

Form 583 Report of Incident

Incident #: NYM-19-0076

Submitted By:

Date/Time Of Incident: 7/23/2019 1:27 AM

Section 1: General Information

Staff Aware Date: 7/23/2019 1:27 AM

FBI Notified: No USMS Notified: No Indicate Where Incident Occurred: Main Facility

Location Level 1: SHU Level 2: Housing Unit, Special (SHU) Level 3: 9 SOUTH SHU

Type Of Incident

- Assault On Inmate
- Assault On Staff
- Assault, Attempted On Inmate
- Assault, Attempted On Staff
- Disruptive Behavior
- Escape From Non-secure Facility
- Escape From Secure Facility
- Escape, Attempted From Non-secure Facility
- Escape, Attempted From Secure Facility
- Fight
- Inmate Death
- Institution Disturbance
- Introduction Of Contraband
- Lethal Weapons Discharge
- Self Mutilation
- Setting A Fire
- Sexual Act, Non-consensual On Inmate
- Sexual Assault On Staff
- Sexual Contact, Abusive On Inmate
- Sexual Harassment, Repetitive
- Staff Homicide
- Strike, Food
- Strike, Work
- Suicide Attempt Method: Hanging/Asphyxiation
- Use Of Force
- Use Of Force/Applications Of Restraints
- Use of Restraints, Pregnant/Postpartum

Institution Locked Down: No

Modified Operations: No

Cause Of Incident Known? No

Cause Of Incident

- Alcohol
- Commissary
- Debts
- Disrespect Issue
- Drugs
- Ethnic Conflict
- Food Issue
- Geographical Conflict
- Interfering with Staff duties
- Property Issue
- Racial Conflict
- Recreation Equipment
- Religious Issue
- Security Threat Group Conflict
- Sexual Pressure
- Sporting Events
- Telephone
- Theft
- Visiting
- Work Issue

Section 2: Inmates Involved

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Form 583 Report of Incident

Incident #: NYM-19-0076

Submitted By:

Date/Time Of Incident: 7/23/2019 1:27 AM

Reg #: 76318054 Name: EPSTEIN, JEFFREY
 Role: Victim Medical Attention Required: No Injury Category: Minor Injury
 Weapon (per inmate): No Use of Force (per inmate): No Chemical Used (per inmate): No
 CIMS: No STG: Yes

Restraints (per inmate): Escort Only

Death (per inmate): No

Reg #: 78514054 Name: TARTAGLIONE, NICHOLAS
 Role: Not Known Medical Attention Required: No Injury Category: No Injury
 Weapon (per inmate): No Use of Force (per inmate): No Chemical Used (per inmate): No
 CIMS: Yes STG: Yes

Restraints (per inmate): No

Death (per inmate): No

Section 3: Others Involved

Name: [REDACTED] Person Type: Staff
 Medical Attention Required: No Death: No
 Injury Category: No Injury Staff Injury by Inmate: No
 Sexual Assault: No

Name: [REDACTED] Person Type: Staff
 Medical Attention Required: No Death: No
 Injury Category: No Injury Staff Injury by Inmate: No
 Sexual Assault: No

Name: [REDACTED] Person Type: Staff
 Medical Attention Required: No Death: No
 Injury Category: No Injury Staff Injury by Inmate: No
 Sexual Assault: No

Name: [REDACTED] Person Type: Staff
 Medical Attention Required: No Death: No
 Injury Category: No Injury Staff Injury by Inmate: No
 Sexual Assault: No

Name: [REDACTED] Person Type: Staff
 Medical Attention Required: No Death: No
 Injury Category: No Injury Staff Injury by Inmate: No
 Sexual Assault: No

Name: [REDACTED] Person Type: Staff
 Medical Attention Required: No Death: No

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Form 583 Report of Incident

Incident #: NYM-19-0076

Submitted By:

Date/Time Of Incident: 7/23/2019 1:27 AM

Injury Category: No Injury
Sexual Assault: No

Staff Injury by Inmate: No

Section 4: Lethal Weapon Discharge

No data found.

Section 5: Use of Force

No data found.

Section 6: Description of Incident

DESCRIPTION OF INCIDENT (If Use Of Force, include details such as name of supervisor applying the chemical agent and/or restraints, reasons for use of hard restraints instead of soft restraints, etc.) Please be clear about cause(s) of the incident in your description.

On July 23, 2019 at approx. 1:27 a.m., a call for assistance on the Special Housing Unit was announced by the Control Center. Upon my arrival I was informed that an inmate had attempted suicide and proceeded to cell, Z05-124LAD. I observed inmate Epstein, Jeffrey #76318-054 lying in the fetal position on the floor of his cell wearing a t-shirt and boxers. He was breathing heavily and was snoring. I called out to inmate Epstein and observed him flicker his eyes and continue snoring. His neck was red with no abrasions. I observed no further injuries to his person. An attempt was made to get the inmate to stand on his own with negative results. The inmate was placed in hand restraints and staff was directed to retrieve the stretcher. As inmate Epstein was being placed on the stretcher by responding staff, he would open his eyes and observe staff. When staff made eye contact with him, he would hurriedly shut his eyes. The inmate was taken to HA-Unit, dressed in the suicide smock and placed on suicide watch. Upon the arrival of medical staff, inmate Epstein was examined and treated by [REDACTED] for a circular line of erythema at the base of the neck, one section on the front with marks of friction and a small erythema on his left knee.

Section 7: Attachments

File Date	File Name	Original Entered By	Original Loc. Code
No data found.			

Approved By: NOT COMPLETED

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N.17

INCIDENT REPORT

J.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

Part I - Incident Report

1. Institution: MCC New York		Incident Report Number: <u>3282555</u>	
2. Inmate's Name: Epstein, Jeffery	3. Register Number: 76318-054	4. Date of Incident: 07/23/2019	5. Time: 1:27am
6. Place of Incident: SHU M-Tier Cell 124	7. Assignment: Unassigned		8. Unit: ZA
9. Incident: Self-Mutilation		10. Prohibited Act Code (s): 228	

11. Description of Incident (Date: 07/23/2019 Time: 1:27AM Staff became aware of incident):

On July 23, 2019 at approx. 1:27am While working in the Special Housing Unit myself and S/O Silva heard noise coming from the M tier cell 124. Upon arrival I/M's Epstein, Jeffery #76318-054 cell mate (I/M Tartaglione #78514-054) was at the door stating I/M Epstein, Jeffery #76318-054 had attempted to hang himself. I kept a visual while S/O Silva grabbed the door keys and called for assistance. After securing I/M Tartaglione #78514-054 and removing him from the cell, I entered then placed I/M Epstein on his side and removed a orange homemade rope from his neck. I/M was breathing at this time but unresponsive. Addition staff and [redacted] arrived I/M was then removed from SHU.

12. Typed Name/Signature of Reporting Employee: Masullo, J		13. Date And Time: 07/23/2019 3:30am	
14. Incident Report Delivered to Above Inmate By (Type Name/Signature):	15. Date Incident Report Delivered:	16. Time Incident Report Delivered:	

Part II - Committee Action

17. Comments of Inmate to Committee Regarding Above Incident:

18. A. It is the finding of the committee that you:	B. <input type="checkbox"/> The Committee is referring the Charge(s) to the DHO for further Hearing.
<input type="checkbox"/> Committed the Prohibited Act as charged:	C. <input type="checkbox"/> The Committee advised the inmate of its finding and of the right to file an appeal within 20 calendar days.
<input type="checkbox"/> Did not Commit a Prohibited Act.	
<input type="checkbox"/> Committed Prohibited Act Code (s).	

19. Committee Decision is Based on Specific Evidence as Follows:

20. Committee action and/or recommendation if referred to DHO (Contingent upon DHO finding inmate committed prohibited act):

21. Date and Time of Action: _____ (The UDC Chairman's signature certifies who sat on the UDC and that the completed report accurately reflects the UDC proceedings).

Chairman (Typed Name/Signature): _____ Member (Typed Name): _____ Member (Typed Name): _____

INSTRUCTIONS: All items outside of heavy rule are for staff use only. Begin entries with the number 1 and work up. Entries not completed will be voided by staff.

COPY
7-23-19
C

Distribute: Original-Central File Record; COPY-1-DHO; COPY-2-Inmate after UDC Action; COPY 3-Inmate within 24 hours of Part I Preparation

Part III - Investigation

22. Date And Time Investigation Began

23. Inmate Advised Of Right To Remain Silent: You are advised of your right to remain silent at all stages of the discipline process. Your silence may be used to draw an adverse inference against you at any stage of the discipline process. Your silence alone may not be used to support a finding that you have committed a prohibited act.

The Inmate Was Advised Of The Above Right By _____ At (Date/time) _____

24. Inmate statement and attitude

Blank lines for inmate statement and attitude.

25. Other facts about the incident, statements of those persons present at scene, disposition of evidence, etc.

Blank lines for other facts about the incident.

26. Investigator's comments and conclusions

Blank lines for investigator's comments and conclusions.

27. Action taken

Blank lines for action taken.

Date and Time Investigation Completed _____

Printed Name/Signature Of Investigator _____ Title _____

COPY 7-23-79

Form 583 Report of Incident

Incident #: NYM-19-0076

Submitted By: Skipper-Sott, S.

Date/Time Of Incident: 7/23/2019 1:27 AM

Reg #: 76318054 Name: EPSTEIN, JEFFREY
 Role: Victim Medical Attention Required: No Injury Category: Minor Injury
 Weapon (per inmate): No Use of Force (per inmate): No Chemical Used (per inmate): No
 CIMS: No STG: Yes
 Restraints (per inmate): Escort Only
 Death (per inmate): No

Reg #: 78514054 Name: TARTAGLIONE, NICHOLAS
 Role: Not Known Medical Attention Required: No Injury Category: No Injury
 Weapon (per inmate): No Use of Force (per inmate): No Chemical Used (per inmate): No
 CIMS: Yes STG: Yes
 Restraints (per inmate): No
 Death (per inmate): No

Section 3: Others Involved

Name: [REDACTED] Person Type: Staff
 Medical Attention Required: No Death: No
 Injury Category: No Injury Staff Injury by Inmate: No
 Sexual Assault: No

Name: [REDACTED] Person Type: Staff
 Medical Attention Required: No Death: No
 Injury Category: No Injury Staff Injury by Inmate: No
 Sexual Assault: No

Name: [REDACTED] Person Type: Staff
 Medical Attention Required: No Death: No
 Injury Category: No Injury Staff Injury by Inmate: No
 Sexual Assault: No

Name: [REDACTED] Person Type: Staff
 Medical Attention Required: No Death: No
 Injury Category: No Injury Staff Injury by Inmate: No
 Sexual Assault: No

Name: [REDACTED] Person Type: Staff
 Medical Attention Required: No Death: No
 Injury Category: No Injury Staff Injury by Inmate: No
 Sexual Assault: No

Name: [REDACTED] Person Type: Staff
 Medical Attention Required: No Death: No

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Form 583 Report of Incident

Incident #: NYM-19-0076

Submitted By: Skipper-Sott, S.

Date/Time Of Incident: 7/23/2019 1:27 AM

Injury Category: No Injury
Sexual Assault: No

Staff Injury by Inmate: No

Section 4: Lethal Weapon Discharge

No data found.

Section 5: Use of Force

No data found.

Section 6: Description of Incident

DESCRIPTION OF INCIDENT (If Use Of Force, include details such as name of supervisor applying the chemical agent and/or restraints, reasons for use of hard restraints instead of soft restraints, etc.) Please be clear about cause(s) of the incident in your description.

On July 23, 2019 at approximately 1:27 a.m., while making routine rounds inside the Special Housing Unit, staff observed inmate Epstein, Jeffrey Reg. No. 76318-054, lying in the fetal position on the floor with a homemade fashioned noose around his neck. Inmate Epstein was breathing heavily, however appeared to be responsive. Inmate Epstein was directed by staff to stand and submit to restraints. Inmate Epstein would not stand on his own and would not comply with staff directives. Staff entered the cell and placed inmate Epstein in both hand and leg restraints. Inmate Epstein was searched, metal detected, placed on a gurney and escorted from the scene without further incident. Inmate Epstein was photographed, medically examined and determined to have sustained a circular line of erythema at the base of the neck and friction marks on the front of neck, and small 2cm erthema on left knee. Inmate Epstein was placed on suicide watch with all necessary notifications made. There were no staff injuries reported.

Section 7: Attachments

File Date	File Name	Original Entered By	Original Loc. Code
7/24/2019	STAFF ROSTER.pdf	TF18813	NYM
7/24/2019	██████████ STAFF MEMO.pdf	TF18813	NYM
7/24/2019	██████████ STAFF MEMO.pdf	TF18813	NYM
7/24/2019	██████████ STAFF MEMO.pdf	TF18813	NYM
7/24/2019	██████████ STAFF MEMO.pdf	TF18813	NYM
7/24/2019	OPS LT MEMO.pdf	TF18813	NYM
7/24/2019	MEDICAL ASSESSMENT.pdf	TF18813	NYM
7/24/2019	MATERIAL HANDLER ██████████ STAFF MEMO.pdf	TF18813	NYM
7/24/2019	INMATE TARTAGLIONE PHOTOS.pdf	TF18813	NYM
7/24/2019	INMATE EPSTEIN PHOTOS.pdf	TF18813	NYM
7/24/2019	INMATE EPSTEIN IR.pdf	TF18813	NYM
7/24/2019	ADO.pdf	TF18813	NYM

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Form 583 Report of Incident

Incident #: NYM-19-0076

Submitted By: Skipper-Sott, S.

Date/Time Of Incident: 7/23/2019 1:27 AM

Approved By: SUBMITTED

Skipper-Sott, S.

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BP-A0288
JAN-17

INCIDENT REPORT

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

Part I - Incident Report

1. Institution: MCC New York		Incident Report Number:		
2. Inmate's Name: Epstein, Jeffery	3. Register Number: 76318-054	4. Date of Incident: 07/23/2019	5. Time: 1:27am	
6. Place of Incident: SHU M-Tier Cell 124	7. Assignment: Unassigned		8. Unit: ZA	
9. Incident: Self-Mutilation		10. Prohibited Act Code (s): 228		

11. Description of Incident (Date: 07/23/2019 Time: 1:27AM Staff became aware of incident):

On July 23, 2019 at approx. 1:27am While working in the Special Housing Unit Myself and S/O Silva heard noise coming from the M tier cell 124. Upon arrival I/M's Epstein, Jeffery #76318-054 cell mate (I/M Tartaglione #78514-054) was at the door stating I/M Epstein, Jeffery #76318-054 had attempted to hang himself. I kept a visual while S/O Silva grabbed the door keys and called for assistance. After Securing I/M Tartaglione #78514-054 and removing him from the cell, I entered then placed I/M Epstein on his side and removed a orange homemade rope from his neck. I/M was breathing at this time But unresponsive. Addition staff and [redacted] arrived I/M was then removed from SHU.

12. Typed Name/Signature of Reporting Employee: Masullo, J		13. Date And Time: 07/23/2019 3:30am		
14. Incident Report Delivered to Above Inmate By (Type Name/Signature): <i>[Signature]</i>	15. Date Incident Report Delivered: 7-30-19	16. Time Incident Report Delivered: 12:40pm		

Part II - Committee Action

17. Comments of Inmate to Committee Regarding Above Incident:

Jim was read his rights and stated, "I do not recall!"

18. A. It is the finding of the committee that you:	B. <input checked="" type="checkbox"/> The Committee is referring the Charge(s) to the DHO for further Hearing
<input type="checkbox"/> Committed the Prohibited Act as charged:	C. <input type="checkbox"/> The Committee advised the inmate of its finding and of the right to file an appeal within 20 calendar days.
<input type="checkbox"/> Did not Commit a Prohibited Act.	
<input type="checkbox"/> Committed Prohibited Act Code (s): _____	

19. Committee Decision is Based on Specific Evidence as Follows:

UDC refers I/R to the DHO based on the severity of the offense.

20. Committee action and/or recommendation if referred to DHO (Contingent upon DHO finding inmate committed prohibited act):

It found to have committed prohibited act of code 228, UDC recommends 0/5 time, loss of GCT and privileges.

21. Date and Time of Action: 7/30/19 5:17 (The UDC Chairman's signature certifies who sat on the UDC and that the completed report accurately reflects the UDC proceedings).

Chairman (Typed Name/Signature): [redacted] Member (Typed Name): _____ Member (Typed Name): _____

INSTRUCTIONS: All items outside of heavy rule are for staff use only. Begin entries with the number 1 and work up. Entries not completed will be voided by staff.

Distribute: Original-Central File Record; COPY-1-DHO; COPY-2-Inmate after UDC Action; COPY 3-Inmate within 24 hours of Part I Preparation

Part III - Investigation	22. Date And Time Investigation Began 7/30/2019 12:40PM

23. Inmate Advised Of Right To Remain Silent: You Are Advised Of Your Right To Remain Silent At All Stages Of The Disciplinary Process But Are Informed That Your Silence May Be Used To Draw An Adverse Inference Against You At Any Stage Of The Institutional Disciplinary Process. You Are Also Informed That Your Silence Alone May Not Be Used To Support A Finding That You Have Committed A Prohibited Act.

The Inmate Was Advised Of The Above Right By [REDACTED] (Date/time) 7/30/2019 12:40PM

24. Inmate Statement And Attitude: Inmate Epstein, Jeffery #76318-054 was advised of his rights and understood his rights as read. Inmate Epstein stated "I no comment at this time". Inmate Epstein had a poor attitude. Inmate Epstein was furnished a copy of this report.

25. Other Facts About The Incident, Statements Of Those Persons Present At Scene, Disposition Of Evidence, Etc. No witnesses requested. Please see attached staff memorandum, photograph and medical assessment. This incident report was served late due to inmate on suicide watch.

26. Investigator's Comments And Conclusions: Based on the writer's description of the incident in block #11, of the incident report, This investigator concludes the report to be accurate as written and the charge warranted.

27. Action Taken: Inmate Epstein is in his special housing unit status, this report referred to UDC for further disposition.

Date and Time Investigation Completed 7/30/2019 12:45PM

Printed Name [REDACTED] of Investigator [REDACTED]

Signature [REDACTED] Title Lieutenant