACTED] or any one  
19 of them turns around and says that, "Hey  
20 listen, you never told them," would they be  
21 lying?

22 [REDACTED]: Most like, I don't think  
23 they would tell you that, but -.

24 [REDACTED]: No, no, but I'm asking, I  
25 said, you know, I have to cover both sides.

1 [REDACTED]: Yeah.

2 [REDACTED]: Would they be lying if they -  
3 .

4 [REDACTED]: They - I strongly believe  
5 they wouldn't tell you that --

6 [REDACTED]: Okay.

7 [REDACTED]: Because, again, it's a  
8 little bit of people, we're always - it was  
9 only us throughout the whole time. So I  
10 strongly, strongly believe that I spoke to -  
11 [REDACTED], I even forgot [REDACTED] was there, but,  
12 [REDACTED] and [REDACTED], yes.

13 [REDACTED]: On the same note, if we ask  
14 the same thing towards [REDACTED] or  
15 [REDACTED] --

16 [REDACTED]: I didn't speak to [REDACTED].  
17 I don't even remember seeing him that day.

18 [REDACTED]: But [REDACTED]?

19 [REDACTED]: But [REDACTED] and  
20 [REDACTED], yes.

21 [REDACTED]: They would say that you spoke  
22 to them about it?

23 [REDACTED]: Yeah.

24 [REDACTED]: Okay.

25 [REDACTED]: Although, if they claim,

1 "Yeah, we know he went but we didn't know that  
2 he was not coming back," that also holds  
3 weight?

4 [REDACTED]: I was actually - because,  
5 again, not everybody has WAB.

6 [REDACTED]: Sure.

7 [REDACTED]: Doesn't -.

8 [REDACTED]: So could have you - could  
9 have a new cellmate been assigned to Epstein  
10 prior to 4:00 p.m.?

11 [REDACTED]: Only if it was confirmed  
12 that Reyes is not coming back.

13 [REDACTED]: But a new cellmate can  
14 not be - so, a new cellmate cannot be assigned  
15 to Epstein until it's confirmed that Reyes  
16 isn't coming back?

17 [REDACTED]: I mean, you could assign  
18 them even with Reyes being there.

19 [REDACTED]: I know, but I'm just  
20 saying, like in this case, that's his cellmate.

21 [REDACTED]: That's his cell. He's -.

22 [REDACTED]: So you -.

23 [REDACTED]: He's keyed into that cell.

24 [REDACTED]: Right.

25 [REDACTED]: So until we know for a

1 fact, "You know what? [REDACTED] is not coming  
2 back, we're going to key him out," then, "Shit,  
3 let's get him -" - now we have from let's say  
4 we found out [REDACTED] left the building at 1  
5 o'clock in the afternoon, we have until 8  
6 o'clock to get him a bunkie because he's in  
7 attorney visit.

8 [REDACTED]: And was it confirmed that  
9 [REDACTED] wasn't coming back while you were on  
10 duty?

11 [REDACTED]: No.

12 [REDACTED]: So no one ever told you  
13 he was not --

14 [REDACTED]: No.

15 [REDACTED]: -- coming back.

16 [REDACTED]: All I saw was that WAB and  
17 I assumed he's not.

18 [REDACTED]: You assumed, but, yeah,  
19 but you didn't - but you be- --

20 [REDACTED]: But I didn't know for sure.

21 [REDACTED]: -- but you didn't believe  
22 you should -.

23 [REDACTED]: Get him a bunkie because,  
24 "Hey, there's still a chance this guy could  
25 come back."

1 [REDACTED]: Okay.

2 [REDACTED]: If I would have known for a  
3 fact, we wouldn't even be here I think.

4 [REDACTED]: And is that the reason  
5 why you told [REDACTED]? Did you also say, "Hey, if  
6 Reyes doesn't come back, get him a bunkie," or  
7 did you just say, "Hey, Reyes isn't coming  
8 back, get him a bunkie?"

9 [REDACTED]: No, I know I didn't tell  
10 him he is not coming back because I didn't  
11 know.

12 [REDACTED]: Right.

13 [REDACTED]: So -.

14 [REDACTED]: So what do you think you  
15 actually said?

16 [REDACTED]: "Hey, you know, if Reyes  
17 doesn't come back, he needs a bunkie."

18 [REDACTED]: Okay.

19 [REDACTED]: Which he already knows  
20 Epstein needs a bunkie.

21 [REDACTED]: And you said that? You  
22 believe you said the same thing to both [REDACTED]  
23 and [REDACTED]?

24 [REDACTED]: Yeah.

25 [REDACTED]: And that would have been

1 probably, believing, [REDACTED] doing his rounds at  
2 about 11:30? Would have that been when you  
3 told him or do you believe you would have  
4 called?

5 [REDACTED]: No, probably when he's  
6 doing his rounds.

7 [REDACTED]: Doing his rounds? And  
8 you said you actually do remember speaking with  
9 [REDACTED] that day?

10 [REDACTED]: [REDACTED], I remember him being  
11 there and just told him, I always talk to him.

12 [REDACTED]: Would it be like talking  
13 to him in the SHU?

14 [REDACTED]: Yeah.

15 [REDACTED]: So both [REDACTED] and [REDACTED]  
16 would have visited -.

17 [REDACTED]: One at a time.

18 [REDACTED]: But they both would do  
19 it?

20 [REDACTED]: They both would have walked  
21 over, yes.

22 [REDACTED]: And are they both  
23 actually required to do it or just one?

24 [REDACTED]: No, they're both required  
25 to do the rounds.

1 [REDACTED]: Oh, they are?

2 [REDACTED]: Yeah.

3 [REDACTED]: All right. I thought it  
4 was one or the other. So looking at that  
5 sheet, was also [REDACTED] on it? Would he had to  
6 have logged in like something, when he did a  
7 round in the SHU? Can you get me that  
8 Lieutenant's log? So both the Activities and  
9 the Ops Lieutenant are both required to do a  
10 round in the SHU.

11 [REDACTED]: Correct. At least once per  
12 shift.

13 [REDACTED]: And that was also the  
14 case in August of 2019?

15 [REDACTED]: Yes. But like on the round  
16 sheets, if one signed it, the other is not  
17 going to sign over it.

18 [REDACTED]: (Indiscernible \*03:15:35).

19 [REDACTED]: There it is.

20 [REDACTED]: It's right here, sorry.

21 [REDACTED]: So is [REDACTED] on this at  
22 all? You can ask, but I don't remember him  
23 there.

24 [REDACTED]: No, he's actually not.

25 [REDACTED]: So --

1 [REDACTED]: Unless -.

2 [REDACTED]: -- should have there been

3 a -.

4 [REDACTED]: Unless because [REDACTED] did

5 it. He didn't do it. Just like on -.

6 [REDACTED]: Because we were told if

7 the Ops Lieutenant is too busy, he just tells

8 Activities Lieutenant to go do it. But you

9 believe --

10 [REDACTED]: I mean - I mean --

11 [REDACTED]: -- they actually both -.

12 [REDACTED]: -- physically and you

13 actually, both Activities and Operations have

14 to walk and do the rounds.

15 [REDACTED]: And you actually - not

16 together though.

17 [REDACTED]: Not together.

18 [REDACTED]: Separately.

19 [REDACTED]: That's - and one or the

20 other fills it in on TRUSCOPE.

21 [REDACTED]: Okay. So is it

22 surprising you to see that [REDACTED] doesn't even

23 have anything logged on this day?

24 [REDACTED]: No, not really.

25 [REDACTED]: No? And does this

1 suggest - when they sign this, does it show  
2 where it was signed from?

3 [REDACTED]: No.

4 [REDACTED]: No? Just they can change  
5 like this -.

6 [REDACTED]: Well, wherever you logged  
7 it from, that, I don't even know how it shows  
8 up somewhere else.

9 [REDACTED]: Okay. Because aren't  
10 they supposed to actually log it from the  
11 actual unit themselves?

12 [REDACTED]: Well, now, if as long as  
13 you do it one, you could log in from  
14 downstairs, let's say the Lieutenant's office  
15 and logged in a unit.

16 [REDACTED]: But are you supposed -  
17 like if someone visits the SHU, aren't they  
18 supposed to actually log the round from the  
19 SHU?

20 [REDACTED]: Yes, log it in the computer  
21 and log it in.

22 [REDACTED]: Yeah, yeah, yeah, that's  
23 what I was - okay. Did I get - so we said the  
24 cellmate - so you said, told at least [REDACTED] and  
25 you remember that specifically. You believe

1 that the other two, [REDACTED] and them, they should  
2 have - once it was actually verified that he  
3 wasn't coming back, that's when it really  
4 should have been done though.

5 [REDACTED]: Correct.

6 [REDACTED]: But we just don't know  
7 exactly when it was verified or how it was  
8 verified.

9 [REDACTED]: Correct.

10 [REDACTED]: And you believe R&D - how  
11 does R&D receive that verification?

12 [REDACTED]: I think through the  
13 Marshals.

14 [REDACTED]: So the Marshals tell them  
15 and then they're supposed to make the proper  
16 notifications? Are they supposed to go, you  
17 said it depends on who is in R&D but they're  
18 supposed to notify the appropriate housing  
19 unit?

20 [REDACTED]: No, they can just call the  
21 housing unit, "Hey, this guy is not coming  
22 back," or call Control.

23 [REDACTED]: And let Control know.

24 [REDACTED]: Correct.

25 [REDACTED]: All right. And do we

1 know who at - let me see that August 9th one -  
2 who in Control - would Control always be in the  
3 loop with that?

4 [REDACTED]: Not really because there's  
5 times that R&D would call SHU and if there's  
6 somebody in SHU that has enough knowledge to  
7 just key him back in, they'll key them back in,  
8 or R&D would key them back in. So now, you  
9 don't need to speak to R&D, I mean, you don't  
10 need to speak to Control because the inmate is  
11 walking back up to SHU and R&D already keyed  
12 him back into the building.

13 [REDACTED]: All right. And then,  
14 what is the - what about like when Noel and  
15 Thomas are working on their morning shift,  
16 should they have recognized that Reyes wasn't  
17 there?

18 [REDACTED]: Definitely by that time  
19 they - by 10 o'clock, it's way after, they  
20 should have known that he's not coming back.

21 [REDACTED]: But I just mean the start  
22 of a new shift now. Now midnight starts a new  
23 shift, we're now on morning watch. Should they  
24 have recognized, "Hey, Epstein is by himself."

25 [REDACTED]: Yes.

1 [REDACTED]: And when and how?

2 [REDACTED]: Yes.

3 [REDACTED]: No, when should have they  
4 noticed and how?

5 [REDACTED]: Right on their first round  
6 on morning watch.

7 [REDACTED]: So, during a round they  
8 should have -.

9 [REDACTED]: You have to do a count at  
10 midnight, so, at that time you should have saw  
11 he was by himself. That's a little light  
12 should have went off in your head saying -.

13 [REDACTED]: So immediately, right  
14 away, midnight, Epstein is by himself. If the  
15 count was done, they would have known, "We've  
16 got to make this notification?"

17 [REDACTED]: Yes.

18 [REDACTED]: And would have they known  
19 that that notification needed to be made?

20 [REDACTED]: Yes.

21 [REDACTED]: And do you believe that  
22 both Thomas and Noel knew that Epstein was  
23 required to have a cellmate?

24 [REDACTED]: They should have known,  
25 yes.

1 [REDACTED]: And how should have they  
2 known?  
3 [REDACTED]: Due to the little paper I  
4 had there and -.  
5 [REDACTED]: Well, the paper said, "Do  
6 rounds," right?  
7 [REDACTED]: And supposedly somebody  
8 else had another paper there saying that he  
9 needed a bunkie, but -.  
10 [REDACTED]: Now, so this - so you  
11 know of a different paper that was -.  
12 [REDACTED]: No, from what you told me  
13 earlier.  
14 [REDACTED]: No, that was somebody  
15 saying that you created another paper saying  
16 that he -.  
17 [REDACTED]: Oh, that I don't remember.  
18 [REDACTED]: So you don't remember  
19 ever creating a paper saying he needed a  
20 bunkie.  
21 [REDACTED]: Maybe I did, but I don't  
22 remember doing it.  
23 [REDACTED]: Okay.  
24 [REDACTED]: I remember this just  
25 because it has the God phrase and it was kind

1 of funny to us.

2 [REDACTED]: Yeah, yeah, yeah.

3 [REDACTED]: But we all know that if an  
4 inmate comes from suicide watch, he has to have  
5 a bunkie.

6 [REDACTED]: And everybody knows that.

7 [REDACTED]: Everybody knows that.

8 [REDACTED]: All right. Any other  
9 questions?

10 [REDACTED]: Just a couple follow ups. Do  
11 you know why [REDACTED] was in the SHU?

12 [REDACTED]: If - I think he got into  
13 a fight or somebody hit him while he was in 11  
14 South.

15 [REDACTED]: So he -.

16 [REDACTED]: On that time.

17 [REDACTED]: So he was put in there for  
18 his own protection or did he --

19 [REDACTED]: Yes.

20 [REDACTED]: -- assault somebody end up in  
21 that?

22 [REDACTED]: So, I think he had a fight  
23 or somebody assaulted him and they both ended  
24 up in SHU.

25 [REDACTED]: What about Reyes?

1 [REDACTED]: [REDACTED], I think it was  
2 because of smoking, I think. No.

3 [REDACTED]: Contraband?

4 [REDACTED]: Yeah, contraband. Nothing  
5 that I can remember.

6 [REDACTED]: You got something else?

7 [REDACTED]: The only other question I  
8 would say is, outside of the SHU, now we got  
9 [REDACTED] and we got [REDACTED] and then we also have  
10 [REDACTED]-[REDACTED] later on. If they were actually  
11 conducting rounds as they should have, would  
12 have they at that time known Epstein was by  
13 himself and needed a cellmate? Should have  
14 they known if they're conducting rounds after  
15 4:00 p.m.?

16 [REDACTED]: Yes.

17 [REDACTED]: So all of them have some  
18 liability then too to know, "Hey, this guy -  
19 where is Epstein's cellmate?"

20 [REDACTED]: Well, maybe at 4 o'clock,  
21 depending what time they did the rounds, no,  
22 because Epstein was always downstairs in his  
23 attorney visit until 8 o'clock at night.

24 [REDACTED]: But if no one is actually  
25 in Epstein's cell, wouldn't they notice that?

1 [REDACTED]: They would notice that it  
2 was empty, but, "Hey, where's Epstein?" "Oh,  
3 he's in -" - because you - people don't ask for  
4 Reyes usually.

5 [REDACTED]: Right.

6 [REDACTED]: "Where's Epstein?" "He's  
7 in his legal visit." "Oh, okay." And the  
8 Lieutenant, the Lieutenant's office is like ten  
9 steps away from the attorney conference so you  
10 would know that Epstein is still there and you  
11 got to approve the out count.

12 [REDACTED]: All right. And when you  
13 were there, do you recall that the Activities  
14 and the Ops Lieutenant were actually conducting  
15 rounds in the SHU?

16 [REDACTED]: I know [REDACTED] for a fact  
17 and then [REDACTED], he always just  
18 walked around to see what was going on.

19 [REDACTED]: Who would?

20 [REDACTED]: [REDACTED].

21 [REDACTED]: So he wouldn't actually  
22 do the -.

23 [REDACTED]: No, he would walk around  
24 just to see what was going on because he --

25 [REDACTED]: What -.

1 [REDACTED]: -- was the SHU Lieutenant  
2 before too.

3 [REDACTED]: What about [REDACTED]?

4 [REDACTED]: [REDACTED], he's always  
5 walking, but I didn't see him that day.

6 [REDACTED]: What about [REDACTED]-  
7 [REDACTED]?

8 [REDACTED]: I know for a fact she  
9 always does her rounds.

10 [REDACTED]: So if she says that she  
11 wasn't required to walk the tier, she just  
12 needed to check in, do you think that - what  
13 would you say to that?

14 [REDACTED]: Maybe she knows something I  
15 don't know. Because, I mean, I'm a new  
16 Lieutenant, I still - I walk around every  
17 range, every tier.

18 [REDACTED]: But when you were the SHU  
19 OIC, you recall all these Lieutenants coming in  
20 and actually walking the tiers?

21 [REDACTED]: Yes, because that round  
22 sheet, on the bottom of it, it says,  
23 "Operations Lieutenant."

24 [REDACTED]: And, yeah.

25 [REDACTED]: If you look at it.

1 [REDACTED]: Yes. And that actually  
2 is for conducting rounds of the tiers, not just  
3 doing rounds with your -.

4 [REDACTED]: In the Special Housing  
5 Unit, correct.

6 [REDACTED]: Yeah, yeah, yeah. I  
7 guess what I'm saying is, some people are  
8 saying, "No, it's, I'm doing a round with my  
9 staff. I'm not doing a round on inmates, it's  
10 the staff's members doing the rounds on  
11 inmates, I'm doing a round with my staff."

12 [REDACTED]: But, again, that bottom --

13 [REDACTED]: That bottom.

14 [REDACTED]: -- little square says,  
15 "Operations Lieutenant," which even if you  
16 don't know anything about it, if you read it,  
17 it says, "Operations Lieutenant."

18 [REDACTED]: Doing a round of the  
19 actual inmates?

20 [REDACTED]: Or does it also mean that  
21 they're certifying that those other rounds by  
22 the COs were conducted?

23 [REDACTED]: It could be that, but  
24 regardless, you got to sign it and go down the  
25 range.

1 [REDACTED]: Yeah, that's where I  
2 wasn't sure if this was signed to make sure  
3 that you guys were doing your job.

4 [REDACTED]: I understand as to make  
5 sure you did your round.

6 [REDACTED]: Okay. Now, let's do  
7 that.

8 [REDACTED]: That the Lieutenant.

9 [REDACTED]: Lieutenant.

10 [REDACTED]: Lieutenant.

11 [REDACTED]: Yes.

12 [REDACTED]: Okay.

13 [REDACTED]: Okay. I'm sure we could  
14 sit here and just pick your brain all day long,  
15 but we've been here a long time, so, are we  
16 missing anything?

17 [REDACTED]: No. That's it. I hope,  
18 you know, everybody takes this as a learning  
19 experience, you're fucking up, stop fucking up.  
20 Excuse my language.

21 [REDACTED]: Now, do you think one  
22 person fucked up more than another in this?

23 [REDACTED]: No, I mean, I think it was  
24 going to happen if you wanted it to happen,  
25 regardless whether rounds were done, whether he

1 had a cellmate, maybe less likely that he would  
2 have with a cellmate, but also, a cellmate  
3 could go to the law library, you know. Thirty  
4 minutes is a long time, 40 minutes is a long  
5 time, so.

6 [REDACTED]: Yeah, so, but you do  
7 believe it's the cellmate thing that would have  
8 actually helped keep him alive.

9 [REDACTED]: I think it would have  
10 helped a little bit.

11 [REDACTED]: Right.

12 [REDACTED]: If he wanted to do it, he  
13 was going to do it.

14 [REDACTED]: Uh-huh. And you think  
15 everybody from the point that you left on plays  
16 a large responsibility in the fact that he  
17 wasn't assigned a new cellmate, especially  
18 since you specifically told people, "Make sure  
19 he gets a bunkie if Reyes doesn't come back."

20 [REDACTED]: I mean, I don't blame  
21 anybody. I think everybody should maybe passed  
22 the information a little more. Maybe it got  
23 lost in miscommunication.

24 [REDACTED]: All right.

25 [REDACTED]: No, that's it.

1 [REDACTED]: But you don't believe  
2 that the people that you told will actually  
3 admit that they were told it?

4 [REDACTED]: Correct.

5 [REDACTED]: Right. And you are  
6 swearing, again, under oath, under penalty of  
7 perjury of law that you did tell them that?

8 [REDACTED]: I'm very, very confident  
9 that I told more than one person.

10 [REDACTED]: And who are you confident  
11 that you told?

12 [REDACTED]: I told [REDACTED], [REDACTED] was  
13 there. Lieutenant [REDACTED] saw Reyes leaving,  
14 but even Reyes we weren't sure -.

15 [REDACTED]: So [REDACTED] actually saw  
16 Reyes leaving?

17 [REDACTED]: He was downstairs, I think,  
18 --

19 [REDACTED]: Okay.

20 [REDACTED]: -- and saw. But, again, I  
21 don't blame anybody and it's just unfortunate  
22 everybody got to go through this.

23 [REDACTED]: Yeah. Okay. You good?

24 [REDACTED]: I'm good.

25 [REDACTED]: Anything else you want to

1 add for us?

2 [REDACTED]: That's it.

3 [REDACTED]: Thank you, sir.

4 [REDACTED]: Thank you for --

5 [REDACTED]: I can't thank you enough.

6 [REDACTED]: -- taking three hours of my  
7 day. What time is it now?

8 [REDACTED]: You got a nice cozy seat,  
9 you know, we gave you the most comfortable one  
10 we had.

11 [REDACTED]: Turn up the heat.

12 [REDACTED]: 4:39.

13 [REDACTED]: All right. It's 4:40  
14 p.m. on Wednesday, July 14, 2021. This is  
15 Senior Special Agent [REDACTED] and I'm  
16 turning off the recorder.

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## CERTIFICATE

I hereby certify that the foregoing pages represent an accurate transcript of the electronic sound recording of the proceedings before the Department of Justice, Office of the Inspector General in the matter of:

Interview of [REDACTED]

[REDACTED]

[REDACTED], Transcriber

























