

FEDERAL BUREAU OF INVESTIGATION

Date of entry 08/28/2019

██████████, Lieutenant at the Bureau of Prison's (BoP) METROPOLITAN CORRECTIONAL CENTER (MCC), 150 Park Row, New York, New York, was interviewed by FBI Special Agent ██████████, FBI Special Agent ██████████, Office of the Inspector General Special Agent ██████████ and Assistant United States Attorney (AUSA) ██████████ at FBI-New York offices at 290 Broadway, New York, New York. SA ██████████ provided ██████████ with an OIG "Warnings and Assurances to Employee Requested to Provide Information on a Voluntary Basis" form, which ██████████ signed and was witnessed by SAs ██████████ and ██████████. SA ██████████ retained the original and a copy is attached in the 1A section of this report.

After being advised of the identities of the interviewing Agents and AUSA, ██████████ provided the following information:

██████████ has worked at MCC for 17 years. ██████████ was promoted to Lieutenant in 2014 or 2015. ██████████ works approximately 16 hours a day, 6 days a week. As part of his operational duties, ██████████ is responsible for running the building, supervising core staff, and handling situations that come up with the inmates.

The hierarchy of supervisors within MCC is as follows: Warden, Associate Warden, Captain and Lieutenant. There are GS-11 Lieutenants and GS-9 Lieutenants. GS-11 Lieutenants supervise GS-9 Lieutenants. Lt. ██████████ is a GS-11 Lieutenant. Corrections Officers (CO) are below GS-9 Lieutenants.

The Special Housing Unit (SHU) has its own lieutenant. The SHU lieutenant is responsible for handling any problems that arise within SHU to include issues with staff as well as inmates. If there are no problems, the SHU lieutenant does not have to check in all the time. However, the SHU lieutenant must sign in to the SHU signature log at some point during his or her shift.

Investigation on 08/12/2019 at New York, New York, United States (In Person)File # 90A-NY-3151227Date drafted 08/16/2019by ██████████

90A-NY-3151227

Continuation of FD-302 of (U) Interview of [REDACTED], On 08/12/2019, Page 2 of 4

COs conduct rounds every half hour during each shift. COs are required to fill out 30 minute check sheets. The time of the check and the signature of the CO who conducted the check are documented on the check in sheet. The times are not always exactly 30 minutes apart to prevent inmates from learning a pattern of when the CO will conduct the check. COs must also conduct an official count which is separate from the 30 minute check. The official count is conducted at 10:00pm, 12:00am, 3:00am, and 5:00am. A signed count sheet certifies rounds were made and each inmate was in his cell at the time the round was conducted. On weekend days, there is a 10:00am count where inmates are required to stand up in their cells during the count. During the week, the 10:00pm count requires COs to ensure the inmate moves. A Lieutenant has to be present for at least one of the 12:00am, 3:00am or 5:00am counts. Both the check in sheets and the count sheets are kept for 30 days in a binder. An EI sheet is kept in the control center and has the inmate count as well as each inmate's physical location. The EI sheet must match the count sheet. The CO who conducts the count must call in to the control center to report the number. A Lieutenant can only sign off on the count sheet when the number on the count sheet matches the number on the EI sheet.

JEFFREY EPSTEIN was housed in SHU on the ninth floor. EPSTEIN met with his lawyers everyday between 8:00am and 8:00pm on the third floor of MCC. [REDACTED] only interacted with EPSTEIN when EPSTEIN needed to use the restroom during those meetings. [REDACTED] was not present when EPSTEIN was first placed on suicide watch on July 23, 2019. [REDACTED] knew EPSTEIN was on suicide watch because EPSTEIN was wearing a smock and only inmates who are on suicide watch wear smocks. [REDACTED] was also not present when the decision to remove EPSTEIN from suicide watch was made.

According to MCC policy, when an inmate is taken off of suicide watch he is placed on psychological observation for a period of time before he can be placed in SHU or in the general population. Regardless of whether an inmate is on suicide watch or under psychological evaluation observation, the inmate is required to have a "bunkie" also known as a cell mate. This is well known and considered "basic 101" policy information.

[REDACTED] did not work Friday August 9, 2019. [REDACTED] relieved Lieutenant [REDACTED], another GS-11 Lieutenant at MCC, at 5:30am on Saturday August 10, 2019. [REDACTED] was in his office on the 3rd floor from 5:30am until

90A-NY-3151227

Continuation of FD-302 of (U) Interview of [REDACTED], On 08/12/2019, Page 3 of 4

approximately 6:33am when he heard a call for a medical emergency on the 9th floor. [REDACTED] immediately went to the 9th floor. EPSTEIN's cell was the first cell to the right of the elevator. When [REDACTED] arrived at EPSTEIN's cell, he saw two COs, Officer NOEL and Officer THOMAS. EPSTEIN was lying down on two mattresses on the floor of the cell. THOMAS was next to EPSTEIN's body attempting to administer CPR. NOEL was standing by the entrance to the cell and told [REDACTED], "EPSTEIN hung himself." [REDACTED] pushed THOMAS off of EPSTEIN and continued CPR. [REDACTED] asked for someone to get an AED and call for the Duty Nurse. The Duty Nurse arrived and took over administering CPR to EPSTEIN. [REDACTED] saw a noose fabricated out of bed sheets but could not recall if the noose was around EPSTEIN's neck or on the ground next to the body. [REDACTED] took photos of EPSTEIN's cell on a BoP camera.

NOEL stated "we didn't do rounds at 3:00am and 5:00am." THOMAS said he told NOEL it was not her fault and "We didn't do the rounds. We messed up." The 3:00am and 5:00am rounds to which NOEL referred would have been the count rounds. If the rounds were not completed there should not be any signed count slips associated with those times. If there were signed count slips it would mean the slips were falsified. If the count is not done, the rounds sheet, which is filled out every 30 minutes, also cannot be completed. At the end of the shift, the supervising Lieutenant signs and sends the completed log of the inmates' movements from the day.

There were several pill bottles on the top bunk in EPSTEIN's cell. Inmates typically put some of their belongings on the top bunk when they do not have a cell mate. [REDACTED] asked NOEL "Where's his bunkie at?" to which NOEL responded "he doesn't have a bunkie." Lieutenant [REDACTED] worked the shift prior to Lieutenant [REDACTED]. At the end of each shift the Lieutenant is supposed to send out the entire log of the inmates' movements of the day. If EPSTEIN's bunkie was removed from their shared cell the day prior, the movement should have been documented on the log and handed over to [REDACTED] when she reported to work following [REDACTED] shift. [REDACTED] could not say with certainty whether or not [REDACTED] or [REDACTED] knew EPSTEIN did not have a bunkie.

MCC personnel receive annual refresher training regarding policy and procedure. The topics of inmates being required to have a cell mate as well as how and when to conduct the count and complete rounds are covered in the annual refresher training.

90A-NY-3151227

Continuation of FD-302 of (U) Interview of [REDACTED], On 08/12/2019, Page 4 of 4

After the Duty Nurse removed EPSTEIN's body from the cell, [REDACTED] secured the door to the cell and waited in the control room to notify the Captain and to complete a 583 form. A 583 form contains all the memos from the incident. [REDACTED] later spoke to NOEL and advised her not to lie and to document exactly what happened in a memo. NOEL did not write a memo. THOMAS was distraught and left MCC before writing a memo. Neither NOEL nor THOMAS has reported back to work since the incident. [REDACTED] has not spoken about the event to other officers.