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DIGITALLY RECORDED
SWORN STATEMENT
OF



OIG CASE #:
2019-010614

DEPARTMENT OF JUSTICE
OFFICE OF THE INSPECTOR GENERAL
SEPTEMBER 1, 2021

RESOLUTE DOCUMENTATION SERVICES
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APPEARANCES:

OFFICE OF THE INSPECTOR GENERAL

BY: [REDACTED]

BY: [REDACTED]

WITNESS:

[REDACTED]

OTHER APPEARANCES:

NONE

1 [REDACTED]: My name is [REDACTED]
2 [REDACTED] and I am a Senior Special Agent with
3 the Department of Justice Office of the
4 Inspector General, New York Field Office. And
5 these are my credentials. This interview with
6 [REDACTED] Federal Bureau of Prisons Lieutenant [REDACTED]
7 [REDACTED] is being conducted as part of an
8 official U.S. Department of Justice Office of
9 the Inspector General investigation. Today's
10 date is September 1, 2021 and the time is 12:22
11 p.m. This interview is being conducted at the
12 Metropolitan Correctional Center located in New
13 York, New York. Also present is DOJ OIG
14 Special Agent [REDACTED]. This interview
15 will be recorded by me, SSA [REDACTED].
16 Could everyone please identify themselves for
17 the record and spell your last name. To start,
18 again, I am DOJ OIG Senior Special Agent [REDACTED]
19 [REDACTED], [REDACTED].
20 [REDACTED]: This is DOJ OIG Special Agent
21 [REDACTED], [REDACTED]. And these are my
22 credentials.
23 [REDACTED]: And then can you say your
24 last name, Ma'am?
25 [REDACTED]: [REDACTED]-

1 [REDACTED].

2 [REDACTED]: Thank you. This is an
3 official DOJ OIG investigation into the death
4 of inmate Jeffrey Epstein and the surrounding
5 circumstances and you're being asked to
6 voluntarily provide answers to our questions.
7 Will you agree to a voluntary interview with
8 the DOJ OIG?

9 [REDACTED]: Yes.

10 [REDACTED]: Thank you. So we have
11 the Warnings and Assurances to Employee
12 Requested to Provide Information on a Voluntary
13 Basis. Sorry. You are being asked to provide
14 information as part of an investigation being
15 conducted by the Office of the Inspector
16 General. This investigation is being conducted
17 pursuant to the Inspector General Act of 1978
18 as amended. This investigation pertains to job
19 performance failure and security failure. This
20 is a voluntary interview. Accordingly, you do
21 not have to answer questions. No disciplinary
22 action will be taken against you if you choose
23 not to answer questions. Any statement you
24 furnish may be used as evidence in any future
25 criminal proceeding or agency disciplinary

1 proceeding or both. And there's a waiver
2 section. It says, I understand the Warnings
3 and Assurances stated above and I am willing to
4 make a statement and answer questions. No
5 promises or threats have been made to me and no
6 pressure or coercion of any kind has been used
7 against me. This is the form if you want to
8 take a look and read it. If you agree, there's
9 a place where you can sign for employee
10 signature.

11 [REDACTED]: You want employee you
12 said?

13 [REDACTED]: Yeah, the employee
14 signature.

15 [REDACTED]: Print your name below that.

16 [REDACTED]: Thank you very much for
17 signing and printing your name. I appreciate
18 that. I'm going to put in the date. Again it
19 is September 1, 2021 and the time is now 12:25
20 p.m. And I am signing as the OIG Special Agent
21 and printing my name.

22 [REDACTED]: This is Special Agent [REDACTED].
23 I'm signing as a witness.

24 [REDACTED]: And you just fill out the
25 rest and say place for MCC. Yeah. All right.

1 And did you understand the form that you were
2 just provided?

3 ██████████: Yes.

4 ██████████: All right. Great. Thank
5 you. Before starting the interview, I'd like
6 to place you under oath. Lieutenant ██████████
7 ██████████, can you please raise your right hand.
8 Do you swear to tell the truth and nothing but
9 the truth during this interview?

10 ██████████: Yes.

11 ██████████: Thank you. Okay. What is
12 your current position with the BOP?

13 ██████████: I'm a Lieutenant.

14 ██████████: Okay. Were you
15 previously interviewed on this investigation on
16 August 14, 2019, and again by myself and
17 Special Agent ██████████ on June 14, 2021.

18 ██████████: I don't remember the
19 dates, but I have been previously interviewed.

20 ██████████: Okay. Great. Thank you.
21 And earlier this summer by the two of us,
22 correct?

23 ██████████: Yes.

24 ██████████: Great. When reviewing
25 your transcript from June 14, 2021, some of

1 your answers were a little unclear and we are
2 here today in hope that we can clear up some of
3 those answers. Is it correct that you worked
4 on August 10th, morning watch shift, at the MCC
5 starting on August 9, 2019 at 10:00 p.m.
6 through August 10, 2019 when you were relieved
7 by oncoming lieutenant at approximately 5:30
8 a.m.? Here's the Friday, August 9th and
9 Saturday August 10th are the daily assignment
10 rosters. And this is - the dates that we're
11 talking about is the day before Epstein was
12 discovered and the day Epstein was discovered.
13 So the Friday and Saturday.

14 ██████████: According to the
15 roster, I worked the morning watch shift on
16 Friday August 9th and Saturday August 10th.

17 ██████████: And at that time, is it
18 correct that the morning watch shift actually
19 started the night two hours prior to what the
20 schedule says. You would actually have started
21 at 10:00 p.m. instead of midnight.

22 ██████████: Those were the times
23 that we relieved each other. Yes.

24 ██████████: Okay. So in this case,
25 so it's specifically talking about your August

1 10th shift. Would have you started on August
2 9th at 10:00 p.m. and that shift would have
3 ended a little before 6:00 a.m. on August 10th?

4 [REDACTED]: Yes. It just depends
5 on what time we're relieved.

6 [REDACTED]: Right.

7 [REDACTED]: Yeah.

8 [REDACTED]: Okay. Now you mentioned
9 to us, but is it true on August 10, 2019, you
10 stayed later than 5:30 a.m.?

11 [REDACTED]: Yes.

12 [REDACTED]: Okay. Do you recall when
13 you left the MCC on August 10, 2019?

14 [REDACTED]: No, I don't.

15 [REDACTED]: Okay. So in your
16 interview in June 2021, you noted that you had
17 heard about Epstein's medical emergency around
18 7:00 a.m. and went up to help with feeding. Do
19 you recall what you would have been doing from
20 approximately 5:30 a.m. until 7:00 a.m.?

21 [REDACTED]: Yeah, I was finishing
22 up my paperwork.

23 [REDACTED]: Paperwork?

24 [REDACTED]: Yes.

25 [REDACTED]: Okay.

1 [REDACTED]: Yep, from the
2 previous shift, yes.

3 [REDACTED]: Okay.

4 [REDACTED]: I was finishing up
5 paperwork.

6 [REDACTED]: And what kind of
7 paperwork do you finish up before you leave?

8 [REDACTED]: We have various
9 paperwork. I don't - I can't remember that
10 night if I had had an incident and was still
11 working on 583 packets. But we had like a
12 report that we had to do every night. I still
13 -. I don't remember exactly what I was doing,
14 but I don't know if I was doing the -. I
15 forgot what it's called now. But it's a - like
16 a report that we do of what happens throughout
17 the day -.

18 [REDACTED]: The lieutenant log?

19 [REDACTED]: That's the count and
20 stuff like that included. It's like a little
21 daily news type thing report.

22 [REDACTED]: Is that the lieutenant
23 log?

24 [REDACTED]: It's not the
25 lieutenant's log. But I could have been making

1 entries into the lieutenant's log as well.

2 [REDACTED]: The daily activity
3 report?

4 [REDACTED]: The daily activity
5 report. Yes.

6 [REDACTED]: Okay. So it's the daily
7 activity report that - at least with ours, we
8 always get it - that goes along with the
9 lieutenant log.

10 [REDACTED]: Yeah, the daily
11 activity report, the log. I might have been
12 still doing changes in the roster at the last
13 minute. Things to that effect.

14 [REDACTED]: Okay. And do you recall
15 what time you were in the SHU helping with
16 feeding? Was this after Epstein's emergency?

17 [REDACTED]: It was after.

18 [REDACTED]: Right. Do you recall for
19 approximately for how long? You said you went
20 up there around 7:00 a.m. to help with the
21 feeding. Do you recall how long you were
22 there?

23 [REDACTED]: I'm not sure how long
24 I was up there because there were no other
25 staff members there. And as other staff

1 members came, it was us - I said I'm going to
2 go because they had additional staff. The only
3 reason why I even stayed up there feeding was
4 to ensure everything was - the feeding was
5 taken care of. Because they didn't have any
6 additional staff up there.

7 [REDACTED]: Okay.

8 [REDACTED]: And I don't know what
9 time additional staff came. I wasn't even
10 really looking at the clock that day. Someone
11 needed to be up there. So I just stayed until
12 they got additional staff up there.

13 [REDACTED]: Do you remember who was
14 there with you when you were feeding?

15 [REDACTED]: I think [REDACTED] was
16 the only person that was there at the time.

17 [REDACTED]: Was [REDACTED] there as well?

18 [REDACTED]: [REDACTED] was there. But
19 [REDACTED] wasn't feeding.

20 [REDACTED]: Okay.

21 [REDACTED]: [REDACTED] was feeding
22 because I want to say it was just them two
23 there.

24 [REDACTED]: Okay.

25 [REDACTED]: So [REDACTED] was

1 downrange feeding by himself. So I went
2 downrange and assisted him with feeding.

3 [REDACTED]: You say the two of you
4 were feeding together?

5 [REDACTED]: Me and [REDACTED]?

6 [REDACTED]: Uh-huh.

7 [REDACTED]: Yes, I believe it was
8 [REDACTED].

9 [REDACTED]: Okay. So it wasn't that
10 you fed on one range and he fed on another?
11 You were actually feeding together when you
12 were there?

13 [REDACTED]: No, we was feeing
14 together because there's only - we only got the
15 two sets of keys.

16 [REDACTED]: Okay.

17 [REDACTED]: So yeah, we was just
18 - we was on the same range.

19 [REDACTED]: Okay. And do you recall
20 what time you left the SHU though? When you
21 were getting relieved?

22 [REDACTED]: I don't recall. I
23 don't know what time it was.

24 [REDACTED]: Would have it been right
25 after feeding? Or do you remember if you

1 stayed there that long?

2 ██████████: I don't think it was
3 -. It wasn't right after. It wasn't
4 immediately after feeding because like I said,
5 there was nobody there. So and then ██████
6 eventually - she eventually left. I think by
7 the time we were finishing up feedings there at
8 some point I think she left. And a couple of
9 staff came. And then some of them ended up
10 having other things to do because we were so
11 shorthanded.

12 ██████████: Sure.

13 ██████████: During that time that
14 there was just nobody. We didn't' have any
15 bodies.

16 ██████████: Sure. Do you remember
17 though, putting yourself back into that day, do
18 you remember what you would have done after the
19 feeding?

20 ██████████: I don't remember what
21 I did. If I wasn't finished with what I was
22 doing, I finished that up and I'm sure I went
23 home.

24 ██████████: No-no-no. I'm sorry.
25 When you were in the SHU. Do you remember -?

1 I'm talking specifically about the SHU right
2 now. After the feeding was done, you and
3 [REDACTED] were done. Do you remember if you did
4 any other tasks or anything while you were in
5 the SHU?

6 [REDACTED]: I don't remember if -
7 . I don't remember. I don't remember doing
8 anything else because we fed and then you go
9 the grace point where you're waiting to see -
10 waiting for the inmates to finish so you can
11 get the things from them. But no. No.
12 Nothing in particular comes to mind from like
13 that.

14 [REDACTED]: Okay.

15 [REDACTED]: You mentioned you would have
16 finished up whatever you were - that you didn't
17 get a chance to complete. What was it that
18 you're talking about? You said that after the
19 feeding, you would have finished up whatever
20 else that you couldn't get a chance to
21 complete. You would have finished up -.

22 [REDACTED]: Right. Like if I had
23 - if there was work that I still needed -
24 paperwork that I still needed to get done or do
25 or something like that for my shift. I would

1 have finished that up if that was still due. I
2 don't even know if I even -. I don't -. I
3 don't know if I came and got my stuff and left
4 or if I finished doing the paperwork. I don't
5 know in what order I did that.

6 ██████████: Okay. So from our end,
7 we had to review like all the emails and stuff
8 you know for everybody. And see what was going
9 on especially with the daily activities - what
10 we just talked about - the daily activities
11 report and with the lieutenant's log. So this
12 is the email that you sent out. I guess this
13 is what you - maybe you were working on. The
14 daily activity report.

15 ██████████: Okay.

16 ██████████: As well as the
17 lieutenant's log that was attached. This was
18 sent out at 9:26 a.m. on August 10th.

19 ██████████: Okay.

20 ██████████: So do you believe that
21 may have been what you were working on?

22 ██████████: Like I said, like I
23 said previously, if I was - if I had additional
24 paperwork to do, it was the daily log and
25 probably my lieutenant log or something to that

1 effect. I don't -. Because I can't remember
2 if I had a 583 packet that I was working on.

3 [REDACTED]: Okay. And then what time
4 are these emails with the daily activity report
5 and lieutenant's log. What time are they
6 typically sent out in the mornings?

7 [REDACTED]: Whenever we finish
8 them. I mean we try and have them done before
9 the end of our shift. But at that particular
10 time because we didn't have any bodies. And
11 everything took longer. There were times when
12 - sometimes you had things that you didn't
13 expect. Or rounds or something like that took
14 longer. Hiring overtime or something like that
15 took longer. That everything didn't get done.

16 [REDACTED]: Okay.

17 [REDACTED]: And plus, you know,
18 when you're making rounds -. We were so short
19 and officers were doing so many - officers were
20 being mandated every day during that time. And
21 they have been being mandated every day - five
22 days a week - for months by then. That the
23 officers, you know, they were so tired and
24 exhausted that you spent an additional amount
25 of time talking to them and making sure that

1 they were okay. So everything just ran on.

2 ██████████: Okay. So the part - the
3 reason why we're asking is we have - we looked
4 at all the other lieutenant logs that were -
5 this is stapled - sorry. So here, we looked,
6 you know leading up to it. So here's the one
7 you sent from Tuesday, August 6th. It was sent
8 out at 5:16 a.m. And you sent one out of
9 Wednesday, August 7th at 5:03 a.m. You weren't
10 - we didn't find Thursday's but then you sent
11 one out on Friday, August 9th at 5:11 a.m. So
12 this one is Saturday. This one was at 9:26
13 a.m. And then Sunday's was sent out at 6:15
14 a.m. And then Monday's August 12th, again at
15 6:30 a.m. So just does this help you recall
16 what could have possibly been happening? I
17 know you said you went up at 7:00 a.m. to help
18 with the feeding. So do you know what you
19 would have been doing up until that 7:00 a.m.
20 hour? Being that all these were sent out, you
21 know, anywhere from as early as 5:00 a.m. to as
22 late as, you know, 6:30, 6:30 something a.m.

23 ██████████: I'm sure I was still
24 working.

25 ██████████: Or 6:36 a.m.

1 [REDACTED]: Whatever I was doing,
2 it was pertaining to work. I wasn't sitting
3 here. When I got relieved, if all of my stuff
4 was done, I would have left the building. That
5 would have been no reason for me to be here.

6 [REDACTED]: Sure.

7 [REDACTED]: And I wouldn't' have
8 wanted to be here.

9 [REDACTED]: Mm-hm.

10 [REDACTED]: So I was working on
11 work that I needed to complete during that
12 time.

13 [REDACTED]: So what other - other
14 than the activities log and lieutenant log,
15 what were the other things you said that you
16 would be doing?

17 [REDACTED]: I mean I don't know
18 specifically what I would have been doing on
19 that day. Or I don't even recall everything
20 that happened during the course of that day.
21 You know to even sit here and try and -.

22 [REDACTED]: Sure.

23 [REDACTED]: Conjure up an answer
24 for you to tell you, you know.

25 [REDACTED]: But typically, at that -

1 around that time though, what would you
2 typically be working on aside from the daily
3 activity report and lieutenant's log?

4 ██████████: It would be - I would
5 be filling overtime. I would be -. There were
6 a number of things that I could have been
7 doing. I could have been talking to staff or
8 somebody on the phone about something that was
9 going on. It could have been anything. It
10 could have been anything.

11 ██████████: Okay. This is the daily
12 activities report and lieutenant's log from
13 August 10th and August 11th. So these are the
14 ones that we just discussed that were in those
15 emails. If you can flip to the actual
16 lieutenant's log. Would you during your shift
17 be reviewing the lieutenant's log and be
18 constantly filling it out as well as the, you
19 know, what happened prior to your shift?

20 ██████████: I don't -. I
21 wouldn't necessarily -. I have to look at what
22 occurred prior to my shift unless -. Usually -
23 . When I did that, in order to fill this out -
24 the daily activity report. In order to do
25 this, sometimes I would reference the

1 lieutenant report if I didn't get a pass down
2 or something like that just to make sure that
3 the information that I felt should be included
4 in this should be documented. But as far as to
5 just look at the lieutenant's log prior to me
6 arriving for - if I wasn't looking for
7 something. Yeah.

8 [REDACTED]: So the only time you
9 really reviewed the lieutenant's log is if like
10 you need to go back and look for things?

11 [REDACTED]: If I was -. Yeah.
12 If I wanted to look at the information to see
13 if there was something that they documented
14 that they didn't tell me prior to them leaving
15 and shift change or something like that.

16 [REDACTED]: And did you - would you
17 typically, if you're going back and reviewing
18 the lieutenant's logs from the previous shifts,
19 would you modify those as well?

20 [REDACTED]: No.

21 [REDACTED]: You don't ever do that?

22 [REDACTED]: No.

23 [REDACTED]: All right. So you
24 wouldn't have gone back and modified like a,
25 you know, August 9th that night watch or the

1 day watch.

2 [REDACTED]: If there was
3 something that occurred between 10:00 and
4 12:00, since the shift officially ended at
5 12:00. Like the count or something like that.
6 I would put that in. But that never - I don't
7 even remember when that would have occurred. I
8 mean that was rare if any that that would
9 occur.

10 [REDACTED]: Now would you be
11 authorized though to make changes to the
12 lieutenant's logs for the shift -?

13 [REDACTED]: That's not making
14 changes. That's adding stuff to it.

15 [REDACTED]: No, I'm saying prior to.
16 So you came on at 10:00 p.m., so going to the
17 4:10 p.m. are you allowed to -? And I'm asking
18 this as a genuine question. Are you allowed to
19 make modifications or changes to the
20 lieutenant's logs prior to when you came on
21 board?

22 [REDACTED]: That wouldn't be
23 considered a modification or a change. That
24 would be additional information that occurred
25 during that time to the log.

1 [REDACTED]: Okay.

2 [REDACTED]: Say the count.

3 [REDACTED]: Right.

4 [REDACTED]: They - if the officer
5 - if the lieutenant wasn't there by the time
6 the 10:00 count cleared. You know. There were
7 times when I would go in and put the time that
8 was the count cleared or something to that
9 effect.

10 [REDACTED]: Okay. What about
11 changing like the count numbers or things like
12 that?

13 [REDACTED]: If something
14 happened. If an inmate left or something like
15 that - there was a reason why they need to be
16 changed in order for the information to be
17 accurate. Yeah. I mean if something like that
18 would have occurred. But like I said, there
19 was really -. I don't remember offhand this
20 late in - at this time - of an instance when I
21 would have to change that.

22 [REDACTED]: Sure. So do you recall
23 when -?

24 [REDACTED]: I would have to
25 change the count to cause that.

1 [REDACTED]: During your interview in
2 June of 2021, just a few months ago, you had
3 mentioned that you were the one that caught an
4 - a discrepancy -.

5 [REDACTED]: The inmate that was
6 in R&D.

7 [REDACTED]: Correct.

8 [REDACTED]: Mm-hm.

9 [REDACTED]: So that kind of changed
10 the counts to everything.

11 [REDACTED]: Right.

12 [REDACTED]: So that's what I'm
13 talking about. So for instance, where I'm
14 pointing to on this like Friday, August 9,
15 2019, all these different count numbers. Would
16 have you then gone back and revised all these
17 count numbers?

18 [REDACTED]: It depends on what it
19 effected.

20 [REDACTED]: Okay.

21 [REDACTED]: People as - I think
22 on the roster, the only count that is on there
23 is the institution count and Ten South count.
24 So unless something changed to those. But the
25 inmate that was in R&D wouldn't have changed

1 the institution count. The count would have
2 remained the same.

3 [REDACTED]: I'm sorry, can you say
4 that again?

5 [REDACTED]: The count. The
6 inmate that was -. If you're referring to the
7 inmate that was --

8 [REDACTED]: In R&D.

9 [REDACTED]: -- in R&D.

10 [REDACTED]: Correct.

11 [REDACTED]: That wouldn't have
12 changed the institution count. The institution
13 count would still remain the same.

14 [REDACTED]: The overall -.

15 [REDACTED]: If the institution
16 count was 600, the changes that we have to make
17 to - make corrections to his assignment
18 wouldn't have changed -.

19 [REDACTED]: Well it would have
20 changed with what I'm pointing to is the SHU
21 count.

22 [REDACTED]: That is Ten South's
23 SHU count. Let me see.

24 [REDACTED]: So the SHU count, where
25 it says 75 and then slash the 5 might be Ten

1 South.

2 [REDACTED]: Okay. Okay.

3 [REDACTED]: But the SHU count.

4 [REDACTED]: Okay. That would
5 have -. It would have changed the -. It would
6 have changed the SHU count if it hadn't have
7 been changed previously.

8 [REDACTED]: So then would you recall
9 if you went in and actually made these changes
10 to make this accurate?

11 [REDACTED]: I mean if it was
12 wrong. I probably did. Offhand, I can't tell
13 you if I actually went in there and changed it
14 from what it previously was. Because I don't
15 know - sitting here today, I couldn't tell you
16 what the count was on that day.

17 [REDACTED]: Okay. Do you remember if
18 you went in here and there's a - a line in here
19 - let me see - earlier in the day. Let me just
20 highlight some things so you don't have to find
21 it. Okay. So we can just go through this. I
22 highlighted them so you don't have to be
23 searching. Do you know if you made this
24 addition or change with regard to [REDACTED] being
25 pre-removed. So it was at 8:38 a.m. [REDACTED] to

1 pre-remove?

2 [REDACTED]: Oh, no. I don't know
3 why I would be doing that.

4 [REDACTED]: No, you wouldn't have
5 added that pre-remove?

6 [REDACTED]: At 8:30 the
7 lieutenant - the day - the lieutenant for the
8 day would have still been there.

9 [REDACTED]: So you believe
10 whoever the - would that be day watch - whoever
11 the day watch lieutenant was - that would be
12 the person that would add that?

13 [REDACTED]: I can tell you who
14 did it. It's on the day watch roster. But I
15 couldn't sit here and give you an honest answer
16 as to who made that change.

17 [REDACTED]: But it wasn't you?
18 You wouldn't have done that?

19 [REDACTED]: There would have been
20 no reason for me to change an 8:30 entry on day
21 watch.

22 [REDACTED]: Okay. And whose
23 responsibility would that have been?

24 [REDACTED]: I don't even know who
25 was working that day.

1 [REDACTED]: Sure. I'm not saying.
2 I'm saying like what position would it have
3 been like the activities or the ops lieutenant?

4 [REDACTED]: I can tell you who's
5 responsible for doing the roster. And it could
6 be either the operations or the activities.

7 [REDACTED]: Okay.

8 [REDACTED]: You would have to ask
9 the people who were assigned that day about
10 that because --

11 [REDACTED]: Sure.

12 [REDACTED]: -- I would only be
13 guessing. So I don't know.

14 [REDACTED]: So the person who put
15 that in there probably would have been the
16 activities or the operations lieutenant for the
17 day watch that would have been working when
18 this happened? Is that correct?

19 [REDACTED]: I'm going -. Because
20 it's their roster. But quite honestly, I
21 couldn't tell you who did it. I really can't.

22 [REDACTED]: Yeah-yeah-yeah. I know.
23 and I'm not asking - I'm asking you who would
24 be responsible. I was asking first if you did
25 it and you said you didn't.

1 [REDACTED]: I could tell. Day
2 watch is responsible for their rosters.
3 Evening watch is responsible for their
4 lieutenant rosters. And morning watch is
5 responsible for their --

6 [REDACTED]: Okay.

7 [REDACTED]: -- rosters.

8 [REDACTED]: What about -? So

9 [REDACTED] was the inmate that you discovered in
10 R&D that you told us about after midnight. So
11 are you the one then on this roster that put in
12 that information about [REDACTED] saying, it
13 says, I/M. [REDACTED] on dry cell with staff
14 watch in R&D. And then down here at 3:15 p.m.
15 same thing. I/M. [REDACTED] placed on dry cell
16 from [REDACTED].

17 [REDACTED]: I don't know if I did
18 that.

19 [REDACTED]: Because you said you were
20 the one who discovered him in R&D, right?

21 [REDACTED]: I didn't discover him
22 in R&D. He was already in R&D.

23 [REDACTED]: Right, but he was -.

24 [REDACTED]: I was informed that
25 he was in R&D. I didn't discover him. It

1 wasn't like he was in there unattended.

2 ██████████: Right.

3 ██████████: I mean he --

4 ██████████: No-no-no.

5 ██████████: -- didn't get there
6 by himself.

7 ██████████: But he wasn't ever placed
8 in R&D. His - the count - he was still counted
9 in the SHU up until you made the change that
10 you told us about after midnight.

11 ██████████: The thing with the
12 inmate in R&D was that the officers were
13 notifying me that there was an inmate in R&D.

14 ██████████: Who was telling you this?

15 ██████████: The officers up in
16 SHU.

17 ██████████: Okay.

18 ██████████: And they weren't sure
19 how the inmate was to be counted I think it
20 was. And I didn't know that the inmate was in
21 R&D. So I was like well let me get a little
22 bit more information on what's going on. You
23 know, before I determine what we're going to do
24 because I don't know the status. We have - as
25 far as I know, there could be - it could have

1 been a new commit in R&D or something to that
2 effect that was going back - that was being
3 placed in the unit or something like that.

4 ██████████: So this is going to be to
5 help you kind of recollect what we talked
6 about. Here's the daily log. And on the third
7 page it shows that -.

8 ██████████: He was changed from
9 SHU to R&D or something like that.

10 ██████████: This is actually ██████.
11 So here's the ██████ one. It shows that -
12 yeah, he was - this is when - and I believe
13 you're the one who told us that you did this.
14 But on 8/10/2019, he was moved from SHU and
15 placed in R&D. So here's the inmate history -
16 the quarters - for ██████.

17 ██████████: Okay.

18 ██████████: And you had mentioned
19 before that this is during the count, you
20 realized that the count was off, so you had to
21 make that change.

22 ██████████: We have to move him
23 from SHU and place him in R&D. Yes.

24 ██████████: Correct. So when you did
25 that, did you go back? Or at some point during

1 your shift did you - or after your shift - just
2 in general - did you make the additions to
3 ██████████ with - up here - ██████████ being on
4 dry cell and R&D. And then here ██████████
5 being placed on dry cell from ██████.

6 ██████████: I don't remember if I
7 did that.

8 ██████████: Is that something you
9 would have done?

10 ██████████: It depends on what
11 was already in the log. I don't -. I don't
12 know. I don't. I mean -. It would have
13 depended on what was in log. I don't even know
14 if I went back to the log to see what was
15 reflected in the log. Because as long as I
16 made the change on my shift, I don't know -. I
17 mean I don't mess with people's logs. So as
18 long as I make the change on my shift and made
19 sure that it reflected correctly on my shift, I
20 can't see going back looking at what somebody
21 else wrote on their sheet.

22 ██████████: Okay. So the reason why
23 we think maybe you did - and we're just asking
24 if it was you who may have did it - because if
25 you notice, when you came on the end of your

1 shift. You said 10:00 p.m. About 12:00 a.m.
2 when he was relieved the duties by [REDACTED], it
3 says there are 72 inmates in the SHU. And then
4 on August 10th at the beginning of the shift,
5 it shows that there were 73 inmates in the SHU
6 being because [REDACTED] was moved at 12:35.
7 One SHU correction, [REDACTED], dry cell, RA.

8 [REDACTED]: Okay. So what are
9 you saying?

10 [REDACTED]: So I'm asking if you made
11 the changes.

12 [REDACTED]: No -.

13 [REDACTED]: -- to the August 9th.

14 [REDACTED]: I don't - I don't
15 know. I don't know if I did or not.

16 [REDACTED]: So you don't recall if
17 you made these changes or if you added -?

18 [REDACTED]: Today from that day
19 to this one, no I don't recall.

20 [REDACTED]: Because this - is it true
21 that this number right here 72 should it say 72
22 here? Why would this one say 72 but this say
23 73?

24 [REDACTED]: What do you mean?

25 [REDACTED]: So at the end -.

1 [REDACTED]: What date is this?

2 [REDACTED]: This is August 9th at -
3 it's going into August 10th. So I guess at
4 11:59. But on this it says, "clear institution
5 count 10:43 p.m. - 72."

6 [REDACTED]: Oh, because it -
7 because at 12:00 when I came in, that was the
8 count that was noted.

9 [REDACTED]: Yeah, well --

10 [REDACTED]: 73.

11 [REDACTED]: -- but these counts also
12 on the count slip in the E1 was 73, but someone
13 must have gone back and changed it to 72.

14 [REDACTED]: Okay. I don't know if I
15 did that.

16 [REDACTED]: Okay. Was that something
17 you would have done? We're just trying to
18 figure out why are these numbers not showing
19 what the institution count says.

20 [REDACTED]: I can't tell you
21 that. Because like I said, I'm concerned about
22 what's on my roster. If my roster reflects 73
23 at 12:00, why would I in turn go back and
24 change the previous day's count to 72? That
25 doesn't make any sense.

1 ██████████: Well that's what we're
2 trying to figure out because --

3 ██████████: Okay, well I --

4 ██████████: -- these counts aren't
5 matching up with what the Els were saying or
6 what the counts slips were saying.

7 ██████████: Okay, well I can't
8 help you with that.

9 ██████████: So we're just - since
10 you're the one who figured out that ██████████ -
11 he was being counted in the SHU up until this
12 point. He was - according to this roster, this
13 lieutenant log, at 3:15, he was moved. Well he
14 was never moved on any of the count slips or
15 any of the Els or any of that. He was always
16 being counted in the SHU. Although, the
17 lieutenant's log is showing that he wasn't. So
18 the lieutenant logs are saying one thing but
19 the El and the count slips are saying something
20 different. So we're trying to figure out who
21 went back and changed these numbers? Who went
22 back and made these additions. The only
23 logical explanation would be since you're the
24 one who actually coded him from the SHU to R&D,
25 the thought is, oh you must have. You must

1 have went back and corrected everything.

2 [REDACTED]: I don't know how you
3 came to that conclusion that it was me when -.

4 [REDACTED]: Because he's completely -
5 . Okay, sorry. I didn't want to interrupt
6 you. When what?

7 [REDACTED]: When my beginning
8 counts say 73 and five, so why would I go back
9 to day watch or some other shift --

10 [REDACTED]: Well because you started
11 at --

12 [REDACTED]: -- and change their -
13 ?

14 [REDACTED]: -- 10:00 p.m. The 10:00
15 p.m. count shows 72.

16 [REDACTED]: Okay. So maybe
17 somebody went back and changed what I said.
18 Maybe they changed something that I wrote. I
19 mean -.

20 [REDACTED]: Why would have they
21 changed what you wrote? You're the one who
22 discovered it. You have entered in one
23 correction, [REDACTED] to dry cell, brings it
24 down to that 72 number down to 72. These
25 numbers never showed 73. It said 72.

1 [REDACTED]: Because this is what
2 he had - 72. That is what he had. He had 72
3 and five before I came on duty. He had 72 and
4 five.

5 [REDACTED]: Okay. Here's the 10:00
6 p.m. count - 73. And this was - you were there
7 for that, right?

8 [REDACTED]: The 10:00 p.m. count
9 is already in progress by the time I get there.

10 [REDACTED]: Right.

11 [REDACTED]: A lot of the times.

12 [REDACTED]: But it was at 10:30 p.m.
13 is when it was cleared. And on the
14 lieutenant's log, the 10:43 p.m. clear
15 institution count announced, it says 72.

16 [REDACTED]: You said at -. Mind
17 you, I wasn't even aware that this dude was in
18 R&D until I was taking the 12:00 count. That's
19 when they notified me that there was an inmate
20 in R&D. That's when I started looking into all
21 of this stuff.

22 [REDACTED]: Okay. So on that note,
23 you said that's when you started looking into
24 the stuff. We have - on this 10:00 p.m. count,
25 you notice on all the count slips, they're all

1 count slips are crossed off. These count slips
2 are not. So the R&D count slip is not crossed
3 off. The SHU count slip is not crossed off.
4 When we talked to the [REDACTED], who says - was
5 doing the count slip, who was doing the count,
6 he said this -. It says 9S plus one. And this
7 73 plus one, would never have -. He would have
8 never written that without the approval of the
9 ops lieutenant if he actually wrote that.

10 [REDACTED]: Okay. Well you
11 probably should ask him what ops lieutenant
12 gave him the approval to do that.

13 [REDACTED]: Well you were the only
14 ops lieutenant on duty.

15 [REDACTED]: I did not find out
16 anything about this inmate being in R&D until
17 the 12:00 count.

18 [REDACTED]: Okay. So at 12:00, we've
19 talked to the people that were in the SHU. And
20 they said they never had such a conversation
21 with you. So the thought is maybe you had the
22 conversation at 10:00.

23 [REDACTED]: No. Look, no. No.

24 [REDACTED]: We're just trying to put
25 the pieces together because it doesn't make

1 sense --

2 [REDACTED]: Okay, well -.

3 [REDACTED]: -- by looking at all this
4 stuff.

5 [REDACTED]: Okay, well you're not
6 going to put the pieces together by speculating
7 because I didn't find out -. And to be honest
8 with you, I think it was [REDACTED]. [REDACTED] was
9 the one who brought it to my attention.

10 [REDACTED]: [REDACTED] said he never did.

11 [REDACTED]: Okay.

12 [REDACTED]: He never had a
13 conversation with you.

14 [REDACTED]: Okay. Well. [REDACTED]
15 may not remember. But I didn't talk to anyone
16 at 10:00 about this one plus inmate. That -.
17 When we was taking the 12:00 count, that's when
18 this came up about the inmate being in R&D or
19 whatever, which is why the changes occurred at
20 12:00.

21 [REDACTED]: Okay. Because yeah, I
22 mean --

23 [REDACTED]: I don't even --

24 [REDACTED]: -- when we last talked
25 you said that you had - you know, you had to go

1 back and do a lot of things in order to make
2 the changes and make sure that he was in R&D.
3 Well this E1 was printed out at 00:35:17,
4 where's the MA Quarter History? There it is.
5 The change was made at 00:35.

6 [REDACTED]: Right, after the
7 12:00 count.

8 [REDACTED]: So 12:00 count, the E1 is
9 printed out the exact same minute that the
10 change was made. So if you had to verify these
11 things, how is the E1 printed out at 00:35 and
12 the quarter - the change made from him going
13 from the SHU to R&D also at 00:35.

14 [REDACTED]: We have to do a new
15 E1 when the count changes.

16 [REDACTED]: Okay.

17 [REDACTED]: When the count is
18 effected, we have to run a new E1.

19 [REDACTED]: All right. So then you
20 would have -.

21 [REDACTED]: To reflect the
22 change.

23 [REDACTED]: So you were able to that
24 quickly during this count be able to like
25 figure all that out rather than -. And the

1 theory that we have is that - and I don't know
2 that there's anything wrong with this. We just
3 need to put the pieces together.

4 [REDACTED]: I can't help you put
5 the pieces together because --

6 [REDACTED]: Do you know -?

7 [REDACTED]: -- what I'm telling
8 you is that at 12:00, when I was taking the
9 12:00 count, that was the count that I always
10 took for the most part, because I was busy
11 doing overtime trying to fill overtime and
12 stuff like that when I first got in. So the
13 first count that I would have taken was the
14 12:00 count. That's when it came to my
15 attention. That's when I happened - after I
16 figured out what was going on - that's when we
17 did the change in the computer so that it would
18 reflect the accurate count. I would never have
19 someone turn in a count slip with seven plus
20 something on there. That's not even how the
21 count slip - that I'm accustomed to doing - is
22 done.

23 [REDACTED]: Okay, so do you mean for
24 this 10:00 p.m. count, you know nothing about
25 this 9S plus one or this 73 plus one?

1 [REDACTED]: No.

2 [REDACTED]: You've never seen those
3 before?

4 [REDACTED]: No.

5 [REDACTED]: No? Okay. So per [REDACTED],
6 who said that he got the approval of the ops
7 lieutenant - yourself - to do that, he's lying
8 to us?

9 [REDACTED]: I never gave anyone
10 the approval to do 70 something plus something
11 on a count slip. Because I didn't even know
12 that the inmate was in R&D before the 12:00 -
13 before I went into control --

14 [REDACTED]: Okay.

15 [REDACTED]: -- to take the 12:00
16 count.

17 [REDACTED]: And are you sure you
18 talked to [REDACTED] and not potentially [REDACTED]
19 at 10:00 p.m.?

20 [REDACTED]: I don't think it was
21 [REDACTED].

22 [REDACTED]: Because [REDACTED] was
23 working at 10:00 p.m. and [REDACTED] is one of
24 the individuals who was listed on the 10:00
25 p.m. count. [REDACTED] and [REDACTED]. [REDACTED] didn't'

1 come in until 12:00 a.m. [REDACTED] does not
2 recall ever having a conversation with you.

3 [REDACTED]: Okay, well that
4 doesn't surprise me. I mean [REDACTED] has
5 witnessed a traumatic event. I mean - and
6 you're talking about a timeframe that was
7 several years ago. I'm telling you what I just
8 said. Now if the pieces doesn't fit or if
9 you're speculating somehow that, you know, I
10 did all of this, then I don't know what I can
11 do to change your mind.

12 [REDACTED]: No-no-no.

13 [REDACTED]: I'm telling you. I'm
14 telling you. You asked me a question. I've
15 given you an answer. And I would prefer to
16 move on.

17 [REDACTED]: Okay. So to wrap it up
18 then, what you are saying is you had no
19 involvement with the 10:00 p.m. count?

20 [REDACTED]: I did not having
21 nothing to do with the 10:00 p.m. count as far
22 as the count slips and in reference to this
23 inmate being in R&D. Because I wasn't even
24 aware that we had an inmate in R&D. And most
25 especially to the point whereby he wasn't

1 already moved or whatever. Changes to his
2 status hadn't even been moved.

3 ██████████: And do you know if ██████
4 or anyone else would have gone back to - after
5 you made the discovery - would they have gone
6 back and wrote in this 9S plus one?

7 ██████████: I don't -.

8 ██████████: And this -.

9 ██████████: I -. Why would I
10 even -? If I didn't know it was happening, why
11 would I have any reason to believe that?

12 ██████████: Well the reason why I'm
13 asking is obviously because like I showed you
14 before on the daily activities lieutenant - or
15 the daily log - the lieutenant's log - it shows
16 73 when you - your shift technically started on
17 paper at 12:00. But at 10:00 p.m. it showed
18 72. But again, at 10:00 p.m. we got a count
19 slip that says 73 and now plus one. And we
20 have an E1 that says 73. So someone made
21 changes. So someone made changes. We're just
22 trying to figure out who made these changes.
23 Because you're the only one that would have
24 access to the lieutenant's log. And you didn't
25 send out the lieutenant's log --

1 [REDACTED]: I'm not the only
2 person --

3 [REDACTED]: -- and activities report
4 -.

5 [REDACTED]: -- who has access to
6 the lieutenant's log.

7 [REDACTED]: But from -.

8 [REDACTED]: Every -. Every -.
9 Every - there's a lot of people who have access
10 to the lieutenant's log.

11 [REDACTED]: But that's what we
12 covered in the beginning. You said that you
13 were probably working on the activities report
14 and lieutenant's log. And you didn't send it
15 out this day until 9:26 a.m.

16 [REDACTED]: Let me tell you
17 something.

18 [REDACTED]: -- on August 10th.

19 [REDACTED]: I could go to the - I
20 could go and access the lieutenant's log right
21 now and make changes to it. From however long
22 ago those lieutenant logs were in the computer.

23 [REDACTED]: Yeah, well --

24 [REDACTED]: Okay?

25 [REDACTED]: -- this one we have your

1 email where you sent it out. So we know the
2 exact lieutenant's logs that you sent out
3 because we have them. That's why I showed you
4 the emails.

5 [REDACTED]: Okay. Between the
6 time that I sent those logs out and the next
7 day, so anybody who have access to those
8 lieutenant's log could have made changes to
9 them.

10 [REDACTED]: Isn't it true they're on
11 a shared folder that only the lieutenants have
12 access to?

13 [REDACTED]: Anyone who had -
14 everyone who has access to those lieutenant's
15 logs, at any point in time can go in there and
16 make changes to it.

17 [REDACTED]: So on the morning watch,
18 who has access to the lieutenant's log?

19 [REDACTED]: It depends on who is
20 in the building.

21 [REDACTED]: So you're the highest
22 ranking official as the ops lieutenant in the
23 building, right?

24 [REDACTED]: If I'm here, well we
25 all - I mean we all know that I have access to

1 the rosters. But I'm not the only person who
2 have access to the lieutenant's logs. There
3 are other people in this building who have
4 access to the lieutenant's account that has
5 access to the lieutenant's log.

6 ██████████: But the captain wasn't
7 here in the morning - on the morning watch.

8 ██████████: How do you know those
9 changes was even made on morning watch?

10 ██████████: You sent out the email at
11 9:26.

12 ██████████: Okay. You talking
13 about the day before the day watch and all of
14 this other stuff. So.

15 ██████████: No, I'm talking about on
16 August 10, 2019, at 9:26 a.m., where it was
17 always sent out at like almost closer to 5:00
18 a.m. the days before, and you even said, I was
19 probably working on the activities report and
20 the daily lieutenant's log.

21 ██████████: My lieutenant's log.

22 ██████████: Right. So the thing that
23 you sent out was - you sent out both of these.

24 ██████████: All the logs for that
25 day is sent out. That's something that they're

1 the first day.

2 [REDACTED]: Correct. But the big
3 thing that was discovered on your shift had to
4 do with [REDACTED]. [REDACTED] was always - the
5 whole day on August 9th - including the 10:00
6 p.m. count - was still keyed into the SHU. He
7 was never keyed out of the SHU and placed into
8 R&D even though we have R&D count slips.
9 There's nothing on the Els that say anything
10 about R&D - about him being in R&D - it's only
11 that he's ever been in the SHU. So we're just
12 trying to figure out. You sent this out. Your
13 email - it was your email. You're the one who
14 sent this out. So the fact that you were
15 working on it and you sent it out, you're the
16 only one there that had access to it from 10:00
17 p.m. to 6:00 a.m. that we are aware of. Who
18 else could have made those changes?

19 [REDACTED]: What changes - what
20 changes are you talking about?

21 [REDACTED]: We're asking about, like
22 I said, this addition saying [REDACTED] was on
23 dry cell at - you must have done this one at
24 12:35 a.m. -.

25 [REDACTED]: Oh my God.

1 [REDACTED]: And the -.

2 [REDACTED]: And you're -.

3 [REDACTED]: Again, look. This is --

4 [REDACTED]: No, I'm not. No.

5 [REDACTED]: -- from August 10th.

6 [REDACTED]: No, I'm done. No.

7 [REDACTED]: This is from August 9th.

8 [REDACTED]: I'm done looking at

9 it.

10 [REDACTED]: This says 72 on August
11 9th. And then 12:00 a.m. - 12:00 a.m. This
12 one says 72. This one says 73. So someone
13 must have gone into this and made all the
14 changes here. And someone must have gone in
15 and - I mean, it's almost - like I was going to
16 say. Hey, that's -. It seems like you made
17 things accurate. Because you're -. I thought
18 you were the one that would have wanted to say
19 okay, I figured out that at 3:15 p.m.,

20 [REDACTED] was actually placed on dry cell from
21 the SHU. And you probably --

22 [REDACTED]: The shift - the shift
23 before me knew that he was on dry cell. He was
24 on dry cell when I got here. So what would
25 make you think that those entries weren't in

1 the runs from previously?

2 [REDACTED]: Because all the numbers
3 are wrong.

4 [REDACTED]: Okay, what does that
5 have to do with me?

6 [REDACTED]: The numbers are actually
7 right. They're wrong on the E2 and they're
8 wrong on the count slips.

9 [REDACTED]: God. Come on now.
10 You don't going to check.

11 [REDACTED]: So these are - these
12 numbers show how many were actually in SHU.
13 Although the E1 - institution count - and the
14 count slips show that he was in SHU. So these
15 aren't' adding up to these. So the only
16 logical explanation is the person who found out
17 that he was actually not in SHU and was in R&D
18 made the corrections.

19 [REDACTED]: I didn't find out
20 that he was in -. I found out in SHU because I
21 didn't know. I didn't. He was in SHU already,
22 so somebody had to -.

23 [REDACTED]: No, he wasn't in SHU. He
24 was in R&D.

25 [REDACTED]: Okay. He was in SHU

1 before he was in R&D. So. How did he get to
2 R&D? I guess I put him in R&D too? And then I
3 had somebody call me and tell me he was in R&D?

4 [REDACTED]: No, that's what -. The
5 question was going to be next, how did you
6 learn that he was actually placed in the SHU
7 from R&D. I mean you were included on an email
8 that was sent from the SHU OIC to the previous
9 ops lieutenant stating what happened. So that
10 would be - that was going to be a follow-up
11 question. Is this how you learned? So here is
12 an email. It's from [REDACTED] and it's to
13 - you're one of the individuals - and it says,
14 subject - medical assessment for [REDACTED],
15 Leonardo, Friday, August 9, 2019, at 3:11 p.m.
16 So this is the assumption was that you probably
17 went back to your emails when you were doing
18 the verification. And said oh, this must have
19 been when it happened.

20 [REDACTED]: When what happened?

21 [REDACTED]: When [REDACTED] was moved.

22 [REDACTED]: This is a - an all
23 lieutenant email. It has all of the
24 lieutenants on it.

25 [REDACTED]: Yeah, but again, there's

1 only one lieutenant who found out and actually
2 made the - keyed him from SHU to R&D. That was
3 you.

4 ██████████: Because it was wrong.
5 He was in the wrong place.

6 ██████████: Right. And you corrected
7 it. We're not -. I don't know why we're - I
8 mean -.

9 ██████████: You're the one that
10 keeps dragging this out. Because you're trying
11 to find an answer to something that I can't
12 give you.

13 ██████████: Okay. So you don't - you
14 do not believe -.

15 ██████████: You're trying to make
16 - you have a scenario. Or and you're trying to
17 make it fit somehow into a conclusion that
18 somehow I was involved. So you can get the
19 answer to whatever it is you're inquiring
20 about. I have given you the information that I
21 have.

22 ██████████: Okay. So I'll ask it
23 then this simply.

24 ██████████: I'm done. I'm done.

25 ██████████: Did you go -?

1 [REDACTED]: I'm done with that.

2 I'm done with that because I have given you --

3 [REDACTED]: But it's been -.

4 [REDACTED]: -- more than enough
5 information.

6 [REDACTED]: The reason why we're here
7 is because --

8 [REDACTED]: You're trying -
9 you're trying -.

10 [REDACTED]: -- when we're looking at
11 you, the way you answer questions and you don't
12 answer them directly. So we're just asking the
13 direct question. Did you make any changes to
14 the numbers on this August 9, 2019 SHU count?

15 [REDACTED]: I'm answering your
16 questions to the best of my ability pertaining
17 to anything and everything that I remember from
18 that day several years ago.

19 [REDACTED]: So you can either say
20 "yes," "no" --

21 [REDACTED]: Do you -?

22 [REDACTED]: -- or I don't know.

23 [REDACTED]: Do you know how many
24 things were going on? How many -? Do you know
25 the stuff we was dealing with in this building

1 during that time?

2 [REDACTED]: I get it. But your
3 answers -.

4 [REDACTED]: I don't think you do.
5 I don't think you do.

6 [REDACTED]: -- aren't clear. And the
7 reason why we're back here is because -. All
8 I'm saying -. Did you make any changes to the
9 August 9, 2019 lieutenant's log where the
10 numbers are right here where I'm pointing to on
11 the SHU?

12 [REDACTED]: I've already answered
13 that.

14 [REDACTED]: No, you did not.

15 [REDACTED]: Yes I did.

16 [REDACTED]: How did you answer it?

17 [REDACTED]: What reason - what
18 reason would I have to -?

19 [REDACTED]: That is not an answer.

20 [REDACTED]: Okay. Well I don't
21 know what to tell you.

22 [REDACTED]: That is not an answer,
23 Ma'am.

24 [REDACTED]: Okay.

25 [REDACTED]: The answerer is yes, no,

1 or I don't know.

2 [REDACTED]: I don't know what to
3 tell you because you're sitting here trying to
4 get me to tell you something that I did
5 something. And give you a definite answer as
6 to whether or not I did it. And I can't do
7 that because -.

8 [REDACTED]: Well I gave you an answer
9 of "I don't know."

10 [REDACTED]: My roster - my roster
11 says 73 at the beginning of my shift. And
12 since it said 73 at the beginning of my shift -
13 .

14 [REDACTED]: What time did your shift
15 start Ma'am?

16 [REDACTED]: Why would I go -?
17 Why would I go back?

18 [REDACTED]: Ma'am, what time -?

19 [REDACTED]: And chase the
20 previous -.

21 [REDACTED]: We already addressed
22 this.

23 [REDACTED]: -- and change a
24 previous entry.

25 [REDACTED]: Your shift started at

1 10:00 p.m.

2 [REDACTED]: But no. I told you.
3 I just told you that it wasn't a good enough
4 answer to you. Remember? You told me it
5 wasn't an answer. So I don't know what answer
6 you want me to give you.

7 [REDACTED]: I want you to -.

8 [REDACTED]: Except for the one
9 that you want.

10 [REDACTED]: No. A yes, a no, or an I
11 don't know. Not a "I already told you" and
12 then go into something that doesn't answer the
13 question.

14 [REDACTED]: Because I have
15 already. You've asked -. We've been talking
16 this now for over 30 minutes.

17 [REDACTED]: Because you have not
18 provided an answer, Ma'am.

19 [REDACTED]: I've given you an
20 answer to the best of my ability based upon
21 what I remember during that time.

22 [REDACTED]: So based upon what you
23 remember at that time, did you make changes to
24 the August 9, 2019 numbers that are listed here
25 on the SHU? Ma'am we can sit here all day.

1 [REDACTED]: I'm not going to sit
2 here all day because I get off at 2:00.

3 [REDACTED]: You have not provided an
4 answer to my question.

5 [REDACTED]: I have provided you
6 with an answer.

7 [REDACTED]: You have not.

8 [REDACTED]: I have provided you
9 with --

10 [REDACTED]: You have spoken -.

11 [REDACTED]: -- an answer and I
12 told you numerous -.

13 [REDACTED]: You've spoken around the
14 answer.

15 [REDACTED]: I told you numerous
16 times.

17 [REDACTED]: You have not provided an
18 answer to my question.

19 [REDACTED]: That if my roster say
20 73 at the beginning of my shift, which it does,
21 what reason would I have to go back and change
22 the previous day's roster way from the very
23 tippy top of their roster all the way down to
24 the bottom and change it to something else that
25 doesn't reflect what my roster say -.

1 [REDACTED]: Ma'am, what time did you
2 start your shift on that date?

3 [REDACTED]: To be -. I could
4 have relieved the guy at 9:30, 9:45, I don't
5 remember what - exactly what time I got in.

6 [REDACTED]: Okay. So you started at
7 approximately 10:00 p.m. At 10:00 p.m., like
8 we covered, it shows 72. At 12:00 a.m. - and
9 then again at 12:00 a.m. on the - it says 72
10 and then it says 73. This all happened during
11 your shift.

12 [REDACTED]: How do you know that
13 it happened during my shift? That's -.

14 [REDACTED]: What I'm saying is you
15 saying that the beginning of your shift it says
16 73. No, it didn't. At the beginning of your
17 shift it said 72.

18 [REDACTED]: At 12:00, when I
19 discovered that that inmate was in SHU, the
20 count at that time was 73. There were times at
21 the beginning of my shift I don't even start my
22 roster at the beginning of my shift - the
23 lieutenant's log. The lieutenant's log is
24 something that I do towards the end of my shift
25 - especially on morning watch because there's

1 not a whole lot going on but the count. So
2 there's not going to be a lot of - a whole lot
3 of entries going on during that time. So
4 simply because you seen an entry at a
5 particular time don't mean that I'm sitting
6 there looking at the clock at every hour doing
7 an entry into my log.

8 [REDACTED]: No. The thought is - the
9 thought is that like you said you were working
10 from approximately 5:30 a.m. until 7:00 a.m. on
11 your paperwork and then again it sounds like
12 from probably about 8:00 a.m. until you sent
13 out the email at 9:26 a.m. on your paperwork.
14 And we talked about this is the paperwork that
15 you would have been working on. So for
16 approximately three plus hours you may have
17 been working on this.

18 [REDACTED]: You asked me what
19 type of work do I normally do during the course
20 of my shift. And what paperwork would I have
21 been working on if I was late. And I told you
22 more than likely the daily log, the finishing
23 up my lieutenant's log or something to that
24 effect. I could have been doing the roster. I
25 could have been doing a bunch of things. I

1 don't recall everything that I did verbatim
2 during the course of that night. There was a
3 lot of things going on at that time.

4 [REDACTED]: And that's why we covered
5 ahead of time that all of these emails that you
6 sent out previously, they were all sent out way
7 before the 6:30 timeframe with the daily
8 activities log and the lieutenant's log.

9 [REDACTED]: I don't stay - I
10 don't stay late every day. I only stay late
11 when I don't have - when I haven't had the
12 opportunity to finish --

13 [REDACTED]: Right.

14 [REDACTED]: -- all of my work
15 during my shift.

16 [REDACTED]: So you told us previously
17 that you were relieved at approximately 5:30
18 a.m. that day. And we have confirmed that.
19 And at 7:00 a.m. you went up to help with
20 feeding. And then at approximately 8:00 a.m.,
21 you went back to do other things. And then at
22 approximately 9:30 a.m., you sent this out. So
23 aside from the feeding, if you weren't working
24 on this, what else would you have been working
25 on?

1 [REDACTED]: I don't remember.

2 [REDACTED]: Okay, that's fine. You
3 don't remember. That is an actual answer. Now
4 the next question is did you change on August
5 9th the numbers in the SHU to reflect what they
6 accurately were?

7 [REDACTED]: I don't recall doing
8 that.

9 [REDACTED]: You don't recall. Okay.
10 And do you recall if you made the additions to
11 the August 9th lieutenant's log with regard to
12 [REDACTED] being placed on dry cell from [REDACTED]?

13 [REDACTED]: What?

14 [REDACTED]: Do you recall adding this
15 addition at 3:15 p.m. with regard to [REDACTED]
16 being placed on dry cell from [REDACTED]?

17 [REDACTED]: From that day to this
18 point, no, I don't remember doing that.

19 [REDACTED]: Okay. So you don't
20 recall, so we can move on.

21 [REDACTED]: What time is it?

22 [REDACTED]: 1:20. So on this daily
23 log, we well as on the lieutenant's log, um -.
24 Yeah, you can just leave everything here just
25 so I can know what it is that she can't

1 remember. So on this August 9, 2019, on the
2 lieutenant's log it shows that at 8:38 a.m.
3 ██████ went from ████ to pre-remove. And then
4 here's the daily log which says again ██████
5 pre-removed and it shows 8/9/2019 at 0838.
6 What does pre-remove mean?

7 ██████████████████: That is something -
8 that's an R&D thing. You'll have to ask R&D
9 what that means. If the count change, that
10 meant that he was removed from this
11 institution.

12 ██████████████████: All right. So you're
13 saying that if you see something listed as pre-
14 remove on the lieutenant's log - it literally
15 says it on the lieutenant's log, so I would
16 think a lieutenant would know what that means.
17 And the count did change. But do you know what
18 pre-remove means being that it's on the
19 lieutenant's log?

20 ██████████████████: Just because it's on
21 the lieutenant's log and because it says pre-
22 remove, doesn't mean that we know the exact
23 meaning of pre-remove. That is an R&D term
24 that they use when they are changing the
25 inmate's status.

1 [REDACTED]: Okay.

2 [REDACTED]: In the system.

3 [REDACTED]: Do you know that to mean
4 that he is removed from the institution?

5 [REDACTED]: If it effected the
6 count, then we would note it on the roster.
7 Because when an inmate - when the count changes
8 on the roster for certain things - and that
9 inmate is not coming back - or he's at court
10 and he's coming back later, a lot of times we
11 will put those entries on the roster.

12 [REDACTED]: So when they're listed as
13 pre-remove though, are they ever listed as pre-
14 remove if they're going to court?

15 [REDACTED]: That's not a court
16 move. That's not a court move. It would say
17 court.

18 [REDACTED]: Right. So pre-remove
19 means he left the institution. Correct?

20 [REDACTED]: Pre-remove would be
21 that he left the institution.

22 [REDACTED]: And not coming back,
23 correct?

24 [REDACTED]: We don't know if he's
25 coming back. Because it could say pre-remove

1 and we check - and when we check the status -
2 the movements - he could be back on there. So
3 it's not definitive that when he leaves, that
4 he's definitely for certain not coming back.

5 ██████████: So a pre-remove actually
6 leaves the institution, to your understanding,
7 could actually come back?

8 ██████████: If something changes,
9 for some particular reason, he could come back.
10 You would have to get with R&D.

11 ██████████: So with getting with R&D,
12 we have these emails from the U.S. Marshals
13 Service on August 8, 2019. One at 10:33 a.m.
14 and the next one at 3:36 p.m. And they all
15 talk about a prisoner production. All the
16 lieutenants were sent the second one that was
17 sent at 3:36 p.m. The initial email that was
18 sent at 10:33 p.m. specifically says, "the
19 following prisoners are to be transferred."
20 The second name down says ██████, ██████. And
21 the one that you had received for lieutenants
22 is a prisoner schedule report. It says,
23 "██████, ██████, transfer within. It says Judge
24 MCC to GEO. Do you know what GEO is, G-E-O?

25 ██████████: I know GEO is a

1 private institution.

2 [REDACTED]: Correct. So from these
3 documents if you want to take a look so that
4 I'm not showing you them from a few feet away.
5 Does that help you to see that he was
6 transferred - he was not coming back?

7 [REDACTED]: No that's not because
8 this didn't even occur on my shift.

9 [REDACTED]: No, that was the day
10 before. It said that that's where he was
11 going. You were on the email. And then on the
12 lieutenant's log for August 9th when you
13 started - you worked on August 9th in the
14 morning as well as August 9th in the evening.
15 You know up until 6:00 a.m. on August 9th, and
16 then started again at 10:00 p.m. on August 9th.
17 It shows that he was pre-remove - [REDACTED].
18 Correct?

19 [REDACTED]: What you all say he
20 was pre-remove?

21 [REDACTED]: The lieutenant's log.

22 [REDACTED]: He was pre-removed at
23 what time?

24 [REDACTED]: At 8:38 a.m.

25 [REDACTED]: Okay. That's - if I

1 got off at 6:00, that period after I got off.

2 [REDACTED]: Yes, it did. It happened
3 but then you came back on later that day.

4 [REDACTED]: Okay.

5 [REDACTED]: And [REDACTED] was Epstein's
6 cellmate.

7 [REDACTED]: Okay.

8 [REDACTED]: And Epstein was required
9 to have a cellmate. So if the lieutenant's log
10 says he's pre-remove and you have emails
11 showing that he was transferred, how come - as
12 the ops lieutenant - you didn't have Epstein
13 assigned a new cellmate?

14 [REDACTED]: First of all, I had
15 no knowledge of who Epstein's cellmate was.
16 And I had no knowledge that Epstein was even
17 supposed to have a cellie. So -.

18 [REDACTED]: So those two things we
19 were told by everyone that that is not an
20 acceptable answer. You were involved in the
21 July 23, 2019 incident where he tried to kill
22 himself. And everyone - especially the
23 lieutenants - know that cellmates that try to
24 kill themselves have to have -. Inmates that
25 try to kill themselves have to have cellmates.

1 [REDACTED]: That's not true.

2 [REDACTED]: Who? That's not true?

3 [REDACTED]: That's not true.

4 [REDACTED]: So every person that

5 we've talked to said that that is absolutely

6 true and everybody knows it. It's reviewed in

7 training. It's reviewed in annual refresher

8 training. It's reviewed in quarterly SHU

9 training. It's institution knowledge.

10 Everybody knows - BOP inmate attempts to commit

11 suicide, when they come off, they're assigned a

12 cellmate unless they have some type of

13 restrictive order against them saying that they

14 cannot be assigned a cellmate.

15 [REDACTED]: That is not true.

16 [REDACTED]: And then can you -?

17 [REDACTED]: They do not have an

18 order. There is no such thing as a restrictive

19 order saying that an inmate coming off of

20 suicide watch is not supposed to have a cellie.

21 That doesn't even exist.

22 [REDACTED]: Okay. So what you're

23 saying is they all have cellmates.

24 [REDACTED]: They -. Inmates.

25 There is nothing in writing. Nobody gives you

1 anything in writing saying inmate so-and-so is
2 coming off of suicide watch and he is not to
3 have a cellie.

4 [REDACTED]: Well the last time we
5 spoke --

6 [REDACTED]: No one.

7 [REDACTED]: -- we actually did have
8 that in writing.

9 [REDACTED]: No one.

10 [REDACTED]: You were provided the
11 email saying that he actually did - was
12 required to have a cellmate.

13 [REDACTED]: Okay. And I never
14 read the email. I never saw the email. And -.

15 [REDACTED]: But you just said that
16 that's never done in writing.

17 [REDACTED]: You said that - you
18 said.

19 [REDACTED]: But it was done in
20 writing.

21 [REDACTED]: You said that they
22 say that an inmate - when an inmate is not
23 supposed to have a cellie. And it's put in
24 writing.

25 [REDACTED]: No-no-no. Isn't there -

1 don't inmates have restrictive orders placed on
2 them if you go into like one of the BOP
3 databases saying this inmate needs to be celled
4 alone because they are a threat or something.
5 It prevents them from being able to have a
6 cellmate.

7 [REDACTED]: I've never seen
8 anything like that.

9 [REDACTED]: Okay. So you're not
10 aware of inmates that aren't allowed to have
11 other cellmates?

12 [REDACTED]: I have never seen a
13 memo or email or something like that saying
14 inmates are not supposed to have a cellie or
15 anything like that.

16 [REDACTED]: Okay. And that's fine.

17 [REDACTED]: I mean -.

18 [REDACTED]: But you must know, as a
19 lieutenant who has been, you know, here for a
20 long time, and worked for the BOP for a long
21 time, that inmates that attempt to commit
22 suicide - when they come off of suicide watch
23 they're supposed to have a cellmate.

24 [REDACTED]: That is not
25 automatic. That has never been automatic.

1 Those - if an inmate is definitively supposed
2 to have a cellie, psychology would let us know
3 or someone would let us know. Who's aware of
4 that information.

5 ██████████: Psychology sent you an
6 email.

7 ██████████: That is - that is
8 never - like standard procedure. Inmates go -
9 inmates that come off of suicide watch are
10 often - most especially here - put in a cell by
11 themselves. I mean that's not something - the
12 psychologists would - psychology services.
13 They would be the ones who determine whether or
14 not - based upon their interactions with that
15 inmate or what they diagnose as his - what you
16 know and dealing with that inmate and his
17 mental needs, whether or not that particular
18 inmate is supposed to have a cellie or not.
19 That is not something that's understood or
20 something that we should know automatically.
21 That's not true. That is not true.

22 ██████████: So two things to that.
23 One, psychology did send out an email saying
24 that he was required to have a cellmate. And
25 you did - you were a recipient of that email.

1 And two, everyone says that during annual
2 refresher training, psychology does a
3 presentation saying just that - that inmates
4 that come off suicide watch will be housed with
5 a cellmate.

6 ██████████: That is not true.
7 That's not true.

8 ██████████: That's not true?

9 ██████████: That's not true.

10 ██████████: So all the people that
11 requested these - you know we've interviewed a
12 number of people. A great number of people.

13 ██████████: Okay. So if that was
14 the case, if this is so widely known, and that
15 was the procedure, why didn't he have a cellie?

16 ██████████: That's my question to
17 you. You were the ops lieutenant. Why didn't
18 he have a cellie?

19 ██████████: I wasn't the ops
20 lieutenant when he left.

21 ██████████: What -?

22 ██████████: I wasn't the ops
23 lieutenant who entered the entry into the
24 roster.

25 ██████████: But you were - that we

1 know of - you were the ops lieutenant.

2 [REDACTED]: Oh my God.

3 [REDACTED]: You were the ops

4 lieutenant during --

5 [REDACTED]: So now everything - I
6 did everything.

7 [REDACTED]: Well no. I just said
8 because you said you can't recall things. So
9 you were the ops lieutenant for a large chunk
10 of time that he was without a cellmate. For an
11 entire shift, that he was - it was less than 24
12 hours - for an entire shift, you were the ops
13 lieutenant when he did not have a cellmate.

14 [REDACTED]: I wasn't the first
15 ops lieutenant or the SHU lieutenant or
16 anything else.

17 [REDACTED]: You were the last ops
18 lieutenant.

19 [REDACTED]: Okay. But I wasn't
20 the first.

21 [REDACTED]: No you weren't. You were
22 the last. So more than likely, this happened
23 on your watch.

24 [REDACTED]: More than likely what
25 happened on my watch?

1 [REDACTED]: That if Epstein killed
2 himself, it happened on your watch. Correct?

3 [REDACTED]: I don't know when
4 Epstein killed himself if it was on my watch or
5 after I got off.

6 [REDACTED]: Right. So the question
7 to you is [REDACTED] left the institution. It's
8 listed on the lieutenant's log that he's gone.
9 And you said that you did a round in the SHU.
10 Why wasn't Epstein placed with a new cellmate?

11 [REDACTED]: Why wasn't Epstein
12 placed with a new cellmate as soon as the first
13 one - as soon as the cellmate left?

14 [REDACTED]: We absolutely are asking
15 that question as well.

16 [REDACTED]: Why when -?

17 [REDACTED]: We asked the same
18 question to everybody that's been involved with
19 this. And we're asking you.

20 [REDACTED]: Why -? Why would -?
21 Why would psychology send out an email about
22 something that's so critical. And if everybody
23 knew it, if this was standard procedure, why
24 would psychology have to send out an email
25 period? To let everybody know that he needed a

1 cellie if everybody knew it already.

2 [REDACTED]: Everyone -.

3 [REDACTED]: If it was standard
4 procedure, and there was policy, and everybody
5 knew it, then we shouldn't even be having this
6 - sitting here. Why was Jeffrey Epstein placed
7 in SHU?

8 [REDACTED]: So you're the only person
9 that I know of that is saying that you didn't
10 know he was supposed to have a cellmate.

11 [REDACTED]: Okay. Well if I'm
12 the only person that's saying that, then
13 Jeffrey Epstein - if having a cellie - which we
14 already know from his previous attempted
15 suicide - would not have prevented him from
16 trying to kill himself.

17 [REDACTED]: Well that did prevent him
18 from killing himself. The - his cellmate is
19 the one who notified guards that he was
20 attempting to harm himself.

21 [REDACTED]: But he still tried to
22 kill himself. That didn't stop him from doing
23 that. The fact that he had a cellie. Did that
24 stop him from trying to do it then.

25 [REDACTED]: He tried but wasn't

1 successful because his had a cellmate, correct?

2 ██████████: If everybody knew
3 that Jeffrey Epstein was supposed to have a
4 cellie and it was understood, it was standard
5 procedure, there would have been no reason for
6 psychology to even send out an email because
7 everybody - according to you and what everybody
8 has told you - it was standard procedure.
9 Everybody knew it already. So he should --

10 ██████████: Everyone knew -?

11 ██████████: -- so if that was the
12 case, then way before I got here, way before I
13 came on duty, he should have had a cellie.

14 ██████████: I agree.

15 ██████████: If that was the case.

16 ██████████: I absolutely agree with
17 you.

18 ██████████: If that was the case.

19 ██████████: One hundred percent.

20 ██████████: If everybody knew -
21 if everybody knew all this stuff, then I don't
22 know why psychology would send out an email
23 telling everybody that he needed a cellie if
24 everybody already knew that.

25 ██████████: Well everyone knows it

1 from their training experience and everyone
2 knew it because psychology put the placement on
3 it. So the question to you is why didn't you
4 replace the cellmate? Why didn't you assign -?

5 [REDACTED]: I wasn't aware that
6 Epstein did not have a cellie. I wasn't aware
7 that Epstein was supposed to have a cellie.

8 [REDACTED]: Okay. So you didn't know
9 either that Epstein didn't have cellie or that
10 he was required to have a cellie.

11 [REDACTED]: That's correct.

12 [REDACTED]: And as a lieutenant who
13 has worked for the BOP for that long, you're
14 sticking - who actually responded to the July
15 23, 2019 incident where Epstein attempted harm
16 himself. You're sticking with you didn't know
17 he was required to have a cellmate?

18 [REDACTED]: I did not know that
19 Jeffrey Epstein was required to have a cellie.

20 [REDACTED]: Okay.

21 [REDACTED]: That was nothing that
22 - no one said anything to me about that. I
23 didn't see the email from [REDACTED] because if
24 [REDACTED] sent out -. If she sent out an
25 email, she should have followed up. That's not

1 something that - something of that importance.
2 If you feel as though his life depended on it,
3 I don't know why you would be taking him off
4 suicide watch anyway. If he had to be guarded
5 around the clock by an inmate, then he should
6 have - he should have been - he should have
7 stayed on watch. Because apparently, that says
8 to me that you're not secure in the fact that
9 you don't feel that he's not capable of
10 committing suicide. So why would you take him
11 off of watch if he needs 24-hour watch? And if
12 that was the case, then why didn't they put him
13 on Ten South where he would have had cameras on
14 him all day and all night, 24 hours a day. A
15 staff member watching him 24 hours, 7 days a
16 week. I mean you had El Chapo here. El Chapo
17 didn't commit suicide. They had extra
18 lieutenants on him 24 hours. They had all
19 kinds of extra staff on him 24 hours a day,
20 seven days a week. So -.

21 [REDACTED]: Sure. And you had
22 mentioned that before.

23 [REDACTED]: So why wasn't -?

24 [REDACTED]: You thought he -.

25 [REDACTED]: So why wasn't Epstein

1 treated - why was he treated any differently.

2 [REDACTED]: Because those are for
3 SAMS inmates. But that's a different - that's
4 a different story. So point being though, you
5 just answered you did not know that he was
6 required to have a cellmate and you also did
7 not know that he didn't have a cellmate,
8 correct?

9 [REDACTED]: Jeffrey Epstein was
10 high profile. He was a rich inmate. So that
11 in a lot of ways made him victim to a lot of
12 things. So Ten South would have been the
13 perfect place for him to be.

14 [REDACTED]: Okay. And I'm not going
15 to argue with that. That's a great opinion.
16 And that's duly noted. But the question to
17 this is you - or the answer I believe you
18 provided is you said you did not know that he
19 was required to have a cellmate, correct?

20 [REDACTED]: I did not know
21 Jeffrey Epstein was required to have a cellie.
22 And I did not know that his cellie had left.

23 [REDACTED]: Okay.

24 [REDACTED]: I didn't even know
25 who his cellie was.

1 [REDACTED]: And when you did a round
2 in the SHU on August 10th, 2019, did you
3 actually look into Jeffrey Epstein's cell to
4 see if there was anyone in there?

5 [REDACTED]: No I did not.

6 [REDACTED]: No. And why not?

7 [REDACTED]: Because I didn't -
8 that was - what was the reason for me to do
9 that? And it wasn't just Epstein that was
10 here. We're responsible for every inmate in
11 this building.

12 [REDACTED]: Right. So did you -?

13 [REDACTED]: If I look in his
14 cell, I've got to look - you know?

15 [REDACTED]: And weren't you supposed
16 to -?

17 [REDACTED]: I'm just not going to
18 look in his cell without looking in everybody's
19 cell.

20 [REDACTED]: When you certified that
21 you conducted a round in the SHU, weren't you
22 supposed to do a round of inmates?

23 [REDACTED]: I was not required to
24 go into the ranges and check on the inmates in
25 the ranges.

1 [REDACTED]: Okay. So when you
2 certified on -. It says that you certify on
3 August 10th, 2019 at 5:21 that you conducted a
4 round in the SHU. What is your understanding -
5 ? So here's your -. I'm giving you this where
6 it says it's the Federal Bureau of Prisons of
7 TruIntel Supervisory Rounds. So the start date
8 8/9/2019 and the 8/10/2019. And this, if
9 you'll notice, the top here it shows your name.
10 It says there's two rounds here conducted. One
11 was on 8/9/2019 at 5:14 a.m. And the other one
12 was 8/10/2019 at 5:21 a.m. Are these entries
13 that you would have made?

14 [REDACTED]: It's possible.

15 [REDACTED]: If you hadn't made it who
16 would have made it?

17 [REDACTED]: I don't know who
18 would have made it.

19 [REDACTED]: Do you make entries of
20 rounds in TruIntel?

21 [REDACTED]: I do make entries
22 into TruIntel concerning the rounds of inmates,
23 that's correct.

24 [REDACTED]: Okay. And then here is
25 the actual 30-minute round sheets on 8/10. Is

1 this your signature right there?

2 ██████████: Yes, that's my
3 signature.

4 ██████████: Saying that you conducted
5 a round in the SHU.

6 ██████████: Yes.

7 ██████████: Okay. So what is your
8 understanding of these two certifications that
9 you made? What did those - what does that
10 round consist of to you?

11 ██████████: That meant that I
12 went and I visited SHU.

13 ██████████: So you visited SHU
14 instead of conducting a round in SHU?

15 ██████████: I don't - I don't - I
16 didn't - I don't conduct rounds in any unit. I
17 mean I go, I visit with the officers, I sign -
18 I speak with them, make sure that they're okay.
19 And if something occurs that requires me to go
20 into the range and investigate it, yes, I do.
21 Sometimes if the count was announced. There
22 were random times when I would check the
23 officers' count. Or I would stand at the gate
24 and stand there while they counted or something
25 like that. But no, there was no - there was no

1 - nothing formal thing that we were required to
2 make - literally make rounds in SHU.

3 [REDACTED]: Are you aware that -?

4 [REDACTED]: As far as doing - as
5 far as the ranges and talking to the - talking
6 to the inmates or anything like that.

7 [REDACTED]: So are you aware that
8 other lieutenants do rounds when the visit -
9 especially the SHU - but they actually conduct
10 a round in the SHU.

11 [REDACTED]: And they can do that.

12 [REDACTED]: But you do not believe
13 that you were required to do that?

14 [REDACTED]: I said, at the time,
15 we weren't required to do that.

16 [REDACTED]: Okay. So now you are but
17 then you weren't?

18 [REDACTED]: We're talking about
19 then.

20 [REDACTED]: No-no-no. I'm asking.
21 That's a genuine question. So you are required
22 to do a round now?

23 [REDACTED]: I don't know what
24 they're required to do now. Because I'm not in
25 the lieutenant's office right now.

1 [REDACTED]: Okay. What about after
2 the - since the Epstein incident on August
3 10th, 2019, at any time afterwards did they say
4 that you had to start doing rounds of the
5 inmates when you conducted rounds?

6 [REDACTED]: No.

7 [REDACTED]: So they've never told you
8 that?

9 [REDACTED]: No.

10 [REDACTED]: And prior to that, you've
11 never done rounds? With inmates?

12 [REDACTED]: Like I just said. If
13 there was something - if there was a reason for
14 me to go around and make rounds or to go into a
15 particular range in SHU, sure. At night when
16 the inmates are sleeping. When the inmates -
17 when it's quiet and it's nice and quiet and
18 there's nothing going on or the officers aren't
19 indicating to me that they're having an issue
20 or a problem, no. There's no - there was no
21 reason for me to enter the range and go into
22 the ranges. I mean I'm confident that my
23 officers that are on the posts are doing their
24 jobs effectively.

25 [REDACTED]: Now is that a confidence

1 that was misplaced then? Since people were not
2 doing rounds or counts during your - when you
3 were the ops lieutenant?

4 ██████████: I'm not going to say
5 that it was misplaced, but I know how tired the
6 staff members were at that time. So anything
7 could have happened.

8 ██████████: Okay.

9 ██████████: A staff member could
10 have died during that time. So I'm not going
11 to say it was misplaced. These were not crappy
12 officers.

13 ██████████: Okay.

14 ██████████: Officer ██████ was new,
15 but she was - she spent time with seasoned
16 staff and officers that she knew were good at
17 what they did to get trained. Officer ██████
18 was a good officer. Officer ██████ stood by
19 Epstein's door the whole night. Stood there.
20 He didn't even take a seat. He had a seat
21 right there and could have observed him through
22 the window. He stayed in his cell the night
23 that he attempted suicide the whole night.

24 ██████████: You mean on July 23rd,
25 2019?

1 [REDACTED]: On July 23rd that was
2 the date that he attempted suicide, yes.

3 [REDACTED]: Okay, but you're not
4 talking about the day -.

5 [REDACTED]: I have worked - I
6 have worked numerous times with [REDACTED] and I
7 worked numerous times with Officer [REDACTED]. They
8 weren't - they weren't neglectful. They
9 weren't the type of officers that just didn't
10 care.

11 [REDACTED]: Okay. So your
12 understanding was you weren't supposed to do
13 rounds of the inmates.

14 [REDACTED]: My understanding was
15 that there wasn't a requirement for me to go
16 around to each individual cell and check on the
17 - and check on the inmates --

18 [REDACTED]: Okay.

19 [REDACTED]: -- as far as
20 something being written in policy or a
21 procedure or something like that. Or being
22 told.

23 [REDACTED]: Now this round sheet that
24 the staff members have to fill out and which
25 you said you had signed. Where is that

1 located?

2 [REDACTED]: At the desk.

3 [REDACTED]: So they kept it at the
4 desk instead of on the range?

5 [REDACTED]: On the range. And at
6 other places it's in the range. When it's in
7 the range, you know you got to go up in the
8 range and physically sign it. So that
9 encourages you to make rounds in SHU.

10 [REDACTED]: Is that - and also for
11 the lieutenants?

12 [REDACTED]: And every place that
13 I have been, as a lieutenant, and even when I
14 was an officer. That round sheet is in the
15 range. And it's in the back of the range. So
16 that by the time you get there, you've already
17 walked past the cells.

18 [REDACTED]: And that's the same for -
19 .

20 [REDACTED]: So you have no
21 choice.

22 [REDACTED]: That's the same for the
23 lieutenants though, correct? They also have to
24 sign them there so they can do the - sign the
25 round sheet?

1 [REDACTED]: At the other places?

2 [REDACTED]: Right.

3 [REDACTED]: Yes. Because they
4 don't bring the count - those sheets aren't
5 even supposed to be removed out of the ranges.
6 So yes, it's a required - in order to sign it,
7 you have to go into the range.

8 [REDACTED]: So why were - was this
9 round sheet kept on the desk and officers -?

10 [REDACTED]: Because that's where
11 they were. They weren't posted in the ranges.

12 [REDACTED]: But weren't they supposed
13 to be on the ranges though?

14 [REDACTED]: No, they weren't
15 supposed to be in the ranges. No. No, they
16 were never in the ranges. They have never been
17 in the ranges to my recollection since I've
18 been here.

19 [REDACTED]: So not even since the
20 Epstein matter? These -.

21 [REDACTED]: Oh I don't -. The
22 times that I was up there before I was pulled
23 down from my post, I never saw them in the
24 range.

25 [REDACTED]: You know you keep -

1 you've mentioned this a couple times. Are you
2 not working your regular duty? Have you been
3 pulled off of -?

4 ██████████: I have been - I was
5 pulled off my post by ██████████ because I would
6 not let him yell at me and call me a liar. And
7 when I stepped out of the -. I told him I, you
8 know, I'm not. I'm not going to do this. And
9 he told me if I left - if I walked out - he was
10 going to put a case on me and pull me off my
11 post. And that's what he did.

12 ██████████: How long ago did that
13 happen?

14 ██████████: That happened I think
15 like April or something of last year.

16 ██████████: Of 2020?

17 ██████████: Yes.

18 ██████████: Okay. So from August
19 10th, 2019 to April of 2020, you were still
20 working, correct, as a --

21 ██████████: That's correct.

22 ██████████: -- your normal duties.
23 So between that time, were these round sheets
24 ever changed to be located down range?

25 ██████████: I don't ever remember

1 being in the range.

2 ██████████: All right. So to your
3 recollection, those were always on the desk and
4 MCC is just different than all the other BOP
5 institutions?

6 ██████████: I mean you putting it
7 -. That's just the way that they did things
8 here. I mean you making it sound like, you
9 know, out of all places I have been this place
10 does things differently. It does. And it does
11 in a lot of ways which is why we're in the
12 predicament that we're in. Because there are a
13 lot of things that are done here. And if you
14 don't work here, I guess it's hard for you to
15 believe. But there are a lot of people here
16 who can attest to that, most especially people
17 who have been at other institutions and have
18 come here. There are a lot of things that they
19 do here that they don't do at other places.

20 ██████████: Okay. What's the
21 hotlist?

22 ██████████: The hotlist is like a
23 list of inmates that have like special
24 circumstances and stuff like that. I haven't
25 seen a hotlist in a while though.

1 [REDACTED]: All right. As the ops
2 lieutenant on -.

3 [REDACTED]: They have a poster
4 picture file here.

5 [REDACTED]: On August 9th and 10th or
6 2019, would you have reviewed the hotlist in
7 the SHU as part of your duties?

8 [REDACTED]: No.

9 [REDACTED]: No? So that's not
10 something when you go in and check on the staff
11 members, you would talk to them about the
12 hotlist?

13 [REDACTED]: No.

14 [REDACTED]: No? Okay. Are you
15 required - are you aware that the hotlist would
16 list the people that were required to have
17 cellmates?

18 [REDACTED]: No.

19 [REDACTED]: You didn't - you don't
20 know that. Okay. All right. So since
21 Epstein's cellmate [REDACTED] was listed as WAB and
22 pre-removed from the MCC at approximately 8:30
23 a.m.

24 [REDACTED]: Oh there. If he was
25 WAB with all belongings, that's an indication

1 that he's leaving.

2 ██████████: Yeah, I know. He was
3 WAB. He left in the morning of August 9, 2010
4 - sorry, August 9th, 2019 as WAB. And then he
5 was listed as pre-remove on all the
6 documentation. So they removed him from the
7 institution. What should have happened? If he
8 was required to have a cellmate? If the SHU
9 OIC brings him down to R&D as a WAB. So he's
10 got all of his belongings. What should have
11 happened if it is known that Epstein's
12 cellmate, ██████████, and everybody knows that
13 Epstein - and I'm not talking about you -
14 everybody that brings him down knows that
15 Epstein is required to have a cellmate. What
16 should have happened at the time that the OIC
17 of the SHU brought ██████████ - Epstein cellmate -
18 down to R&D as a WAB?

19 ██████████: First, they should
20 have ensured that he was actually leaving and
21 never coming back. If they were aware of that
22 information. And they should have put forth
23 that action to notify someone that his cellmate
24 was leaving. If they knew that he was supposed
25 to have a cellie and they knew for a fact that

1 this inmate was leaving and not coming back.

2 [REDACTED]: Okay. So when you said
3 ensure that he's leaving and not coming back.
4 He's listed as WAB. Doesn't that indicate that
5 he's leaving and not coming back?

6 [REDACTED]: That indicates that
7 he's leaving. He's scheduled to leave. You
8 can have - something can go wrong and the
9 inmate could come back. It doesn't happen
10 often but there are inmates who have been
11 placed on pre-remove and a lot of things that
12 somehow has ended up coming back - have shows
13 back up on the roster and placed back in the
14 housing unit or somewhere for whatever reason.
15 I don't question R&D as to why that happened.
16 If there's an inmate that shows -.

17 [REDACTED]: Well R&D said he was
18 gone. R&D clearly says no, he was listed as --

19 [REDACTED]: Okay.

20 [REDACTED]: -- pre-removed. He was
21 not coming back.

22 [REDACTED]: Okay.

23 [REDACTED]: So my question is the OIC
24 or SHU brings him down to R&D as a WAB. R&D is
25 already saying yeah, this guy's gone. He's

1 being transferred. You saw the documentation.
2 I already showed that to you. It shows he's
3 being transferred to a different institution.

4 ██████████: That don't mean that
5 they had that discussion with whoever brought
6 them down.

7 ██████████: Right.

8 ██████████: That doesn't even say
9 that whoever brought him down even knew what a
10 WAB was or pre-remove.

11 ██████████: The person who says they
12 absolutely know what a WAB was, they know he
13 was with all belongings.

14 ██████████: Okay. Well I guess
15 you should be asking them then.

16 ██████████: No-no-no. I'm just
17 asking as an ops lieutenant around that time
18 period. What should have that person done?

19 ██████████: It depends.

20 ██████████: This isn't reflected on
21 you. I'm guessing you were one of the
22 supervisors.

23 ██████████: I mean I'm not - I'm
24 not - I'm not saying that it's reflected. I'm
25 not even thinking in that manner because it has

1 absolutely nothing to do with me. I don't know
2 what's in the guy's head. I don't know what
3 he's thinking. I don't know what he knows. I
4 don't know what information he's aware of. I
5 mean you would have to pose that question to
6 him. Or her. And let - have them give you an
7 answer. I mean.

8 [REDACTED]: Okay. We can move on.
9 So we already talked about the count slips. So
10 you only were involved with the 12:00 a.m.
11 count on August 10, 2019?

12 [REDACTED]: Why you keep asking
13 me that?

14 [REDACTED]: Just because it's - I'm
15 going in order now. I'm just saying you
16 weren't involved with any other counts? And
17 we're not going to get back into it. I just
18 want to make sure that I'm asking you that this
19 is the only count that you were actually
20 involved with.

21 [REDACTED]: The 12:00 count is
22 the count that I took.

23 [REDACTED]: Okay. And you weren't
24 involved with the other counts?

25 [REDACTED]: I don't be -. No.

1 There's no reason. The control center takes
2 the other counts after that.

3 ██████████: Okay.

4 ██████████: We're only required
5 to take one count. We have to take one count
6 during our shift. And we get to select what
7 count that is. Because we never know what
8 we're going to be doing.

9 ██████████: And you were -.

10 ██████████: Especially on morning
11 watch.

12 ██████████: And you said you
13 specifically recall speaking with ██████████ about
14 ██████████ being on dry cell?

15 ██████████: I could say to you
16 today I'm certain it was ██████████.

17 ██████████: You're certain you spoke
18 with ██████████.

19 ██████████: I'm almost certain it
20 was ██████████.

21 ██████████: All right. So -.

22 ██████████: So the last time, she
23 mentioned that it was a male first. You
24 mentioned it was a male but you weren't sure.
25 But you believed it was ██████████.

1 [REDACTED]: Exactly.

2 [REDACTED]: All right. So you're
3 almost certain it was [REDACTED] but you're not
4 certain it was [REDACTED]? Is that what you're
5 saying? Could it have been [REDACTED]?

6 [REDACTED]: I don't think it was
7 [REDACTED].

8 [REDACTED]: So you think it was
9 [REDACTED]. Because if -.

10 [REDACTED]: I - I believe it was
11 - I want to say it was [REDACTED].

12 [REDACTED]: Okay. It was [REDACTED].

13 And can you recall what that conversation
14 entailed?

15 [REDACTED]: I remember the
16 conversation was about there being an inmate in
17 R&D and I think he mentioned how they were
18 listed on the count slip. How they number that
19 was on the count slip. Because - and then the
20 question arised as to - arose as to how many
21 inmates are, do you have in SHU - period. How
22 many inmates are supposed to be up there?
23 Because I wanted to make sure that we knew what
24 the base count was. And where is this other
25 guy? What is he doing there? Things to that

1 effect. But I also wanted to go check and make
2 sure myself so I could see what was actually
3 going on. So I would know what was - what the
4 situation and the circumstances were.

5 [REDACTED]: So you physically went to
6 R&D and saw?

7 [REDACTED]: At some point. I
8 think after the - I think I went - after the
9 count, I think I called. I don't know. When I
10 made - because I know after the count I went up
11 to R&D and physical saw the guy up there,
12 talked to the officer, saw that he was on - I
13 think he was on dry cell or something to that
14 effect. And but I think before that we made
15 phone calls to make sure that the inmate -
16 because I want to say one of the - somebody in
17 SHU knew. I mean somebody in control was aware
18 that the inmate was in R&D as well. So once we
19 verified that the inmate was in R&D, he was in
20 dry cell, then we can move forward and make the
21 change because if he was on dry cell in R&D,
22 then that's where he was. That was the
23 decision that somebody had made and because I
24 don't even think there was any room. There was
25 any room anywhere for him to go. I don't think

1 there was any room in SHU for him to be on dry
2 cell. And there wasn't any room on two. I
3 can't remember.

4 ██████████: All right. And then -
5 per your request, we're not going to go back
6 into it. I'm just going to ask you to look at
7 this to just let me know if this is actually
8 your handwriting. Any of it for what I'm
9 highlighting here for these count slips. These
10 are the 10:00 p.m. count slips. Are any of
11 that your handwriting?

12 ██████████: No.

13 ██████████: So nothing. Even the
14 plus one?

15 ██████████: None.

16 ██████████: None? Okay.

17 ██████████: You're just
18 determined --

19 ██████████: Well, no - well --

20 ██████████: -- to somehow make me
21 -.

22 ██████████: -- the person who took
23 this count said you were the person that he
24 checked with to see about this. He said he
25 couldn't remember if the plus ones were his or

1 someone else's. But he said that the ops
2 lieutenant is the one that I would have gotten
3 the approval to do this with. He was confident
4 of that.

5 ██████████: Okay. Well that
6 don't mean that I was that ops lieutenant.

7 ██████████: You were the only ops
8 lieutenant on duty.

9 ██████████: Just because I was
10 the only ops lieutenant on duty, those counts
11 are verified prior to them being conducted.

12 ██████████: Well your name was
13 mentioned.

14 ██████████: Yeah, but I wasn't
15 the lieutenant that was here when the inmate
16 was placed in R&D.

17 ██████████: But you were the
18 lieutenant here when these counts slips were
19 collected and reviewed.

20 ██████████: Because the count is
21 going to go on irregardless [sic]. You know
22 unless something is going on in the institution
23 and we call control and say hey, hold off on
24 the count until I call you back or whatever.
25 Until we do some type of instruction to hold

1 off on the count. The count is going to
2 continue because those are the times in which
3 the count is supposed to be done. That's -
4 there is now way around that.

5 [REDACTED]: I understand.

6 [REDACTED]: Except for something
7 that's going on in the institution.

8 [REDACTED]: But he - what he said was
9 ops lieutenant [REDACTED]-[REDACTED] gave me her
10 approval to do this.

11 [REDACTED]: I did not give nobody
12 no approval. If that was the case, why would I
13 even bother to mess with the count? Why would
14 I even bother to check - to move the inmate?

15 [REDACTED]: This was all --

16 [REDACTED]: If -.

17 [REDACTED]: -- the questions we have.

18 [REDACTED]: Okay.

19 [REDACTED]: That's why we had to
20 follow-up with you.

21 [REDACTED]: Okay. If that's the
22 way you was going it at 10:00, why would I go
23 through all the trouble of changing it at
24 12:00?

25 [REDACTED]: Well that's why our

1 theory was that you actually figured it out at
2 10:00 and just forgot to make the change. And
3 that's why you were table to --

4 [REDACTED]: Wow.

5 [REDACTED]: -- you were table to fix
6 it so quickly.

7 [REDACTED]: Well your theory is
8 wrong because that's not even how -. Why would
9 I do that? Why would I? If that was - if that
10 was -.

11 [REDACTED]: Well because [REDACTED]
12 doesn't - says he never had a conversation with
13 you. So we're thinking, oh well on the 10:00
14 count, there's actually these plus one numbers.
15 Maybe she actually had the conversation with
16 [REDACTED]. Does that logic make sense to you
17 where I'm going with that?

18 [REDACTED]: No, that doesn't make
19 sense to me where you're going with that.
20 Because you're making an assumption. And
21 you're trying to put together a puzzle that's
22 not even fitting. If I went through the
23 trouble of finding out all this information on
24 this inmate so that I could adequately place
25 him right. Why would I forget - why would I

1 wait until - why would I say okay I'm not going
2 to do this right now. The time of the count is
3 the time of the count. And whatever happens at
4 the time of that count is supposed to be
5 reflected. So why would I let - why would I
6 tell somebody to put 73 plus something. What
7 is that? What is that?

8 ██████████: Exactly. That's what
9 we're trying to figure out.

10 ██████████: Okay. Well you need
11 to call somebody else in.

12 ██████████: So go back to that person
13 say we spoke to ██████████-██████████ and she said
14 absolutely not. She did not provide you that?

15 ██████████: I mean you can go
16 back to and talk to however and tell them
17 whatever. You know? What I'm telling you is
18 there would be no reason for me to wait for two
19 hours or three hours before making a change to
20 something and to have them void. Just say
21 okay, well you know, go ahead, and do that.
22 That to me -.

23 ██████████: Yeah, but like you said,
24 you get busy though.

25 ██████████: The ten -.

1 [REDACTED]: If all it was that you
2 just got busy, just like you said the reason
3 why --

4 [REDACTED]: Okay, so what?

5 [REDACTED]: -- you didn't send out
6 the activities report and the lieutenant's log
7 until 9:30 a.m. on August 10th was because you
8 got busy you said.

9 [REDACTED]: Okay, so why do - why
10 is everything on me? Why is - why are you -
11 you know you've just -.

12 [REDACTED]: Not everything is on you.
13 You're just taking it that way.

14 [REDACTED]: You've put -.

15 [REDACTED]: We're asking these same
16 questions to --

17 [REDACTED]: No because you -.

18 [REDACTED]: -- a lot of people.

19 [REDACTED]: No, because you're
20 asking me stuff that occurred on day watch,
21 stuff that occurred on evening watch. The
22 10:00 count is the responsibility of whatever
23 occurred on that shift. If it pertains to the
24 10:00 count, that would have been referenced
25 with the person who was there who was there at

1 --

2 [REDACTED]: That was you.

3 [REDACTED]: -- who was there
4 until 10:00.

5 [REDACTED]: You relieved the person.
6 You already said probably around 9:30 p.m. You
7 were the only ops lieutenant on duty from 10:00
8 p.m. on.

9 [REDACTED]: I wasn't the person
10 who put the inmate in R&D.

11 [REDACTED]: Right.

12 [REDACTED]: So why would I be the
13 one making the determination -?

14 [REDACTED]: But you were the one
15 involved with these counts.

16 [REDACTED]: At 12:00.

17 [REDACTED]: Yes, but you were the ops
18 lieutenant on duty at 10:00 p.m.

19 [REDACTED]: If I wasn't aware
20 that the inmate was in R&D at 10:00, how could
21 I advise somebody --

22 [REDACTED]: You have answered our
23 question already.

24 [REDACTED]: -- about the 10:00
25 count?

1 [REDACTED]: Okay, you're saying you
2 didn't know it. So you did not learn this
3 until 12:35. And you did not authorize those
4 things on that 10:00 p.m. count. Correct?

5 [REDACTED]: No I did not. Have
6 you talked to -? I mean you may want to talk
7 to some other people because -.

8 [REDACTED]: No.

9 [REDACTED]: You know you -.

10 [REDACTED]: Can I ask a different line of
11 questioning on this?

12 [REDACTED]: Absolutely.

13 [REDACTED]: So let's talk about the 10:00
14 p.m. count, right? So on the 10:00 p.m. count,
15 you see the E1 sheet? It says RA. It says
16 zero. Right? This has nothing to do with him.
17 Just asking in general. If you were - if the
18 person - control officer. Right? This says RA
19 zero. Gets a sheet for R&D - a count slip -
20 that says one in there. And the E1 shows zero.
21 What should have happened? Right here. This
22 says - you said RA is zero. That's R&D, right?

23 [REDACTED]: You would have to
24 talk to - like I said - you would have to talk
25 to the people who all - who shift all of this

1 happened on.

2 ██████████: Well you are on this
3 shift.

4 ██████████: No. I -.

5 ██████████: So we talked to these
6 people. You're the ops lieutenant on the
7 shift.

8 ██████████: I was - I just
9 happened to be here at 10:00 when the count was
10 conducted. I wasn't here when this dude - when
11 all this stuff was going with this dude.

12 ██████████: You weren't here at 3:15
13 p.m.

14 ██████████: And he was placed on
15 dry cell.

16 ██████████: I'm sorry. Go ahead.
17 But just explain it.

18 ██████████: No-no-no. A hundred percent.
19 That's the same thing I'm asking. You're the
20 ops lieutenant at this point because you came
21 in. You're on shift at this point. The
22 control officer - ██████. Right? Who looks at
23 the E1. Don't they go through here, they check
24 off, the first cross is to make sure the count
25 when they get called in. The second line that

1 comes through is when they verify that - the
2 count slips.

3 [REDACTED]: Correct.

4 [REDACTED]: Okay. RA, which is R&D, on
5 E1 it shows zero.

6 [REDACTED]: Okay.

7 [REDACTED]: They get a count slip from
8 R&D.

9 [REDACTED]: I can't explain that
10 to you.

11 [REDACTED]: So what would have happened?

12 [REDACTED]: What do you mean what
13 would have happened?

14 [REDACTED]: What should have happened?

15 [REDACTED]: I don't know what
16 should have happened because that depends on
17 what they were told by whoever they spoke with
18 prior to the 10:00 count being conducted as to
19 how they were - what they were going to do
20 concerning this dude on dry cell that was out
21 of pocket.

22 [REDACTED]: As - now listen. You're
23 saying you wouldn't know. But here's the
24 thing. You're the lieutenant on, right? The
25 count - control officer gets a slip from R&D.

1 Even though E1 shows that there - the E1 shows
2 there's nobody in R&D. They're getting a count
3 slip showing one in R&D. Right? Is there an
4 issue with the count at that point?

5 [REDACTED]: That depends on what
6 they was told. If someone told them that that
7 was how they were to document the count, why
8 would that be a problem?

9 [REDACTED]: But does the count slip match
10 up to the E1 at that point?

11 [REDACTED]: Apparently it doesn't
12 because the -.

13 [REDACTED]: Okay.

14 [REDACTED]: But what does the
15 plus one mean? It's the -.

16 [REDACTED]: Look-look. The count shows
17 one in R&D. Right? Before we look at that.
18 The count shows one in R&D.

19 [REDACTED]: Where is this?

20 [REDACTED]: Count shows one. You see
21 that?

22 [REDACTED]: Okay.

23 [REDACTED]: All right. The E1 document
24 doesn't show a one. It shows zero. Right
25 here. The E1. This is the main document that

1 control uses, right?

2 [REDACTED]: Okay.

3 [REDACTED]: That shows zero.

4 [REDACTED]: Okay.

5 [REDACTED]: Is there a problem with the
6 count?

7 [REDACTED]: There's a problem
8 with the E1. Because the E1 should be
9 reflecting whatever the count slip is saying.

10 [REDACTED]: But is there a problem with
11 the count now?

12 [REDACTED]: There's a problem -
13 the inmate is still physical inside the
14 institution. So the count - as far as the base
15 count goes - is still accurate. As far as the
16 location, the location is off. The location
17 needs to be fixed. The inmate is accounted
18 for. It's just that the place where he is
19 during the count and it's off. They could have
20 ghosted the inmate. I don't know what was
21 going on at the time.

22 [REDACTED]: So here's the thing. That
23 means this inmate, according to E1, is sitting
24 in another unit. Yes or no?

25 [REDACTED]: I don't know where he

1 was sitting at the 10:00 count. I don't know
2 where he was sitting. Because I wasn't aware
3 that we had an inmate in R&D.

4 ██████████: All right. Exactly. If the
5 control officer, right, matches up every
6 number. Every number that comes on the count
7 slip matches up to the E1 document exed out for
8 R&D. And R&D shows that there is one. But
9 every other unit shows that it matches the E1
10 document. Isn't there something wrong with the
11 count?

12 ██████████: Not if he's aware
13 that the inmate -. If he was told that that's
14 how his count was supposed to be conducted,
15 that he - if he was told that he was supposed
16 to fill out a count slip for one in R&D or
17 whatever. Then -.

18 ██████████: But that means another unit
19 has a wrong count.

20 ██████████: Sir. I can't answer
21 these questions to you about what they was told
22 about how to do the 10:00 count.

23 ██████████: Well you already hit it.
24 And what he's saying the person who took this
25 count - ██████████ - said that he did a ghost count

1 and he was approved by you to do the ghost
2 count.

3 [REDACTED]: How was he approved
4 to do a ghost count by me when I didn't even -
5 I wasn't even aware that there was an inmate in
6 SHU.

7 [REDACTED]: Sound like he was lying
8 to us.

9 [REDACTED]: Until -.

10 [REDACTED]: That's the question.

11 [REDACTED]: Until 12:00.

12 [REDACTED]: We're not saying --

13 [REDACTED]: Which is the time at
14 which I made the change.

15 [REDACTED]: We're not saying that you
16 did approve it. We're asking you if you did
17 approve it. And if you didn't -.

18 [REDACTED]: No, I did not. I
19 would not have. No.

20 [REDACTED]: No, you didn't.

21 [REDACTED]: Why would I -?

22 [REDACTED]: Then that's the question.
23 We're not --

24 [REDACTED]: Why would I approve
25 that?

1 [REDACTED]: -- saying that you did.

2 We're asking you, did you?

3 [REDACTED]: No, I did not approve
4 that.

5 [REDACTED]: Okay. Thank you. So
6 when you looked at these, you can go back to
7 them to help. But when we look at these round
8 sheets that you did in the SHU. Would that
9 have been when you visited the SHU? When -
10 maybe it wouldn't have been. Because according
11 to these - this is where you logged in. It
12 looks like you logged all of your rounds in at
13 the exact same time - within a minute or two.
14 You must have done them from your office,
15 correct? Rather than that?

16 [REDACTED]: Correct.

17 [REDACTED]: Okay. So prior to 5:21
18 a.m., I think it was in the 4:00 or 4:30 range,
19 is that when you would have visited the SHU on
20 August 10, 2019 to do your round?

21 [REDACTED]: I think it was -. I
22 think it was after 4:00. It might have been
23 before 4:00 and I - and I exited after 4:00.

24 [REDACTED]: Mm-hm.

25 [REDACTED]: I'm not sure exactly

1 what time it was. But I think it was after
2 4:00 when I left. I don't know exactly what
3 time I came.

4 ██████████: So sometime around 4:00
5 a.m.

6 ██████████: Somewhere around
7 probably 4:00 or something like that.

8 ██████████: Okay. When you were
9 there, do you recall ██████████ falling asleep in
10 front of you?

11 ██████████: No.

12 ██████████: No? So you didn't roll
13 up a newspaper and hit him with it and say wake
14 up?

15 ██████████: I hit him with a
16 newspaper, but that wasn't to wake him up.

17 ██████████: What was it for?

18 ██████████: Because ██████████ - we
19 were talking. We were having a conversation.
20 And he said something funny and I hit him with
21 the news - with the paper.

22 ██████████: All right. So if the
23 people that are in there - there's ██████████ and
24 ██████████, that are in there - and they say it's
25 because ██████████ was sleeping. And you said wake

1 up - stay awake.

2 [REDACTED]: Oh no.

3 [REDACTED]: That wasn't the case?

4 [REDACTED]: No.

5 [REDACTED]: All right.

6 [REDACTED]: No.

7 [REDACTED]: And he was not falling
8 asleep in front of you?

9 [REDACTED]: They were tired as
10 everybody on shift was tired. But no. Falling
11 asleep? No.

12 [REDACTED]: Okay. Did you talk to
13 them at all about sleeping?

14 [REDACTED]: No.

15 [REDACTED]: And falling asleep and
16 being tired?

17 [REDACTED]: No.

18 [REDACTED]: No? All right. And at
19 that time, did you know that they weren't
20 conducting their counts or rounds?

21 [REDACTED]: No.

22 [REDACTED]: Do you recall what
23 discussions you had with them?.

24 [REDACTED]: No.

25 [REDACTED]: Well what can you recall?

1 You obviously remember rolling up the paper and
2 hitting him. What was that conversation?

3 ██████████: Because he was just
4 talking about - we was just talking about
5 things in general. I don't specifically recall
6 exactly what it was that we was talking about.
7 Because generally, we would be talking about
8 things that were going on in the institution.
9 Sometimes if somebody brought up another
10 subject or something like that, we would
11 discuss that. Or if something happened when I
12 went upstairs. Or something to that effect.
13 But no.

14 ██████████: So and again, if they're
15 saying, no she did that because he was falling
16 asleep in front of her. You know putting his
17 arms down or getting ready to fall asleep. You
18 said that it was because they rolled up and
19 said stay awake. That wasn't the case?

20 ██████████: No.

21 ██████████: Okay. So you weren't
22 trying to keep them awake?

23 ██████████: No. If I was - if
24 that was the case, I would have told him to get
25 up and go wash his - walk around and wash his

1 face. Go do some rounds or something like
2 that. But no.

3 [REDACTED]: Okay. Now what is your
4 understanding of what happened with Epstein on
5 August 9th and 10th of 2019?

6 [REDACTED]: I don't know the
7 circumstances of what happened to him other
8 than he committed suicide.

9 [REDACTED]: Okay. So is your
10 understanding that he committed suicide?

11 [REDACTED]: Yes. I haven't been
12 told anything differently.

13 [REDACTED]: Do you have any
14 information with related to any suspicious
15 activity that occurred on August 9th or 10th --

16 [REDACTED]: No.

17 [REDACTED]: -- 2019 leading up to the
18 discovery of Epstein in his cell?

19 [REDACTED]: No. No.

20 [REDACTED]: So you said that you do
21 believe that Epstein was prematurely removed
22 from suicide watch on July 30, 2019?

23 [REDACTED]: What I said was is
24 that if there was all these special
25 circumstances surrounding him -. I don't even

1 agree with the fact that Epstein should have
2 been on SHU. Personally. Epstein should not
3 have been on SHU. He should have been in um -
4 he should have been on Ten South. If he
5 required that type of supervision. Inmates -
6 BOP policy states that inmates are not even
7 responsible for other inmates. So for you to
8 even put a requirement on his to say that he
9 had to have another inmate - and expect that
10 inmate to supervise another inmate is
11 irresponsible to begin with. You have - I've
12 seen a lot of inmates during my time in the
13 Bureau who have had cellies that have fallen
14 out and been unconscious. And they waited
15 until you actively made rounds to let you know,
16 hey you may want to check on this inmate. So
17 that's why the BOP has that policy that inmates
18 are not responsible for other inmates. I don't
19 even like the inmates that they put on suicide
20 watch to watch other inmates. Because I've
21 seen them sit there and agitate the inmates
22 that are on watch. So that's ineffective to
23 expect another inmate is irresponsible to
24 expect another inmate to care that much about
25 another inmate.

1 [REDACTED]: Now do you know why
2 Epstein was removed from suicide watch?

3 [REDACTED]: I don't - no, I do
4 not.

5 [REDACTED]: Did you hear anything
6 about anyone being contacted and requesting
7 that he be removed?

8 [REDACTED]: No.

9 [REDACTED]: No? Okay. Are you aware
10 if MCC and SHU cameras were working on August
11 9th and 10th of 2019?

12 [REDACTED]: Am I aware of what?

13 [REDACTED]: If the MCC and the SHU -
14 specifically the SHU cameras - were working on
15 August 9th and 10th 2019?

16 [REDACTED]: I have no reason to
17 believe that the SHU cameras that we have in
18 the lieutenant's office wasn't working. The
19 camera in there was working. If it wasn't, I
20 would have put in a work order or emailed or
21 something to that effect for it to be fixed.

22 [REDACTED]: Do you know who had
23 access to the cameras to be able to like
24 intentionally take them offline?

25 [REDACTED]: No.

1 [REDACTED]: Do you know who could
2 have done that though?

3 [REDACTED]: No.

4 [REDACTED]: Do you even know how that
5 would have been done?

6 [REDACTED]: No. No.

7 [REDACTED]: Do you know where the
8 recorders were located?

9 [REDACTED]: No.

10 [REDACTED]: No? Did you
11 intentionally take the cameras offline?

12 [REDACTED]: No.

13 [REDACTED]: Okay. Are you aware if
14 Epstein was in his assigned cell on August 10,
15 2019? Was Epstein in his assigned cell on
16 August 10, 2019?

17 [REDACTED]: I assume he was. I
18 had no other - I have no reason to believe that
19 he wasn't.

20 [REDACTED]: So if he was not in his
21 assigned cell in the BOP - the cell that the
22 BOP database said that he was supposed to be
23 in. If he was in a different cell, who would
24 have been responsible for that mistake?

25 [REDACTED]: I don't know that

1 there's anyone that would have been responsible
2 for that. Because there's no - there's - it
3 may not have been a mistake. It could have
4 been an oversight or something like that. You
5 know during this time, we were so short and
6 everybody was so busy. We had so many things
7 going on. We had the inmates in the
8 institution was - were going crazy at that time
9 because they were unhappy. A lot of their -
10 especially in the SHU - a lot of the services
11 that stuff that they were supposed to have
12 weren't being given to them. You know so there
13 was a lot going on in the institution at that
14 time. And you had very few people working. So
15 you was doing numerous - you had one or two
16 people doing the jobs of what would normally be
17 four or five people. So there was just a lot
18 going on at that time.

19 ██████████: So you think that the
20 mistake would have been - if it was a mistake
21 rather than intentional, someone intentionally
22 doing it -.

23 ██████████: I mean I can't answer
24 that. Because I don't know what Epstein's
25 assigned cell was in relations to --

1 [REDACTED]: Yeah, no.

2 [REDACTED]: -- where he was.

3 [REDACTED]: The question is simply -
4 and I didn't say it was or wasn't. I just said
5 simply, if the cell in the BOP database does
6 not match up to the cell where he was found,
7 who was responsible for that. Who is
8 responsible for ensuring that either the
9 database corresponds to the cell where they're
10 in or the cell corresponds to where what is
11 showing in that BOP database.

12 [REDACTED]: Whoever - the person
13 who would have made that change - um.

14 [REDACTED]: Well who is responsible
15 for making sure it's accurate?

16 [REDACTED]: I mean there's no one
17 person who's responsible for making sure that
18 it's - that it's accurate.

19 [REDACTED]: Would that be the SHU
20 lieutenant? The SHU OIC or -?

21 [REDACTED]: I don't know who
22 reviews that stuff.

23 [REDACTED]: Okay.

24 [REDACTED]: You know.

25 [REDACTED]: So you don't know.

1 [REDACTED]: I don't know who. I
2 don't know if there's anybody up in SHU that
3 reviews on a daily basis or whatever timeframe
4 where each inmate is located especially at that
5 time. I mean there was so much going on. A
6 lot of that is why we're here. Because we
7 didn't have the resources in grave numbers that
8 we needed to do a whole lot of things. We
9 didn't even have the adequate amount of staff
10 to do uses of forces. Do you know how grave
11 that is to safety and security? We had a ton
12 of contraband in the building at the time. We
13 had so many things that we were dealing with
14 and so many - such a lack of staff. To do
15 those things with that we were just doing the
16 best that we could with what we had. Because
17 nobody was giving us anything else. Nobody was
18 giving us anything else to work with. And then
19 on top of that, you had officers that were
20 being mandated. You can check around at any
21 other institution in the Bureau. You will
22 never see that. But officers are being
23 mandated five days a week. And there were days
24 when they was fed an additional two, two and a
25 half hours on their shift in addition to doing

1 16 hours because there was nobody to relive
2 them at that point.

3 [REDACTED]: Sure. So they're
4 overworked and understaffed.

5 [REDACTED]: Gravely. Gravely.

6 [REDACTED]: All right.

7 [REDACTED]: Gravely understaffed.

8 [REDACTED]: Here. Why don't you do
9 some follow-ups. Do they - ask.

10 [REDACTED]: Did you ever hear about C.O.s
11 pre-filling round sheets or count sheets? Like
12 as soon as they get on a shift, they fill out -
13 .

14 [REDACTED]: No. No.

15 [REDACTED]: You never heard of that?

16 [REDACTED]: No. No.

17 [REDACTED]: What about like a -? Would
18 you be surprised if COs were prefilling them
19 out? Like when they get in, they fill out the
20 times right on the round sheet. That hey,
21 that's when I get these. And they try to time
22 them and go do the rounds according to what
23 they filled out? If they could. Do you
24 understand what I'm saying? Let's say the
25 shift started at 8:00 a.m. They would get on

1 shift. They would take their round sheet, fill
2 out all the rounds that they did - will do,
3 right? And they try to time it and try to go
4 out at that point?

5 [REDACTED]: Yeah, I would be
6 surprised if that happened.

7 [REDACTED]: Is that something they're
8 supposed to do?

9 [REDACTED]: You're rounds are
10 entered when you do the rounds.

11 [REDACTED]: Why do you have to enter that
12 round - like why can't you prefill it out?

13 [REDACTED]: I mean you can - as
14 long as you know when you did your rounds, you
15 can put it on a scrap sheet of paper or
16 anything. As long as you know what time you
17 did it. They're not going to always have time
18 after you make a round to run downstairs and
19 jot it. Because there are things that
20 interrupt it or interfere with that. Anything
21 could happen after you've made rounds that
22 would prevent you from notating it. If you
23 have the time to do so, yes. But if you don't
24 it is not unheard of for staff members to
25 document their - the times of their rounds

1 after they've done their rounds at a later
2 time. Or sometimes even towards - before they
3 leave - before they get off work. Because
4 they've documented it on a scratch sheet of
5 paper or something like that. Because they
6 didn't have time to document them because of
7 something that happened or something that
8 occurred.

9 [REDACTED]: And if [REDACTED] and [REDACTED] - they
10 turned around and they prefilled the round
11 sheets and the count sheets, would that be an
12 issue?

13 [REDACTED]: Yes, that would be an
14 issue.

15 [REDACTED]: To you, if you found out that
16 they did do it, what does that tell you about
17 the rounds and the counts? Were they actually
18 done?

19 [REDACTED]: If they were
20 prefilled, how would -? They couldn't have
21 been done. If they prefilled, how could they
22 be done if that time hasn't arrived?

23 [REDACTED]: Do you have questions?

24 [REDACTED]: I'll just ask you these
25 general questions. What do you know about

1 someone else taking Epstein's life?

2 [REDACTED]: I don't know anything
3 about someone else taking Epstein's life.

4 [REDACTED]: What do you know about
5 others assisting with taking Epstein's life?

6 [REDACTED]: Nothing.

7 [REDACTED]: Did Epstein take his own
8 life?

9 [REDACTED]: I wasn't there to see
10 it happened, but from what I understand he took
11 his own life. I don't know who else would have
12 a reason to take his life.

13 [REDACTED]: Did Epstein act alone in
14 taking his own life?

15 [REDACTED]: As far as I know,
16 yes.

17 [REDACTED]: Did you have any
18 involvement with Epstein's death?

19 [REDACTED]: No.

20 [REDACTED]: And the last thing I have
21 to ask is there was an email. And this is just
22 so you can address it because there's no
23 response from the captain. But the captain
24 sent you an email on 8/12/2019 saying,
25 "Lieutenant [REDACTED], I'm reminding you to

1 submit your supervisor memorandum for the
2 Inmate Epstein incident that occurred on
3 8/10/2019. Please have complete and ready for
4 submission on 8/13/19. Thank you." And that was
5 from [REDACTED], Captain. Then you
6 responded on August 12, 2019, saying, "in your
7 email you state 'I am reminding you.' I haven't
8 spoken to you or anyone else regarding the
9 incident involving Inmate Epstein or anyone -
10 or anything - pertaining -." Sorry.
11 "Involving Inmate Epstein or anything else
12 pertaining to August 10, 2019. So how is it
13 possible for you to be reminding me? Second,
14 I've been properly relieved prior to the
15 incident involving Inmate Epstein." Do you
16 recall that - his email?

17 [REDACTED]: Okay.

18 [REDACTED]: Is there - was there any
19 other further communication on this?

20 [REDACTED]: No.

21 [REDACTED]: Were you required to do a
22 memorandum?

23 [REDACTED]: No because I wasn't
24 involved in the incident.

25 [REDACTED]: Okay. So you never wrote

1 one?

2 [REDACTED]: No.

3 [REDACTED]: Okay. Just before we
4 leave, these - I've been keeping these in front
5 of you. I just - I didn't want to keep on
6 bothering you. I just wanted you to look. Can
7 you just initial and date these just so that we
8 know that these are the documents that we
9 discussed? So that - just the front obviously
10 of each would be very helpful just so that we
11 don't -. So for these group of emails right
12 here, you don't have to. See how they were
13 like stapled? You can just do the front one.
14 So you don't have to do all of those. Were
15 these - where you discussed it.

16 [REDACTED]: You say initial them?

17 [REDACTED]: Just initial and date.

18 Today's date is 9/1/21. Yeah, I believe it's
19 (Indiscernible *02:01:03). You can ask her
20 after she's done.

21 [REDACTED]: Can you grab those?

22 [REDACTED]: (Indiscernible *02:03:03)

23 [REDACTED]: Yeah, that's exactly what
24 I was just going to go back and ask her.

25 [REDACTED]: Thank you for initialing.

1 [REDACTED]: Is that it?

2 [REDACTED]: There's just one follow-
3 up that we made a - I think you can ask.

4 [REDACTED]: Yeah. Last time we spoke,
5 you spoke about the midnight count. The 12:00
6 a.m. count on August 10th. And you mentioned
7 there was discrepancy, (Indiscernible
8 *02:03:33) to discrepancy, right? You
9 mentioned you spoke to [REDACTED] that night. And
10 you told him - he wrongly - uh, your
11 conversation with [REDACTED] - what exactly you
12 instructed him? When they sent up the slip,
13 what was the count slip showing? Was there an
14 error with the count slip?

15 [REDACTED]: I think when you
16 showed me the count slip the last time, I think
17 there was an error with the count slip.

18 [REDACTED]: Do you recall talking to
19 [REDACTED] about the error on the count slip?

20 [REDACTED]: I remember telling
21 them to - after we determined that - after we
22 moved the inmate, the count slip had to be
23 corrected.

24 [REDACTED]: And if there is an error with
25 the count slip, what are they supposed to do?

1 ██████████: When the count slip
2 was submitted, there wasn't an error. Because
3 that's what - that's what the number of inmates
4 that they had as far as they knew that was
5 pertaining to the SHU count. They weren't sure
6 as to whether or not - I said what should be
7 placed on the count because that was - because
8 there was an inmate in R&D. That's how all of
9 this came about. So it wasn't necessarily an
10 error, it was how the count slip had been
11 completed because they didn't know at the time
12 what the situation was with the inmate in R&D.
13 So that's why they called - they notified me to
14 see if - to see what I wanted them to do about
15 it. So we made - once we verified that the
16 inmate was in R&D, we made the change in Sentry
17 and on the E1 which effectively changed the E1,
18 and a new count slip should have been routed.

19 ██████████: You instructed them to send a
20 new count slip?

21 ██████████: I asked - well they
22 knew to do a new count slip. And yes, you
23 know, do a new count slip, and send a new slip
24 down.

25 ██████████: Do you know if that count

1 slip was ever sent over?

2 [REDACTED]: It appears - I think
3 from the last time - when we spoke the last
4 time, I don't think it - I don't - it wasn't
5 attached to - from you all's records and what
6 you had, you know, the copies that you had, it
7 appeared that it wasn't attached to the count
8 slips themselves - to the count. So whether or
9 not it arrived and someone discarded it because
10 they didn't know if it was the new one or an
11 old one or whether it fell off. I don't know.

12 [REDACTED]: So when we last spoke,
13 you said that when you spoke with them, you
14 hadn't even received their count slip yet. And
15 then you said that you didn't know if you
16 actually told them to do a new count slip or
17 not. Do you remember?

18 [REDACTED]: Because they knew to
19 do - they knew to do a new count slip because -
20 .

21 [REDACTED]: So you may not have
22 actually told them to do a new count slip. You
23 just assumed they would have known to do one?

24 [REDACTED]: They - to clarify
25 everything. Because their count slips - when

1 they were saying that the count slip had - that
2 they - the count that they had on their unit -
3 of course, we - I - we went thought everything
4 that they were supposed to do. Go head. You
5 know do a fresh count, make sure that what you
6 have on your unit is what you have. And do a
7 count - resubmit the count slip. Because I
8 think the guys that was there previously had
9 counted. The officers that was there
10 previously, I think they may have counted prior
11 to them getting there.

12 ██████████: Right. So the question
13 to that is do you know if they were calling in
14 their 73 here and one in R&D? Is that what
15 they were trying to say? Do you know? Because
16 their count slip said 73 and it still to this
17 day is attached as 73. And their books show
18 that there was 73. And the people that were in
19 the previous - all the previous counts - the -
20 you know, leading up to this - the 10:00 p.m.
21 and then - what is the one before that, the
22 4:00 p.m. - 5:00 p.m.?

23 ██████████: 4:00 p.m.

24 ██████████: 4:00 p.m. So the 4:00
25 p.m. count, the 10:00 p.m. count and the 12:00

1 p.m. count are all wrong. They're all off one.
2 So do you know if when they were calling it in
3 did they say, yep we have 73. So that's why
4 they entered up 73. They gave you the 73. And
5 also we have one in R&D.

6 [REDACTED]: I think the count
7 went from 73 to 72.

8 [REDACTED]: It did. And that's the
9 right count.

10 [REDACTED]: Okay.

11 [REDACTED]: But the SHU always
12 thought that there were 73. So they were
13 always off one to include what [REDACTED] and [REDACTED]
14 sent in when it said 73. So it's either, the
15 10:00 p.m. count slip was wrong and their 4:00
16 p.m. count slips were wrong. So they're all
17 wrong in the SHU. So the question is do you
18 know if during your conversation if they said
19 we have 70 - we verified - we have 73 here and
20 there's one in R&D. Because this account slip
21 --

22 [REDACTED]: No, I don't remember.

23 [REDACTED]: -- at 10:00 p.m. does say
24 73 plus one.

25 [REDACTED]: I don't remember if

1 they -. I don't remember if they said. I
2 don't remember if that was the conversation.
3 If they had -. I don't remember the plus one.
4 ██████████: So you just remember they
5 said they have a count and there's one in R&D?
6 ██████████: I remember them -. I
7 remember them when they -. I think I was
8 calling in the count. Because I don't know
9 what other reason. Unless he was calling me to
10 tell me. He was either calling in the count -
11 well it was at the time of the count. So when
12 he called me, he was like there's a - there's
13 seven - whatever number. They had issues - 73
14 or whatever it was. I don't remember the
15 number. And - but there's a guy in - there's a
16 guy in R&D from here. And I think they wanted
17 to know what did they want me to do about the
18 count - about the inmate in R&D as far as the
19 count slip went. You know. Because ██████████ -
20 ██████████ already knows that I don't play around
21 with -. ██████████ knew me because we had worked
22 together long enough for him to know that there
23 was just certain things that he needed to
24 consult with me about because he knew that I
25 was - if it was supposed to be a certain way

1 then that was how I wanted it to be done. So.

2 ██████████: So is it correct, though,
3 to say they called in a number. You don't know
4 if they said 72 or 73 - and they had an
5 additional person that was in R&D.

6 ██████████: If you're talking
7 about the plus one thing, no. I don't remember
8 that.

9 ██████████: Yeah-yeah-yeah. No, I'm
10 not talking specifically about the 10:00 p.m.
11 count. I'm talking about when you did speak
12 with him. I'm just trying to rectify because
13 they still sent in the 73. So in my mind,
14 since their books show that there was 73 in
15 there, my thought is they probably thought
16 there was actually 73 and one in R&D as opposed
17 to 72 and one in R&D.

18 ██████████: I don't - I don't - I
19 don't know what they - I don't know what they
20 was thinking. And I don't know if -. I don't'
21 ever remember the number 74 coming up.

22 ██████████: Okay.

23 ██████████: I don't remember the
24 number 74.

25 ██████████: Do you know how for the

1 3:00 a.m. count they knew to go down to 72?

2 [REDACTED]: Because we made the
3 change at 12:00 a.m.

4 [REDACTED]: Okay.

5 [REDACTED]: To 72.

6 [REDACTED]: So -.

7 [REDACTED]: After it had been
8 brought to my attention that the guy was in
9 R&D.

10 [REDACTED]: Right. And you're very
11 confident that [REDACTED] is the one who told you
12 there's somebody in the SHU - there's somebody
13 in R&D from the SHU?

14 [REDACTED]: I would have sworn it
15 was [REDACTED]. I don't think it was anybody - I
16 don't think it was anybody else because I think
17 by that time, the other guys had left already.

18 [REDACTED]: Okay.

19 [REDACTED]: Because I could have
20 just asked them. So the fact that I would ask
21 them to do that and not talk to the guys
22 previously. If they were there, I would have
23 just asked them. You know, what's going on?
24 What - you know - why - what's up with the
25 count? What happened? And I would have had

1 them give me an explanation as to what happened
2 that led up to that because that would have
3 been part of me determining, you know, one
4 finding out what was going on. And determining
5 in the end what I needed to do about it. You
6 know.

7 ██████████: And just -.

8 ██████████: And why was it like
9 that? Because R&D isn't a place where we house
10 inmates. So that was out of the ordinary. So
11 it's like why do we have an inmate in R&D? And
12 especially one that's bedded down for the
13 night. So that - that just - that just raised
14 a lot of questions for me that I needed to get
15 answers to prior to make a determination as to
16 whether or not this inmate needed to go back up
17 to the SHU. Or if there was no reason other
18 than to let him stay on R&D.

19 ██████████: And then final question.
20 What did you do to determine that he was there
21 and the documentation was correct?

22 ██████████: What do you mean?

23 ██████████: So this just goes back to
24 you said you called - you either called or
25 visited R&D.

1 ██████████: I know I visited R&D.
2 And I think we called to make sure - to verify
3 - that the inmate - that there was actually an
4 inmate there. And I want to say that somebody
5 in control that was saying yeah, there is an
6 inmate in R&D. So I can't remember offhand
7 how, but I'm sure we made a phone call to
8 verify that there was an inmate in R&D. And
9 that the circumstances of why he was there.
10 And at some point, I went and visited R&D.

11 ██████████: Okay. And again, just to
12 give you the backstory of what we have, all of
13 the people - the 10:00 p.m. count and the 4:00
14 p.m. -?

15 ██████████: 4:00 p.m.

16 ██████████: 4:00 p.m. count. They've
17 already told us we didn't do the count. We
18 didn't count them. We know at 12:00 a.m. they
19 didn't do the count. They did not count them.
20 No counts were conducted. So this just - I
21 want you to know that for the back of your
22 head, especially since they were counting
23 ██████████ in their count that they thought that
24 they were doing that was accurate. Are you
25 sure you had a conversation with someone in the

1 SHU about the count being - you know and them -
2 and them providing you the information as
3 opposed to you providing them the information?

4 [REDACTED]: What do you mean? As
5 far as me calling -?

6 [REDACTED]: Because [REDACTED] just
7 started at midnight and they didn't seem to
8 know. So the people that were doing the counts
9 and they were doing it wrong, they were all
10 like, "Well we didn't know that. We didn't
11 know our count was wrong. We weren't
12 intentionally ghost counting." So [REDACTED]
13 started at midnight. The fact that he would be
14 calling you with that information just seems
15 very unlikely since no one before him knew
16 about that.

17 [REDACTED]: Why was that - why
18 would that be unlikely?

19 [REDACTED]: Because he started at
20 midnight. And the people that were in the SHU
21 weren't aware of the [REDACTED] mistake, which
22 caused all their counts to be wrong and now we
23 know that they all counted wrong and they've
24 all admitted it. Yep, we didn't count. So I
25 just want to make - because this is the one

1 part of our story that doesn't really add up is
2 the fact that you're saying he told you there
3 was somebody in dry cell when nobody else
4 seemed to know. And he just started that
5 shift.

6 [REDACTED]: So what's unusual
7 about that?

8 [REDACTED]: The 4:00 p.m. count was
9 wrong. The 10:00 p.m. count was wrong. And
10 the 12:00 p.m. count was wrong - or 12:00 a.m.
11 count - I'm sorry - was wrong and the person
12 that just started at 12:00 a.m., the only way
13 that I would think he would know that someone
14 was in the R&D dry cell, was if someone
15 previous to him told him that. So what I'm
16 asking is are you sure that he told you? Or
17 did you say there's someone in R&D. That guy
18 came from SHU.

19 [REDACTED]: No. How would I have
20 known?

21 [REDACTED]: I don't know, because
22 there was an R&D count slip?

23 [REDACTED]: You're talking about
24 an R&D count slip for 10:00?

25 [REDACTED]: There's also one at

1 midnight.

2 [REDACTED]: Yeah, because at
3 midnight, we have to do R&D count - an R&D
4 count slip - after we move the guy to R&D. We
5 have to have a -.

6 [REDACTED]: You moved him to R&D?

7 [REDACTED]: I mean to - after we
8 moved him in Sentry to R&D.

9 [REDACTED]: Oh, okay.

10 [REDACTED]: We have to do a count
11 slip for R&D at that point.

12 [REDACTED]: So are you following what
13 I'm saying? So [REDACTED] starts at midnight. And
14 you're saying he's the one who informed you.

15 [REDACTED]: Just -.

16 [REDACTED]: However, no one before
17 him seemed to have known that information.
18 They didn't know that their counts were wrong.

19 [REDACTED]: Just because [REDACTED]'
20 shift starts at 12:00 don't necessarily mean
21 that he didn't get there before 12:00.

22 [REDACTED]: But no one in the SHU
23 knew.

24 [REDACTED]: Okay. I can't
25 explain that.

1 [REDACTED]: And that's why - no-no-no
2 - all I'm asking you --

3 [REDACTED]: I can't explain that.

4 [REDACTED]: -- is because your story
5 is saying that he told you this information.
6 Are you sure that the conversation just didn't
7 take place with you and you're actually the one
8 that would have informed him?

9 [REDACTED]: I informed you how.
10 It occurred, according to my recollection.

11 [REDACTED]: Okay.

12 [REDACTED]: I have no reason to
13 sit here and deviate from information or make
14 things up or -.

15 [REDACTED]: No-no-no. I know. I'm
16 just saying like --

17 [REDACTED]: Yeah, I mean -.

18 [REDACTED]: -- knowing that
19 backstory, though now, knowing that the 4:00
20 p.m. count was wrong.

21 [REDACTED]: That doesn't change
22 anything.

23 [REDACTED]: Well it changes the fact
24 that they've admitted we never took - we never
25 did the counts.

1 [REDACTED]: Okay. I can't -.

2 [REDACTED]: And then at 10:00 p.m. --

3 [REDACTED]: Look.

4 [REDACTED]: -- you never took the
5 count. 12:00 a.m. never took the count.

6 [REDACTED]: What do you want me
7 to say about that?

8 [REDACTED]: All I'm just saying is
9 can you - in knowing that information and
10 actually thinking "huh, I'm confident I had a
11 conversation with this person." Did they
12 actually tell me this information?"

13 [REDACTED]: Is that it? Come on
14 now.

15 [REDACTED]: So you don't want to
16 answer? That's literally the last question.

17 [REDACTED]: What do you want me
18 to answer?

19 [REDACTED]: I'm just saying it -.

20 [REDACTED]: You keep asking me
21 the same thing over and over.

22 [REDACTED]: How confident -?

23 [REDACTED]: How many times do you
24 want me to answer the question?

25 [REDACTED]: I'm just -. How

1 confident are you that he's the one who provide
2 you with that information?

3 ██████████: To my recollection,
4 he was the one that I had the conversation
5 with. I'm almost - I mean a male, ██████████, I
6 don't remember talking to the guys from the
7 previous shift because I think they were gone
8 at that point. Because if they weren't, I
9 would have just got simply had one of them get
10 on the phone and asked them the information --

11 ██████████: No, absolutely --

12 ██████████: -- about the guy in
13 R&D --

14 ██████████: And I understand.

15 ██████████: -- because they would
16 have known.

17 ██████████: Well that's my question.
18 It sounds like you just may have answered it
19 there. I understand that you had a
20 conversation with someone. What I'm saying is,
21 did they provide you the information or did you
22 provide them?

23 ██████████: I've told you
24 numerous times that they provided me with it.
25 They called me and mentioned to me that this -

1 that they - that there was an inmate in R&D and
2 was going - wanting to know how I wanted them
3 to fill out the count slip.

4 ██████████: Okay. And that's your
5 recollection. Great. Thank you for your time.
6 It is - this is Senior Special Agent ██████████
7 ██████████ with the U.S. Department of Justice
8 Office of the Inspector General. It is 2:41
9 p.m. and I am 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 

