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DIGITALLY RECORDED

SWORN STATEMENT

OF

[REDACTED]

OIG CASE #:

2019-010614

DEPARTMENT OF JUSTICE
OFFICE OF THE INSPECTOR GENERAL

DECEMBER 2, 2021

RESOLUTE DOCUMENTATION SERVICES
28632 Roadside Drive, Suite 285
Agoura Hills, CA 91301
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APPEARANCES:

OFFICE OF THE INSPECTOR GENERAL

BY: [REDACTED] [REDACTED]

BY: [REDACTED] [REDACTED]

WITNESS:

[REDACTED] [REDACTED]

OTHER APPEARANCES:

NONE

1 MR. [REDACTED]: All right. The recorder
2 is on. There is also going to be - I'm just
3 going to go over, like, a list of - it's kind
4 of, like, an introduction, and just kind of a
5 preamble into what we are going to be
6 discussing, and who you are. It's going to
7 sound very scripted, and that's because it
8 pretty much is. But you are there still.
9 Correct?

10 MS. [REDACTED]: Yes. Mm-hmm.

11 MR. [REDACTED]: Perfect. All right. So,
12 my name is [REDACTED] [REDACTED], and I am a Senior
13 Special Agent with the U.S. Department of
14 Justice, Office of the Inspector General. New
15 York Field Office. Boston Area Office. This
16 interview with Federal Bureau of Prisons
17 Associate Warden, [REDACTED] [REDACTED] - did I say
18 that correctly?

19 MS. [REDACTED]: Yes. Correct. Mm-hmm.

20 MR. [REDACTED]: Is being conducted as
21 part of an official U.S. Department of Justice,
22 Office of the Inspector General, or DOJ/OIG,
23 investigation. Today's date is December 2nd,
24 2021, and the time is 10:34 a.m. This
25 interview is being conducted by telephone. I

1 contacted you, Ms. [REDACTED], by telephone number
2 [REDACTED]. Also present
3 by telephone is DOJ/OIG Special Agent [REDACTED]
4 [REDACTED]. This interview will be recorded by
5 me, SSA [REDACTED] [REDACTED]. Could everyone
6 please identify themselves for the record, and
7 spell your last name? To start, again, I am
8 DOJ/OIG Senior Special Agent [REDACTED] [REDACTED].
9 And my last name is spelled [REDACTED]-
10 [REDACTED]. [REDACTED], can you just state your name and spell
11 your name for the recorder?

12 MR. [REDACTED]: Yes. I am DOJ/OIG Special
13 Agent [REDACTED] [REDACTED]. Last name is spelled [REDACTED]
14 [REDACTED].

15 MR. [REDACTED]: And Ms. [REDACTED].

16 MS. [REDACTED]: My name is [REDACTED] [REDACTED].
17 Associate warden. Last name is spelled [REDACTED]-
18 [REDACTED].

19 MR. [REDACTED]: Great. Thank you very
20 much. This is an official DOJ/OIG
21 investigation into the death of inmate Jeffrey
22 Epstein and the surrounding circumstances, and
23 you are being asked to voluntarily provide
24 answers to our questions. Will you agree to
25 the interview with the DOJ/OIG?

1 MS. [REDACTED]: Yes. I do.

2 MR. [REDACTED]: Perfect. And were you
3 able to review the voluntary interview form
4 that I sent to you via email, the DOJ/OIG form
5 III-226/2?

6 MS. [REDACTED]: Yes, I was. Yes, I did.

7 MR. [REDACTED]: Perfect. And thank you
8 for sending it back to me a few minutes ago. I
9 see that you signed and dated it.

10 MS. [REDACTED]: Mm-hmm.

11 MR. [REDACTED]: And do you understand the
12 OIG form?

13 MS. [REDACTED]: Yes, I do.

14 MR. [REDACTED]: Perfect. And just, I'm
15 going to just going to read it for the record,
16 so that that's something that we have to do.
17 It says, United States Department of Justice,
18 Office of the Inspector General, Warnings and
19 Assurances to Employee Requested to Provide
20 Information on a Voluntary Basis. It says,
21 "You are being asked to provide information as
22 part of an investigation being conducted by the
23 Office of the Inspector General. This
24 investigation is being conducted pursuant to
25 the Inspector General Act of 1978, as amended.

1 This investigation pertains job performance
2 failure and security failure. This is a
3 voluntary interview. Accordingly, you do not
4 have to answer questions. No disciplinary
5 action will be taken against you if you choose
6 not to answer questions. Any statements you
7 furnish may be used as evidence in any future
8 criminal proceedings, or agency disciplinary
9 proceedings, or both." And there is a waiver
10 section. It says, "I understand the Warnings
11 and Assurances stated above, and I am willing
12 to make statements and answer questions. No
13 promises or threats have been made to me, and
14 no pressure or coercion of any kind has been
15 used against me." And I see that you signed
16 your signature. You printed your name,
17 ██████████ ██████████. And you dated and time
18 12/02/21, at 9:00 a.m. So, I assume that is
19 the time that you reviewed the form?

20 MS. ██████████: Yes.

21 MR. ██████████: Perfect. And that is
22 your signature on this form?

23 MS. ██████████: Yes, it is.

24 MR. ██████████: Awesome. And is there
25 any questions you have with regard to the

1 interview, or this form?

2 MS. [REDACTED]: No. I don't.

3 MR. [REDACTED]: Awesome. So, I will be
4 signing my name as the Special Agent. And
5 then, I will print my name under that as the
6 Special Agent. [REDACTED], do you mind - since this
7 is a telephone interview, you're not present -
8 do you mind if I sign for you, and place that
9 it was me that signed for you, and print your
10 name as the witness?

11 MR. [REDACTED]: I don't mind.

12 MR. [REDACTED]: Perfect. All right. So,
13 I will sign for you, and then print your name,
14 and I will add the telephone number that we
15 are, as the place. Great. Let me get back to
16 this. Before starting the interview, I would
17 like to place you under oath. Ms. [REDACTED], can
18 you please raise your right hand? Do you swear
19 to tell the truth and nothing but the truth
20 during this interview?

21 MS. [REDACTED]: Yes, I do.

22 MR. [REDACTED]: Perfect. Thank you. And
23 then, because we are not in person, I'm just
24 going to have to ask you a couple questions to
25 verify your identity. What is your current

1 home address?

2 MS. [REDACTED]: [REDACTED]

3 [REDACTED]. 38053.

4 MR. [REDACTED]: Thank you. And what is
5 your date of birth?

6 MS. [REDACTED]: [REDACTED].

7 MR. [REDACTED]: And what is your social
8 security number?

9 MS. [REDACTED]: Do I have to give it?

10 MR. [REDACTED]: You can give me your last
11 four, if that's okay.

12 MS. [REDACTED]: Okay. The last four. [REDACTED].

13 MR. [REDACTED]: Perfect. Thank you. And
14 how long have you worked for the BOP?

15 MS. [REDACTED]: For 21 years.

16 MR. [REDACTED]: Do you remember,
17 approximately, when your enter on duty date
18 was?

19 MS. [REDACTED]: Yes. September 10 of 2000.

20 MR. [REDACTED]: Perfect. And what is
21 your current position with the BOP?

22 MS. [REDACTED]: I'm an Associate Warden.

23 MR. [REDACTED]: And where is that?

24 MS. [REDACTED]: I'm stationed at FCC Forrest
25 City in Forrest City, Arkansas.

1 MR. [REDACTED]: And how long have you
2 held that position?

3 MS. [REDACTED]: I've been - well, I've been at
4 this present duty station since officially
5 September, but physically here in October. But
6 I've been an associate warden for, prior to
7 that.

8 MR. [REDACTED]: Okay. So, you've been
9 basically you were remote in September, and
10 then physically present in October of this
11 current year, 2021?

12 MS. [REDACTED]: Correct.

13 MR. [REDACTED]: Perfect. And you - I'm
14 sorry - you said you've been an associate
15 warden since when?

16 MS. [REDACTED]: I've been an associate warden
17 since - we're in 2021 - I think 2017.

18 MR. [REDACTED]: Since 2017?

19 MS. [REDACTED]: Uh-huh.

20 MR. [REDACTED]: Okay. Great. And what
21 are your duties and responsibilities as an
22 associate warden?

23 MS. [REDACTED]: As an associate warden, I
24 provide advice and counsel to the warden, and I
25 have oversight of specific disciplines as

1 decided by the warden.

2 MR. ██████████: Okay.

3 MS. ██████: And I made decisions on policy,
4 and security (Indiscernible *00:06:34) concerns
5 of the institution.

6 MR. ██████████: Okay. And were you ever
7 interviewed by either the DOJ/OIG or FBI
8 regarding the Epstein matter?

9 MS. ██████: No. I was not.

10 MR. ██████████: Okay. So, this is the
11 first time?

12 MS. ██████: Yes.

13 MR. ██████████: Okay. Great. And are
14 you familiar with inmate Jeffrey Epstein, who
15 was housed within the MCC in July and August
16 2019, until his death on August 10th, 2019?

17 MS. ██████: Yes.

18 MR. ██████████: And what was your
19 involvement with the matter?

20 MS. ██████: Well, I have limited
21 involvement. I arrived at MCC New York July
22 4th, I believe, of 2019. And Epstein expired
23 August 10th, I believe. So, I actually, I saw
24 him, like, when he was in the visiting room.
25 And I was part of - there has been some

1 meetings, exec staff meetings. But as far as
2 extensive contact, or extensive involvement,
3 really nothing extensive due to my short time
4 being at the institution.

5 MR. [REDACTED]: Okay. So, you didn't
6 arrive on July 4th? So, I guess you were
7 there, then, the entire time during his stay,
8 though. Correct?

9 MS. [REDACTED]: Well, not the entire -. I
10 don't know when he arrived. So, I believe it
11 wasn't the entire time. But it was -. I think
12 he arrived some time in June, if I'm not
13 mistaken. I don't recall.

14 MR. [REDACTED]: He arrived in July.
15 Right around the same time. So --

16 MS. [REDACTED]: In July?

17 MR. [REDACTED]: -- there might be, like,
18 a day or two difference, but yeah, it was --

19 MS. [REDACTED]: Okay.

20 MR. [REDACTED]: -- it was July and August
21 was when he was there.

22 MS. [REDACTED]: Okay. Yeah.

23 MR. [REDACTED]: Awesome. So, if you were
24 there in July, I'm just going to briefly touch
25 on the July 23rd, 2019 incident. Do you recall

1 an incident involving Jeffrey Epstein and
2 inmate Tartaglione on July 23rd, 2019?

3 MS. [REDACTED]: When you say an incident, what
4 do you mean?

5 MR. [REDACTED]: So, there was an incident
6 that happened in the SHU, where Tartaglione was
7 Epstein's cellmate, and Epstein was removed
8 from the SHU and placed on suicide watch, and
9 then psychological observation. Are you
10 familiar with that?

11 MS. [REDACTED]: Oh, yes. I'm familiar with it.

12 MR. [REDACTED]: And what is your
13 understanding of what transpired?

14 MS. [REDACTED]: My understanding is that
15 Tartaglione, I believe he requested, or he
16 called somehow for assistance because I believe
17 he indicated that Epstein was trying to commit
18 suicide.

19 MR. [REDACTED]: Okay. And do you know by
20 what manner Epstein was attempting to commit
21 suicide?

22 MS. [REDACTED]: I believe he was trying to, by
23 use of either strings, or some kind of
24 clothing, or something as a ligature.

25 MR. [REDACTED]: Okay. And is it your

1 understanding that Epstein attempted to harm
2 himself?

3 MS. [REDACTED]: Yes. That was my
4 understanding.

5 MR. [REDACTED]: And did you hear anything
6 with regard to Tartaglione attempting to harm
7 Epstein?

8 MS. [REDACTED]: I know there was, there was
9 speculation, not from Epstein, but there was
10 speculation that, perhaps, you know, there
11 could have been something involved, but
12 Epstein, I believe, made statements that his
13 cellmate did not try to harm him, as well as
14 Tartaglione himself indicated that he did not
15 try to harm him.

16 MR. [REDACTED]: Okay. So, your belief is
17 that they are, they were not correct
18 statements, and then the fact it was Epstein
19 that attempted to harm himself, and not
20 Tartaglione?

21 MS. [REDACTED]: That is correct.

22 MR. [REDACTED]: Okay. And did you have
23 any involvement with selecting Tartaglione as
24 Epstein's cellmate?

25 MS. [REDACTED]: No. I did not.

1 MR. ██████████: And do you know how
2 Tartaglione was selected to be Epstein's
3 cellmate?

4 MS. ██████████: I don't know. I don't, I don't
5 know exactly how he was selected. I do know,
6 after the fact, it was indicated that, because
7 he was former law enforcement, and he didn't
8 seem like he, I guess he didn't - he didn't
9 have anything that, it didn't appear that he
10 would hurt Epstein, that he was suitable to be
11 Epstein's cellmate. But I don't know exactly
12 what the vetting process was for that decision.

13 MR. ██████████: Okay. And do you believe
14 that Tartaglione was an appropriate choice for
15 a cellmate?

16 MS. ██████████: I'm not going to speculate
17 about that. I do know, at the time that he was
18 a cellmate, that he did not try to harm him.
19 Epstein never voiced any concerns about - that
20 I am aware of - about Tartaglione being his
21 cellmate. But as far as looking at
22 Tartaglione's charges, or anything to see if he
23 had any risk factors that would indicate that
24 he would harm Epstein, that would be
25 speculation after the fact. So, that, I don't

1 believe I'm in a position to make that decision
2 at this time.

3 MR. [REDACTED]: Sure. Okay. And then,
4 what is your understanding of, after this
5 incident occurred, where was Epstein placed?

6 MS. [REDACTED]: He was placed on suicide watch,
7 is my understanding.

8 MR. [REDACTED]: Okay. Great. And that
9 was immediately following, or on July 23rd,
10 2019. Do you have any involvement with Epstein
11 while he was on suicide watch? And then,
12 psychological observation?

13 MS. [REDACTED]: No.

14 MR. [REDACTED]: And where is that
15 conducted? Or where was that conducted?

16 MS. [REDACTED]: Where, in the suicide watch
17 cells, you mean?

18 MR. [REDACTED]: Correct. Where would
19 have he been housed at the time?

20 MS. [REDACTED]: Oh, yeah. The suicide watch
21 cells are on the, they are on the second -.
22 They are on the second floor. On the same
23 floor as the health services department. So,
24 around the corner, and it's down the hall from
25 psychology. From the psychology department

1 themselves.

2 MR. ██████████: Great. And where was the
3 SHU located in the MCC?

4 MS. ██████: The Special Housing Unit is
5 located on the ninth floor.

6 MR. ██████████: Great. And while Epstein
7 was on suicide watch, and then psychological
8 observation, do you know if he was allowed any
9 visits, specifically any attorney visits, or
10 anything like that?

11 MS. ██████: I do believe that he was
12 allowed to see his attorney.

13 MR. ██████████: And do you know if he did
14 see his attorney while he was on psychological
15 observation?

16 MS. ██████: I don't know for certain if,
17 like, watch was - if it was the same day, but I
18 am not for certain, 100 percent certain, but I
19 do believe that it did occur. It did occur. I
20 know he was -. He saw his attorneys very
21 often. Almost daily. And I don't believe that
22 there was any break in visits. So, I would, I
23 would say that it probably did happen on the
24 same day that he was on suicide watch.

25 MR. ██████████: And how would that work?

1 If someone is on suicide watch, and then
2 psychological observation, how would they meet
3 with their attorneys?

4 MS. [REDACTED]: Typically, if someone is on
5 suicide watch, they do not have visits, and
6 they don't - because they're on watch - they
7 would be under constant, whether it was an
8 inmate companion, or a staff watch. So,
9 typically, a person on suicide watch would not
10 have visits. So, if a visit did happen during
11 suicide watch, I would gather that that person
12 will still be under the same observation
13 protocol. Obviously, another inmate would not
14 be able to watch them because of the privacy
15 factor with the visit, but I would, I would
16 assume that a staff member would be present.

17 MR. [REDACTED]: Okay. Now, would they be
18 present on that second floor suicide watch
19 area, psychological observation area? Or would
20 that be conducted in the attorney visit rooms
21 of the MCC?

22 MS. [REDACTED]: So, again, typically, visits
23 don't happen when a person is on suicide watch.
24 And because of the placement where suicide
25 watch is, there is no visits that happen in

1 that area. So, all of the attorney conference
2 visits, they happen in the attorney conference
3 area, which is on the third floor. So, any
4 visit, attorney related, would happen on the
5 third floor, in the attorney conference area.

6 MR. [REDACTED]: And to make sure I'm
7 understanding you correctly. So, that means
8 you believe that when Epstein was on
9 psychological observation or suicide watch, he
10 would have been, then, transported to that
11 third floor visiting area where he would
12 conduct his visits with his attorney? His
13 attorneys.

14 MS. [REDACTED]: That is correct.

15 MR. [REDACTED]: Okay. Now, were there
16 any specific - and oh, sorry, before I move on,
17 I guess I should say. So, that is not typical,
18 though? That would have been, like, a kind of
19 something that was a special circumstance for
20 Epstein?

21 MS. [REDACTED]: Yeah. Yeah. That is not
22 typical.

23 MR. [REDACTED]: Okay. And do you know if
24 there is any prohibition up against that, or
25 not?

1 MS. [REDACTED]: I know -. There are
2 guidelines, I believe, that when a person is on
3 suicide watch, that is where they would remain
4 under constant supervision, and there would be
5 no visits.

6 MR. [REDACTED]: Okay. So, I am assuming
7 that answer would be, then, yes, there are
8 prohibitions?

9 MS. [REDACTED]: When you say prohibitions, you
10 mean that the agency has guidelines in place
11 that says absolutely not?

12 MR. [REDACTED]: Yeah. So, I guess what
13 I'm asking is, should Epstein have been
14 visiting with his attorneys while he was on
15 suicide watch, or psychological observation?

16 MS. [REDACTED]: If there was a determination,
17 which I am not aware of, that deemed that it
18 would be okay or appropriate, as far as a
19 psychologist, or someone from the psychology
20 department, indicating that it would be okay,
21 then that would be, you know, that would be a
22 consent.

23 MR. [REDACTED]: Sure.

24 MS. [REDACTED]: But other than that, I don't
25 believe anyone else would make that

1 determination to say that he would then be
2 taken off of suicide watch, and then placed in
3 the attorney conference area.

4 MR. [REDACTED]: Okay. Great. So, I take
5 it, then, is it that MCC psychology department,
6 are they the ones who determined that Epstein
7 should be on suicide watch, and then
8 psychological observation?

9 MS. [REDACTED]: Well, anyone can actually place
10 someone on suicide watch, if that person voices
11 - and when I say "anyone," for instance, if I
12 call a psychologist is not there after hours,
13 someone voices an intent to harm themselves,
14 the lieutenant can make that decision to place
15 the person on suicide watch. But psychology
16 typically is the one that would determine
17 whether someone is taken off of suicide watch
18 because they would have to do a suicide risk
19 assessment, and any other clinical assessment.

20 So, placing someone on suicide watch -
21 again - depending on the time, it can be
22 psychology, or it can be a correctional
23 services staff member. And then, the removal
24 would be someone from psychology, to say that
25 this person is not deemed suicide, or, you

1 know, they are safe to be in general
2 population.

3 MR. [REDACTED]: Okay. And then, but it
4 would also - and correct me if I'm wrong - but
5 it did sound like you said that it would have
6 been psychology's decision to allow Epstein to
7 visit with his attorneys while he was on
8 suicide watch or psychological observation?

9 MS. [REDACTED]: No. I don't know if that was
10 what actually occurred. But to remove someone
11 from suicide watch, that would be a psychology
12 decision.

13 MR. [REDACTED]: So, when you say "remove
14 someone," do you mean, like, just for those
15 hours that he was visiting, or are you talking
16 about when he was removed and placed back in
17 the SHU?

18 MS. [REDACTED]: Typically, when you remove
19 someone, it's not for an hour or two. It's
20 typically, you are saying that that person
21 poses no more risk to themselves, so they are
22 off. Basically, they are going back to general
23 population. So, I am not aware of any
24 situation where you remove a person for an hour
25 or two, or for a short timeframe, and then

1 place them back.

2 MR. [REDACTED]: Sure. So, that is kind
3 of I guess what I'm asking is, who makes the
4 determinations? Because you said that your
5 understanding was that he did conduct his
6 attorney visits during that time period that he
7 was on suicide watch.

8 MS. [REDACTED]: Mm-hmm.

9 MR. [REDACTED]: Or psychological
10 observation. So, who made the, you know, who
11 had the authority to allow him to conduct those
12 attorney visits?

13 MS. [REDACTED]: Yes. I don't know. Again, I
14 don't know who made the ultimate decision for
15 that to happen. But I know the process for
16 removal of suicide watch ,and what that process
17 entails. And that is why I'm saying, to remove
18 someone off of suicide watch, it would have to
19 be someone in psychology, to say that that is
20 appropriate. But in this instance, I don't
21 know, I don't know if that was communicated.
22 If that actually occurred. So, I hope,
23 hopefully that answers the question.

24 MR. [REDACTED]: Sure. Yeah.

25 MS. [REDACTED]: But (Indiscernible *00:19:29).

1 MR. ██████████: We can move on to the
2 SHU, then, when he got removed. So, do you
3 know if there were any specific instructions,
4 by either you, the warden, or other MCC
5 executive staff, with regard to Epstein being
6 placed back in the SHU from psychological
7 observation?

8 MS. ████████: When he was - you are saying
9 when he was removed?

10 MR. ██████████: So, when a determination
11 was made that he - for Epstein to be removed,
12 which was on or about July 30th, 2019.

13 MS. ████████: Mm-hmm.

14 MR. ██████████: Were there any specific
15 instructions provided by you, the warden, or
16 other MCC executive staff, with regard to
17 Epstein being placed back in the SHU?

18 MS. ████████: Well, I didn't, I didn't have
19 any specific direction, or instructions to a
20 particular staff member. But I do, I do know
21 that there was a determination made, and who
22 exactly made that determination, typically,
23 when you - high-profile individuals, and you
24 are saying to place them in Special Housing for
25 their care, it is typically the CEO, the

1 warden, in consultation with correctional
2 services, because it falls under custody care
3 and control. And so, that decision was made to
4 place him in Special Housing.

5 MR. [REDACTED]: Okay. Do you know, did
6 you, MCC executive staff, or anyone, including
7 the warden, receive any calls, or was any
8 contacted by lawyers, or a judge, asking for
9 Epstein to be removed from suicide watch or
10 psychological observation?

11 MS. [REDACTED]: That, I am not aware of any
12 communication about that.

13 MR. [REDACTED]: Okay. And just to circle
14 back. Were you, or executive staff, involved
15 with any decisions to have Epstein removed from
16 suicide watch or psychological observation?

17 MS. [REDACTED]: Say that one more time. Say
18 that one more time.

19 MR. [REDACTED]: So, that actually having
20 him removed. So, back on July, you know, 30th,
21 when he was removed. Would yourself or
22 executive staff, would you have been a part of
23 the process of actually taking him off of
24 suicide watch or psychological observation?

25 MS. [REDACTED]: No.

1 MR. [REDACTED]: So, that is solely a
2 psychology decision?

3 MS. [REDACTED]: Yeah. Because they are the
4 subject matter experts, and again, and whether
5 someone is off of suicide, or displaying
6 suicide risk factors, typically, it is a
7 psychology thing, to remove the individual.

8 MR. [REDACTED]: Okay. And that that's
9 not in consultation with MCC executive staff?

10 MS. [REDACTED]: No. To remove someone from
11 suicide watch? No.

12 MR. [REDACTED]: Okay. Now, it is our
13 understanding that, after Epstein was placed
14 back in the SHU, or the Special Housing Unit,
15 psychology recommended that Epstein be housed
16 with a cellmate. Do you know if that is
17 accurate?

18 MS. [REDACTED]: That, I do know that is
19 accurate.

20 MR. [REDACTED]: You do know that it is
21 accurate?

22 MS. [REDACTED]: Yes. That, I do believe that
23 that was - Mm-hmm - that is accurate. That it
24 was indicated that he should have a cellmate.

25 MR. [REDACTED]: Okay. And do you know

1 how that information was disseminated within
2 MCC?

3 MS. [REDACTED]: And again, there was several,
4 you know, there was meetings, and I don't know
5 what particular meeting it occurred, but I do
6 recall, during one of the meetings, that it was
7 indicated. I don't know if it was during close
8 out, or open up, that it was important that he
9 did have a cellmate.

10 MR. [REDACTED]: Okay. So, it was an
11 actual requirement that Epstein have a cellmate
12 while he was assigned to the SHU?

13 MS. [REDACTED]: Yes.

14 MR. [REDACTED]: Okay. And do you know
15 who made -? Do you know who he was celled
16 with? Do you know what the name of his
17 cellmate was when he came back off of suicide
18 watch, on July 30th, 2019?

19 MS. [REDACTED]: Oh, who was his cellmate? I
20 don't know if it was -. I don't know what the
21 (Indiscernible *00:23:19). But I do know, at
22 one point, he had a cellmate named - the last
23 name was [REDACTED]. And the first name was [REDACTED].
24 [REDACTED]-F-R-A-I-N. But I don't recall if that was
25 his consistent cellmate. But I do recall,

1 besides Tartaglione, ██████ was another
2 cellmate.

3 MR. ██████: And thank you. I have
4 actually been saying ██████. So, it's ██████?

5 MS. ██████: That's what I think you
6 pronounce it as. It could be my New York
7 accent, but I'm saying ██████.

8 MR. ██████: Okay. Hey. That's - I
9 guess -. Yeah. I'm looking at it, and it's -.
10 I'm going to start saying ██████ now.

11 MS. ██████: Mm-hmm.

12 MR. ██████: Do you know who made the
13 decision that ██████ would be Epstein's
14 cellmate?

15 MS. ██████: That, I am not aware of. I
16 don't know if it was an actual, like, meeting,
17 as far as a placement decision. So, I don't
18 know if it was actually a vetting process, to
19 determine who should be the cellmate. I know
20 itw as indicated that he should have a
21 cellmate. But what that process was, to get to
22 ██████, I am not aware of it.

23 MR. ██████: Okay. So, that means
24 that you were not involved with that decision?

25 MS. ██████: No.

1 MR. [REDACTED]: Okay. And did you work
2 at the MCC on August 9th - which was a Friday -
3 or August 10th - which was a Saturday - that he
4 was found in 2019?

5 MS. [REDACTED]: Well, I worked on Friday. My
6 work hours, because of my position, I work
7 Monday through Friday, 7:30 to 4:00. But I did
8 report to the institution the morning of, when
9 I received the call indicating that I needed to
10 report to the institution on that day that
11 Epstein was found.

12 MR. [REDACTED]: Okay. So, on Friday,
13 August 9th, you worked from 7:30 a.m. to 4:00
14 p.m.?

15 MS. [REDACTED]: Correct.

16 MR. [REDACTED]: And then, on August 10th
17 - so, you did depart at 4:00 p.m. - and then
18 you returned after Epstein was found on August
19 10th?

20 MS. [REDACTED]: And then, I returned back to
21 the institution -. Okay. I'm trying to
22 remember what -. I received a call around
23 maybe 8:00 or something. I received a call,
24 and then, I arrived at the institution maybe
25 around 9:00 or so.

1 MR. [REDACTED]: Okay. 9:00 a.m.?

2 MS. [REDACTED]: Mm-hmm.

3 MR. [REDACTED]: Okay. So, since Epstein
4 was required to have a cellmate, who was
5 ultimately responsible to make sure that all
6 SHU staff were aware of his cellmate
7 requirement?

8 MS. [REDACTED]: Oh. Okay. And because - I'm
9 just going to say this - because it's Special
10 Housing, Special Housing is governed under
11 correctional services. It would be the captain
12 is typically in charge of correctional
13 services. And there is a SHU lieutenant that
14 is assigned to the Special Housing on a daily
15 basis. That that is that person's daily
16 assignment. And they are responsible for
17 ensuring that everything is in compliance in
18 Special Housing. And so, there should be some
19 communication, if then, like I said, psychology
20 made a decision that he had to have a cellmate.
21 Everyone was aware of it, but that, like,
22 verbal communication, or insurance, it should
23 have happen in the correctional services. The
24 captain. The lieutenant. And then, that
25 information communicated down to the staff that

1 actually work in the Special Housing Unit.

2 MR. ██████████: Okay. And do you know,
3 at the time, in August 9th and 10th, who the
4 captain at the MCC was?

5 MS. ██████: It was ██████████ ██████████.

6 MR. ██████████: Okay. And do you know
7 who the SHU lieutenant at the time was?

8 MS. ██████: That, I am not aware of. That,
9 I am not aware of.

10 MR. ██████████: Does Lieutenant ██████████
11 sound familiar to you?

12 MS. ██████: I know Lieutenant ██████████. But I
13 don't know if that was his post at that
14 quarter.

15 MR. ██████████: Okay.

16 MS. ██████: I am not sure.

17 MR. ██████████: Okay. So, that was his
18 post for the quarter. So, ultimately, the
19 information should have come from Captain
20 ██████████ and SHU Lieutenant ██████████. They should
21 have provided to the SHU staff that Epstein was
22 required to have a cellmate at all times?

23 MS. ██████: Mm-hmm.

24 MR. ██████████: Okay. And that is a yes?

25 MS. ██████: Yes. That is a yes.

1 MR. ██████████: Okay. Great. And how
2 should have they communicated that? Should
3 have that been verbally, in writing? How
4 should have they made sure everyone knew?

5 MS. ██████: Now, to ensure that, you could
6 have a record of it if you put it in an email.
7 That's blatant, and that can never be
8 contradicted. You could also have verbal
9 notification, in addition to written
10 notification. So, that it could be both.
11 Honestly. It could be both. But if you have
12 it in - you have something that, a bulletin or
13 some kind of an email that went out, that's
14 definitely, you know, something that - that's a
15 record. That's a permanent record.

16 MR. ██████████: So, it sounds --

17 MS. ██████: (Indiscernible *00:28:24)

18 MR. ██████████: -- you're saying, it
19 really should have been both verbal and in
20 writing, but writing would basically make sure
21 that you are, it's documented/

22 MS. ██████: Correct.

23 MR. ██████████: Is that a correct
24 understanding?

25 MS. ██████: That is a correct

1 understanding.

2 MR. [REDACTED]: Okay.

3 MS. [REDACTED]: And in addition to that, I do
4 know that the SHU staff did know that he should
5 have had a cellmate.

6 MR. [REDACTED]: You do know that they
7 knew that?

8 MS. [REDACTED]: I do know that the SHU staff
9 knew that. Mm-hmm.

10 MR. [REDACTED]: And how do you know that?

11 MS. [REDACTED]: Because the staff are required
12 to make weekly rounds, and I don't -. Now,
13 because of, after the - excuse me - after the
14 fact, you know, he was kind of, like, you are
15 playing a - I'm just trying to recall the facts
16 - but I do recall instances of making rounds in
17 the Special Housing, where staff, it was said,
18 make sure that he had a cellmate, and when we
19 make rounds, that that was - I can - I verbally
20 heard folks say it myself.

21 MR. [REDACTED]: And do you remember who
22 was engaged in those conversations, or who you
23 know specifically that knew?

24 MS. [REDACTED]: That, I can't recall, because
25 in Special Housing, there is, like, four -.

1 There is -. You have the SHU number one, SHU
2 number two, the three, and the four. So, you
3 at least have four staff, and you have staff
4 that are SHU (Indiscernible *00:29:46). So,
5 there is several staff assigned to the Special
6 Housing Unit. So, and at that -. So, I can'
7 say with certainty who was engaging in a
8 conversation. And then, like I said, and then
9 you have the SHU lieutenant. So, it was
10 several folks that were assigned to the Special
11 Housing. And again, I don't know specifically
12 who said what, but I do know that it was known
13 because I verbally, I heard it, it was audible.
14 I heard it.

15 MR. [REDACTED]: While you were in the
16 SHU?

17 MS. [REDACTED]: While I was in the SHU.

18 MR. [REDACTED]: And do you know around
19 what time of day that would have been?

20 MS. [REDACTED]: No.

21 MR. [REDACTED]: No?

22 MS. [REDACTED]: Hmm-mm.

23 MR. [REDACTED]: And did you hear it more
24 than one time?

25 MS. [REDACTED]: Yes. Mm-hmm.

1 MR. [REDACTED]: So, it was something that
2 you had heard on multiple occasions?

3 MS. [REDACTED]: Mm-hmm.

4 MR. [REDACTED]: Okay.

5 MS. [REDACTED]: Mm-hmm.

6 MR. [REDACTED]: And is that something
7 that, because you were engaged in a
8 conversation, or you just overheard because
9 saying it?

10 MS. [REDACTED]: I wasn't engaging in the
11 conversation about Epstein per se, but just in
12 a conversation about what was going on in SHU,
13 while making rounds.

14 MR. [REDACTED]: Okay.

15 MS. [REDACTED]: So, you discuss -. So,
16 typically, when you make SHU rounds, you can do
17 both. You can have, like, a SHU roster that
18 kind of lists all of the inmates that are
19 housed in the SHU. You can, like, look at the
20 board to see who has cellmates. So, sometimes,
21 the conversation is prompted from multiple
22 things, or sometimes inmates stop you at the
23 door, and ask questions, and then you talk
24 about who it is that asked you questions. So,
25 I'm just saying, because of all those

1 instances, I don't know why it was said about
2 that particular thing, but that was, that was
3 just one of some comments during that day.

4 MR. [REDACTED]: But it was a comment
5 specific --

6 MS. [REDACTED]: Yeah.

7 MR. [REDACTED]: -- to Epstein's cellmate.
8 Correct?

9 MS. [REDACTED]: Yes. Exactly.

10 MR. [REDACTED]: Okay. And do you know if
11 there were any plan -. Or sorry. Before I
12 move on, I guess I should specifically ask you.
13 So, you mentioned there was SHU one, two,
14 three, four, but Epstein was found when, you
15 know, during the overnight, I guess the morning
16 watch, which is, you know, I think midnight to
17 8:00 a.m.

18 MS. [REDACTED]: Mm-hmm.

19 MR. [REDACTED]: He was found at
20 approximately 6:33 a.m. on August 10th, and
21 then, at that time, there were only two SHU
22 staff in there.

23 MS. [REDACTED]: Mm-hmm.

24 MR. [REDACTED]: Specifically, a Tova Noel
25 and a Michael Thomas. Do you know those two

1 staff members?

2 MS. [REDACTED]: I know of them.

3 MR. [REDACTED]: Do you know if either of
4 those two specific staff members were aware of
5 Epstein's cellmate requirement?

6 MS. [REDACTED]: No. I don't -. That, I don't
7 know because they are assigned to work other
8 departments, and they were working overtime.
9 But what I do know - because I also, when I
10 first started working in the Bureau, I was a
11 correctional officer - I do know that you
12 should engage in conversation with whomever it
13 is that you are relieving, to find out, is
14 there any special precautions, or you pass on
15 your equipment, you talk about what your base
16 count is. So, there, there should be some
17 communication between you and the staff member
18 that you are relieving.

19 MR. [REDACTED]: Now, do you believe, if
20 the person is quarterly assignment was the SHU,
21 they would have known, and should have known?

22 MS. [REDACTED]: Yeah. Yes.

23 MR. [REDACTED]: Okay. So, fi you know
24 that Tova Nova was actually assigned to the SHU
25 for that quarterly post, does that change

1 anything for you?

2 MS. [REDACTED]: Hmm. Well, you said Tova Noel.

3 Was she an officer, or she was --

4 MR. [REDACTED]: She was an officer.

5 MS. [REDACTED]: -- was she -?

6 MR. [REDACTED]: But she was assigned --

7 MS. [REDACTED]: Okay.

8 MR. [REDACTED]: -- as her quarterly --

9 MS. [REDACTED]: Mm-hmm.

10 MR. [REDACTED]: -- post was in the SHU.

11 Michael Thomas --

12 MS. [REDACTED]: Okay.

13 MR. [REDACTED]: -- was on overtime,
14 working in the SHU. He was a materials
15 handler.

16 MS. [REDACTED]: Okay.

17 MR. [REDACTED]: But Tova Noel was
18 actually --

19 MS. [REDACTED]: Okay.

20 MR. [REDACTED]: -- assigned to the SHU.

21 MS. [REDACTED]: Okay. Well then, she should
22 have known. And then, she - and again, I
23 didn't delve into that - she was on overtime,
24 but was she responding to what shift? Like,
25 evening watch? Was that her permanent

1 assignment?

2 MR. [REDACTED]: I would have to check if
3 that was her --

4 MS. [REDACTED]: Okay.

5 MR. [REDACTED]: -- she may have been, you
6 know, you might, you may be right.

7 MS. [REDACTED]: Mm-hmm.

8 MR. [REDACTED]: She may have been working
9 overtime in the SHU, but she was, in fact,
10 assigned to the SHU --

11 MS. [REDACTED]: Okay.

12 MR. [REDACTED]: -- for that quarter.

13 MS. [REDACTED]: Then she should have known.

14 MR. [REDACTED]: And do you believe --

15 MS. [REDACTED]: She should have.

16 MR. [REDACTED]: -- that there is any
17 excuse for her to say that she didn't know?

18 MS. [REDACTED]: I can't see how, if that is
19 your post for the quarter, that you would not
20 know, because you have to make decisions based
21 on, like, recreation. You have to do rounds.
22 You have to actually physically walk down the
23 range. There are name tags on the door. There
24 is the hot list. There is information that
25 psychology, at times, even sends out to SHU

1 staff, indicating these inmates are on the hot
2 list, or these are some important factors about
3 specific inmates.

4 So, there is, there is information, and
5 there is things that you are required to do, as
6 part of your assignment in SHU, that you would
7 have to know who can even go in recreation, in
8 the recreation cage, with whom. It's because
9 of separation. So, there is information that
10 you have to be able to, you have to know, in
11 order for you to make safe decisions during
12 your eight hours of having oversight over the
13 inmates.

14 MR. [REDACTED]: So - great - so, you
15 touched on the hot list. Can you just very
16 briefly explain what the hot list is?

17 MS. [REDACTED]: Well, the hot list is, it's,
18 like a list that kind of, that psychology puts
19 together, and it has information about, at
20 times, who is on suicide alert, or of any kind
21 of risk factors, or something that requires
22 special care for just specific inmates. So, it
23 is, your base count, or the SHU can help maybe
24 have the capacity to hold maybe 80 inmates,
25 right? And if - not everyone is on the hot

1 list.

2 MR. [REDACTED]: Okay.

3 MS. [REDACTED]: So, again, the hot list is just
4 specifically designed to highlight specific
5 inmates, and what is needed, or something
6 special about that specific inmate.

7 MR. [REDACTED]: So, if an inmate comes
8 off of suicide watch, or psychological
9 observation, and is placed in the SHU, would he
10 be - he or she, yeah - would he be listed on
11 the hot list?

12 MS. [REDACTED]: I don't know if that would be
13 on the hot list, but I know that that should be
14 - that is something that would probably be on
15 the SHU roster, or the SHU report.

16 MR. [REDACTED]: Okay.

17 MS. [REDACTED]: The SHU report, it lists all of
18 the inmates. It has pictures of all of the
19 inmates. And it also sections for health
20 services, for psychology, for correctional
21 services, and for unit teams. And in those
22 comment sections, they typically will say this
23 inmate may need a cellmate. This inmate is on
24 the hot list. This inmate should be kept away
25 from inmate X, Y, and [REDACTED]. It provides specific

1 information. So, even if it was not on the hot
2 list, it probably would also be on the SHU
3 report, which is BOPWARE. That's an electronic
4 report that you can pull from a program, a BOP
5 program.

6 MR. [REDACTED]: Okay. Now, do you know,
7 though, if Epstein specifically was on the hot
8 list in August of 2019?

9 MS. [REDACTED]: You know what? I don't know
10 that.

11 MR. [REDACTED]: Okay. So, if he was,
12 though, would it have listed that he was
13 required to have a cellmate?

14 MS. [REDACTED]: I'm trying to think if that
15 information would be on the hot list. I'm not
16 sure if that information would be on the hot
17 list.

18 MR. [REDACTED]: But it would be on this
19 other report that you were just speaking of,
20 that's in BOPWARE?

21 MS. [REDACTED]: I was - mm-hmm - that should,
22 that is something that would be important, that
23 psychology would definitely put on there.

24 MR. [REDACTED]: And would be - Tova Noel
25 would have, she had been required to review

1 that list, and see that Epstein was required to
2 have a cellmate?

3 MS. [REDACTED]: Well, you are not required to
4 review the list, but in order to know what's
5 going on with the inmate, I mean, you have to
6 have a SHU roster. You would have to know
7 what's going on with the inmates.

8 MR. [REDACTED]: So --

9 MS. [REDACTED]: So -.

10 MR. [REDACTED]: -- so, she should have
11 reviewed the list, is what you are saying?

12 MS. [REDACTED]: If you want to know what's
13 going on with the inmates, I would say that you
14 would review your SHU report.

15 MR. [REDACTED]: Is there any other ways
16 that Tova Noel, being that it was her quarterly
17 post, would have and should have known that
18 Epstein was required to have a cellmate?

19 MS. [REDACTED]: I do also know that we have
20 TruScope (Phonetic Sp. *00:38:23). So, there
21 is also an electronic program called TruScope,
22 and psychology lists things, and that psych,
23 it's called a psychology advisory list. And
24 so, again, there is multiple electronic
25 formats. And paper formats and things that

1 information is listed.

2 MR. [REDACTED]: Okay.

3 MS. [REDACTED]: So -.

4 MR. [REDACTED]: And do you know, were
5 there any plans made on how to address the
6 situation if [REDACTED] was removed as Epstein's
7 cellmate?

8 MS. [REDACTED]: I do - hmm - I don't recall
9 there being a meeting to say specifically if
10 [REDACTED] was removed, but -. So, I can't say that
11 there was a meeting that I am aware of, to talk
12 about.

13 MR. [REDACTED]: So, being that Epstein
14 was --

15 MS. [REDACTED]: Actually, (Indiscernible
16 *00:39:13).

17 MR. [REDACTED]: -- so, being that Epstein
18 was required to have a cellmate, and being that
19 MCC is, you know, a jail versus a prison, where
20 prisoners are constantly moved in and out.

21 MS. [REDACTED]: Mm-hmm.

22 MR. [REDACTED]: Was there anything in
23 place to address that situation, if Epstein is
24 required to have a cellmate, his cellmate is
25 then removed. What should have happened?

1 MS. [REDACTED]: I don't recall of a
2 conversation specific to that. But I do know,
3 as part of, not just Epstein, but any inmate,
4 if they are required to have cellmates, if you
5 are doing your rounds, and the cellmate is not
6 in there, it could be because that cellmate is
7 inside of the recreation cage, but if it is a
8 prolonged thing --

9 MR. [REDACTED]: Mm-hmm.

10 MS. [REDACTED]: -- that is something that
11 should be brought to the attention of,
12 obviously, your first line supervisor first,
13 and then that supervisor would then call,
14 depending on if it is after hours, they can
15 call the on-call psychologist, or if it during
16 duty hours, you call - then the lieutenant
17 would then contact someone in psychology.

18 MR. [REDACTED]: Okay. So, the supervisor
19 --

20 MS. [REDACTED]: Mm-hmm.

21 MR. [REDACTED]: -- you're saying is the
22 SHU lieutenant. So, it's staff should have
23 notified the SHU lieutenant?

24 MS. [REDACTED]: Yes.

25 MR. [REDACTED]: Now, what --

1 MS. [REDACTED]: Mm-hmm.

2 MR. [REDACTED]: -- what about if the SHU
3 lieutenant is off? So, on the 9th, Lieutenant
4 [REDACTED] is off that day. There is no SHU
5 lieutenant. What should have happened with SHU
6 staff? Who should have they contacted?

7 MS. [REDACTED]: There is always a lieutenant.
8 So, even if [REDACTED], who is the SHU lieutenant, is
9 not physically there, there is always a
10 lieutenant in the building, 24 hours.

11 MR. [REDACTED]: Sure.

12 MS. [REDACTED]: That person is -. So, there is
13 the management official, after hours. And so,
14 when there is any kind of emergency, or an
15 inmate situation that rises to the level of
16 contact, there is a management official there.
17 And they have received calls. And they then
18 call the captain, and then, the captain can
19 determine whether or not he wants some, you
20 know, to increase the level and call the AW,
21 but there is always a lieutenant in the
22 institution.

23 MR. [REDACTED]: Okay. And so, they
24 should have contacted one of the lieutenants,
25 and you are referring to the two lieutenants

1 that are usually there during the day. Can you
2 refresh my memory of what the two are called?

3 MS. [REDACTED]: One is the operations, and one
4 is the activities lieutenant.

5 MR. [REDACTED]: Right. So, is there one
6 or the other that the SHU staff, during the
7 day, should have called?

8 MS. [REDACTED]: Well, during the day, now,
9 okay, Monday through Friday, during the day,
10 there is the SHU lieutenant.

11 MR. [REDACTED]: No. I'm saying on the
12 9th --

13 MS. [REDACTED]: After --

14 MR. [REDACTED]: -- with the fact that the
15 SHU lieutenant is not there.

16 MS. [REDACTED]: That you can call, you can
17 either call the activities or operations.

18 MR. [REDACTED]: So, it is either or.
19 There is not --

20 MS. [REDACTED]: But one --

21 MR. [REDACTED]: -- one or the other?

22 MS. [REDACTED]: -- hey, you can call --. Hmm--
23 mm. You can call either or.

24 MR. [REDACTED]: Okay. Great. And do you
25 know what happened to inmate [REDACTED] on August

1 9th, 2019?

2 MS. [REDACTED]: I know, I know because of after
3 the fact, that he was, I believe he was bonded,
4 or somehow, he was released from court. He was
5 at court, and he never came back because of
6 either a bond, receiving a bond or a bail.

7 MR. [REDACTED]: Okay. So, your
8 understanding is that he actually went to
9 court, and then was released?

10 MS. [REDACTED]: Yes. That is my understanding.

11 MR. [REDACTED]: And where did you receive
12 that information?

13 MS. [REDACTED]: That is after the fact. After,
14 you know, trying to gather what happened, and
15 to his cellmate. And so, if the information
16 was not, I was not aware of the information on
17 the day. It's because of this incident that I
18 am aware of the information.

19 MR. [REDACTED]: Okay. So, and that is
20 your belief to this day?

21 MS. [REDACTED]: Yes. That is my belief to this
22 day.

23 MR. [REDACTED]: Okay. And what does WAB
24 mean?

25 MS. [REDACTED]: Oh, that means With All

1 Belongings.

2 MR. ██████████: So, if a person is
3 transported down to Receiving and Discharge,
4 with the status WAB next to their name --

5 MS. ██████: Mm-hmm.

6 MR. ██████████: -- what does that mean is
7 happening?

8 MS. ██████: That means that the inmate is
9 leaving, and he's not coming back.

10 MR. ██████████: So, it does mean that
11 they are actually - that that is known as that
12 inmate is not coming back to the MCC?

13 MS. ██████: Correct.

14 MR. ██████████: And what is --

15 MS. ██████: Mm-hmm.

16 MR. ██████████: -- what is the document
17 that would say WAB on it?

18 MS. ██████: Normally, there is a court
19 roster that lets the unit officer know that the
20 inmate is leaving. So, you would know who to
21 send down to R&D. And typically, it has an
22 approximate time. And/or, sometimes R&D may
23 then call up to the specific location, or the
24 housing unit, to say, send inmate so and so
25 down with all belongings.

1 MR. ██████████: Okay. So, but there is
2 a, it sounds like a court list, or a
3 production, an inmate production list that is
4 created by R&D?

5 MS. ██████: That is correct.

6 MR. ██████████: And that is what would
7 say -? That is how -? What staff members
8 would utilize in order to produce the inmates
9 to R&D?

10 MS. ██████: That is - yeah - that is my
11 understanding.

12 MR. ██████████: And what happens with
13 that document? Like, so, the staff members
14 utilize it, then where does the document go?
15 Is it saved somewhere, like BOPWARE, or
16 TruScope, or is it something that they print
17 out, and then they destroy, or do they keep it?

18 MS. ██████: Well, I know that R&D
19 definitely should have a cop of the court
20 roster. They should. Now, as far as what the
21 housing unit would do with it, I would believe
22 that they probably would shred it because it
23 serves no purpose to that specific housing
24 unit. But R&D would maintain copies of the
25 court roster.

1 MR. [REDACTED]: Now, if R&D is saying
2 that they actually don't keep a copy, it's like
3 a template that they revise every day, based
4 upon what inmates need to be produced. So,
5 they actually don't have any records from past,
6 you know, production lists. Does that sound
7 accurate to you?

8 MS. [REDACTED]: Hmm. From my understanding, I
9 would think that a copy would be maintained.
10 And that there would also possibly be a
11 logbook. Because I - again - at the time, I'm,
12 you know, an associate warden, but, and I never
13 specifically worked in Receiving and Discharge.
14 But from my understanding of being in Receiving
15 and Discharge, and from our early, my early
16 years of being a correctional officer, I am
17 aware of, like, if a receipt is being
18 maintained, because someone keys in inmates in,
19 and keys inmates out in Sentry. And there, at
20 times, control even annotates things in their
21 daily, their daily log.

22 MR. [REDACTED]: Yeah.

23 MS. [REDACTED]: So, of, like, of movement.
24 Depending on the control room officer, that
25 officer may even take the time to list the

1 names, to actually write out names and register
2 numbers. Or they just might write out the
3 numerical value of how many inmates departed
4 for court, versus how many departed, like, with
5 all belongings. Because that means that the
6 inmate is not returning, and he would
7 definitely have to be taken off your base
8 count, in order to get an accurate count.

9 MR. [REDACTED]: Okay. So, and I know
10 we're not in person, so I'm going to have to
11 just explain to you what I'm looking at. I
12 have two emails that were sent to the MCC. One
13 was to - both from the U.S. Marshal Service -
14 one was to just Receiving and Discharge
15 personnel, and another one was sent, it looks
16 like to, like to a large amount of custody
17 personnel, including lieutenants, it looks like
18 Tijuana [REDACTED], who I believe was the SIS
19 lieutenant. It looks like [REDACTED] [REDACTED]
20 [REDACTED], who was an AW, is on there. As well as
21 a number of other people. Quite a large number
22 of people. I do not see your name on here.
23 But it does say the subject, "Prisoner
24 Production 8/9/2019," the date is Thursday,
25 August 8th, 2019, at 3:36 p.m.

1 MS. [REDACTED]: Mm-hmm.

2 MR. [REDACTED]: Now, within the
3 attachments, it shows NYM 8/9/2019. Do you
4 know what that would stand for?

5 MS. [REDACTED]: You said NYM 8/9?

6 MR. [REDACTED]: Yeah. So, N-Y-M.

7 MS. [REDACTED]: Mm-hmm.

8 MR. [REDACTED]: Yeah. And then, when you
9 open it up, it just says - it's the U.S.
10 Marshals report - and it says, "Prisoners
11 Schedule Report." It says --

12 MS. [REDACTED]: Mm-hmm.

13 MR. [REDACTED]: -- MCC New York.

14 MS. [REDACTED]: Mm-hmm.

15 MR. [REDACTED]: Do you know if that would
16 be who was being produced to the U.S. Marshals
17 the following day?

18 MS. [REDACTED]: Yeah. That is what it is.
19 It's a court list.

20 MR. [REDACTED]: Okay.

21 MS. [REDACTED]: Yeah. Basically, it's a court
22 list.

23 MR. [REDACTED]: Okay. So, when I open
24 this up, on the first page there, it starts
25 with two inmates. The second inmate down, it

1 says, "[REDACTED], [REDACTED]." Or [REDACTED]. [REDACTED]-F-R-A-I-
2 N.

3 MS. [REDACTED]: Mm-hmm.

4 MR. [REDACTED]: It shows a date of birth.
5 A time. A time. The time says 8:53, and then,
6 it says, 8/9/2019. Underneath production
7 reason, it says, "TF," and the description
8 says, "Transfer within." And then --

9 MS. [REDACTED]: Mm-hmm.

10 MR. [REDACTED]: -- it says, "MCC New
11 York." And then, it does say, next to that,
12 typed court. Now, under that, it says, "Judge.
13 MCC 202. 20T. GEO." Do you know what that
14 would stand for?

15 MS. [REDACTED]: No. I'm not. Hmm-mm.

16 MR. [REDACTED]: So, the MCC to GEO. You
17 wouldn't understand that that --

18 MS. [REDACTED]: Oh.

19 MR. [REDACTED]: -- meant -?

20 MS. [REDACTED]: Oh. GEO. MCC to GEO. That
21 means that -. GEO is a private prison.

22 MR. [REDACTED]: Correct.

23 MS. [REDACTED]: So, I would think that GEO,
24 that's, like - yeah - that's a mnemonic for a
25 private prison.

1 MR. [REDACTED]: Okay. And then, when it
2 says, "Destination description," it says,
3 "WAB/MED summary." Does that tell you
4 anything?

5 MS. [REDACTED]: Yeah. Well, WAB. WAB means
6 With All Belongings. Now, /MED summary means
7 medical summary. So, when I'm first hearing
8 you say WAB, that lets me know that the person
9 is leaving. That means with all belongings.
10 So, typically, when someone is scheduled for
11 transfer, you have the time to pack them out,
12 and so, they would come down, you know, prior
13 to the date. But with WAB, that means that the
14 person is leaving that day, and then they
15 should come down with all of their belongings.
16 Everything that they have because for whatever
17 reason, they're not coming back, they're going
18 somewhere else.

19 MR. [REDACTED]: Right. So --

20 MS. [REDACTED]: And then --

21 MR. [REDACTED]: -- so, it looks like --

22 MS. [REDACTED]: Mm-hmm.

23 MR. [REDACTED]: -- these first two
24 people, the first two people both say,
25 "Transfer within." Both of them say MCC to

1 GEO. And then --

2 MS. [REDACTED]: Mm-hmm.

3 MR. [REDACTED]: -- they both say WAB,
4 with the destination in the description. Now,
5 the other inmates that are listed on here, they
6 have various things --

7 MS. [REDACTED]: Mm-hmm.

8 MR. [REDACTED]: -- from the reason being
9 status hearing, to sentencing, to a change of
10 plea, to all things that look like they are
11 court related, but would you believe that these
12 first two, since it would say, "Transfer Within
13 MCC to GEO," and WAB, that means that they are
14 actually being transferred and not going to
15 court?

16 MS. [REDACTED]: Yeah. I would - if I had an
17 opportunity to see that - I would understand
18 that that means that, exactly what you said,
19 that they are transferring.

20 MR. [REDACTED]: Okay.

21 MS. [REDACTED]: Somewhere other than -.

22 MR. [REDACTED]: So, being that the MCC
23 was sent, actually, the one that was sent to
24 Receiving and Discharge was much earlier in the
25 day. But the one that was sent to the custody

1 was on August 8th, 2019 at 3:36 p.m. What
2 should have been known from that information?

3 MS. [REDACTED]: That those inmates listed for
4 departing and were not coming back.

5 MR. [REDACTED]: Okay.

6 MS. [REDACTED]: Yeah.

7 MR. [REDACTED]: So then, it was known by
8 the MCC, at least, or at least should have been
9 known by the MCC, that on August 8th, 2019,
10 that [REDACTED], who happens to be Epstein's
11 cellmate, was actually transferring from the
12 MCC to another institution. And specifically,
13 to GEO.

14 MS. [REDACTED]: That part is accurate. The
15 only thing that is not included in that is, if
16 it was sent to R&D, and R&D may not have known
17 that [REDACTED] was Epstein's cellmate. So, it may
18 not have alerted them that [REDACTED] was
19 (Indiscernible *00:52:03) for them to then have
20 to discuss, to say, oh, he's not, you know, it
21 wouldn't have rang alarms for whomever that R&D
22 staff member was.

23 MR. [REDACTED]: Right. And that's why I
24 focused on the email to custody, because all of
25 custody, including all the lieutenants --

1 MS. [REDACTED]: Yeah.

2 MR. [REDACTED]: -- as well as [REDACTED], or
3 AW [REDACTED] [REDACTED], and Captain [REDACTED],
4 were actually sent --

5 MS. [REDACTED]: Yeah. That --

6 MR. [REDACTED]: -- that email.

7 MS. [REDACTED]: -- okay. Then that is - yeah -
8 that is different. That is different.

9 MR. [REDACTED]: So, the fact that custody
10 received it, is there someone that should have
11 been alerted to the fact, or reviewed that
12 document, to know, huh, we got these two
13 inmates, one of them is Epstein's cellmate.
14 You know, we now know that [REDACTED] is leaving
15 from the institution. Is there someone that
16 should have been responsible for catching that?

17 MS. [REDACTED]: The one thing I will say is
18 that, unless you are actually looking at the
19 court production list, to vet it, a person may
20 have just seen that as another court production
21 list. If it wasn't actually read, to see, you
22 know, for - to determine, okay, this inmate is
23 leaving, and who is he associated with?

24 MR. [REDACTED]: Absolutely.

25 MS. [REDACTED]: So --

1 MR. [REDACTED]: And that's kind of - and
2 I apologize if I --

3 MS. [REDACTED]: -- no.

4 MR. [REDACTED]: -- I apologize if I
5 wasn't clear. What I'm saying is --

6 MS. [REDACTED]: Mm-hmm.

7 MR. [REDACTED]: -- should someone have
8 reviewed it? Is there someone that should have
9 - being that it was sent to all these people in
10 custody - is there someone that really should
11 have looked at it --

12 MS. [REDACTED]: Mm-hmm.

13 MR. [REDACTED]: -- as opposed to could
14 have looked at it?

15 MS. [REDACTED]: Yeah. No. That's not
16 necessarily the responsibility of custody to
17 view -. There is -. I will say this. There
18 is no procedures in place, or their
19 responsibility that exists, that would say that
20 custody had to review a court production list.
21 Typically, they don't -. They may have
22 received a list as a courtesy. But okay. It's
23 a courtesy. It wasn't necessarily something
24 that they may or may not have to have some, you
25 know, to do something with the list. It's not

1 --

2 MR. [REDACTED]: Okay.

3 MS. [REDACTED]: -- it's just a courtesy. It's
4 nothing more than that.

5 MR. [REDACTED]: Okay. Now, I have an
6 email here, it's from you to Lamine N'Diaye.
7 Do you know who that is?

8 MS. [REDACTED]: Lamine N'Diaye. Yes. He was
9 the former warden.

10 MR. [REDACTED]: Okay. Great. And the
11 subject, it says, "Epstein, Jeffrey Edward,"
12 and then it gives his reg number. It was sent
13 Saturday, August 10th, 2019, at 4:35 p.m., and
14 in the body of the message, it says, "So far,
15 this is the documentation I have in my
16 possession." And it's signed your name,
17 [REDACTED] [REDACTED], Associate Warden, MCC New York."
18 So, do you recall if you were tasked with
19 obtaining documentation on Warden N'Diaye's
20 behalf?

21 MS. [REDACTED]: He didn't specifically task me
22 with anything. I just know that, when
23 something happens, that part of your
24 responsibility as an AW is to try to gather
25 documents. Now, I didn't have a specific

1 responsibility of securing the scenes. If
2 that's correctional services, and that is what
3 they do. But I, certain things, I just
4 inherently, or instinctively, knew that I
5 should try to assist with. But I wasn't given,
6 you know, the instruction that Warden N'Diaye
7 did, relayed to me was to report to the
8 institution because of, you know, the death.
9 And from that, I already knew, or in my head,
10 on the way there was planning of what I wanted
11 - one of the things that I needed to do to
12 assist with the matter.

13 MR. [REDACTED]: Okay. So, you
14 independently took this task on, to collect all
15 these documents?

16 MS. [REDACTED]: I did.

17 MR. [REDACTED]: Okay.

18 MS. [REDACTED]: I must admit I did.

19 MR. [REDACTED]: Okay. Great. So, I have
20 the document opened that you provided to him.
21 It's an attachment to your email saying what it
22 was that you collected.

23 MS. [REDACTED]: Mm-hmm.

24 MR. [REDACTED]: It starts with,
25 "Documentation re: Epstein, Jeffrey --

1 MS. [REDACTED]: Mm-hmm.

2 MR. [REDACTED]: -- Jeffrey Edward,
3 Deceased." And then, it talks about Sentry
4 reports. Like, the PPE-44, or PPE-37, and all
5 the way down to a PR-15. And then, it talks
6 about BOPWARE, label, administrative detention
7 order. And then, a few down, which is directly
8 in the middle of the first page, or slightly
9 below the middle, it shows, "Court
10 documentation regarding WAB." And this is
11 under --

12 MS. [REDACTED]: Okay.

13 MS. [REDACTED]: -- under the heading,
14 "Documentation --

15 MS. [REDACTED]: Okay.

16 MR. [REDACTED]: -- re: [REDACTED], [REDACTED].
17 Reg number 85993-054." And then, it says,
18 "Cellmate." It says, "Court documentation
19 regarding WAB, 8/9/19." Do you know what court
20 documentation is you were referring to?

21 MS. [REDACTED]: Well, it had to be the court
22 list, then. Is it the same thing that -? Are
23 you able to open the attachment?

24 MR. [REDACTED]: That is the attachment.
25 So, it doesn't -. You didn't include in that

1 email the electronic versions of this. You
2 said, this is what I have collected.

3 MS. [REDACTED]: Oh.

4 MR. [REDACTED]: And within it, it says --

5 MS. [REDACTED]: Okay.

6 MR. [REDACTED]: -- "Court documentation
7 regarding WAB, 8/9/19," and specific to [REDACTED]
8 [REDACTED]. So, I am just wondering, what --

9 MS. [REDACTED]: Okay.

10 MR. [REDACTED]: -- what document were you
11 referring to?

12 MS. [REDACTED]: What document? It had to -.
13 Hmm. I don't know. Unless I'm able to
14 actually look at my email. But if you are
15 saying WAB, that means I had to have seen
16 something --

17 MR. [REDACTED]: If you are actually --

18 MS. [REDACTED]: -- that says that -.

19 MR. [REDACTED]: -- if you are in front of
20 your email, you can find this. Just go to your
21 sent emails.

22 MS. [REDACTED]: Yeah. I have to go - hold on.
23 That's what I'm doing - but I have to go in my
24 archives.

25 MR. [REDACTED]: Right.

1 MS. [REDACTED]: You know?

2 MR. [REDACTED]: Okay. So, yeah.

3 MS. [REDACTED]: But when I open --

4 MR. [REDACTED]: This might help refresh
5 your memory, so we can actually, you can
6 actually look at what it is that I am talking
7 about.

8 MS. [REDACTED]: Okay.

9 MR. [REDACTED]: So --

10 MS. [REDACTED]: Yeah.

11 MR. [REDACTED]: -- again, it would be, it
12 will probably take a little while --

13 MS. [REDACTED]: Okay.

14 MR. [REDACTED]: -- because it was a long
15 time ago.

16 MS. [REDACTED]: Yeah.

17 MR. [REDACTED]: But August 10th, 2019 --

18 MS. [REDACTED]: Mm-hmm.

19 MR. [REDACTED]: -- and again, the email
20 was sent at exactly 4:35 p.m.

21 MS. [REDACTED]: Okay. Give me one second,
22 because like I said, I have to go in the
23 archives.

24 MR. [REDACTED]: Sure.

25 MS. [REDACTED]: Okay. Okay. To N'Diaye.

1 MR. [REDACTED]: And did you happen to get
2 to that email yet?

3 MS. [REDACTED]: No. Hmm-mm.

4 MR. [REDACTED]: Okay.

5 MS. [REDACTED]: But the way that this -. Okay.
6 Hold on. Just wait. I got this. Okay. You
7 said -. Hmm. Not -. I'm doing an advanced
8 search. And because it's the archives, it's a
9 little slow. It's not -. It's not on my
10 present Google Drive.

11 MR. [REDACTED]: Yeah. No. I understand.
12 Same thing when I look for my own emails. If
13 it's, like, more than six months to a year old
14 --

15 MS. [REDACTED]: No.

16 MR. [REDACTED]: -- it takes a while.

17 MS. [REDACTED]: Okay. Now - okay - I'm in old
18 stuff now. Okay. You said 8/9, 8/10/19. Oh.

19 MR. [REDACTED]: 11.

20 MS. [REDACTED]: Okay. I'm in nine. That's why
21 I had to do with it. Okay. Okay. Okay. I
22 see. I see the Word attachment that is there.
23 Okay.

24 MR. [REDACTED]: Okay. You did find the
25 email?

1 MS. [REDACTED]: I - yes - I was able to find
2 the email.

3 MR. [REDACTED]: Great.

4 MS. [REDACTED]: Mm-hmm.

5 MR. [REDACTED]: So then, yeah. So, you
6 see where the Word attachment. Do you see,
7 again, middle of the page, where it says,
8 "Documentation, Re: [REDACTED], [REDACTED]."

9 MS. [REDACTED]: Yeah.

10 MR. [REDACTED]: And that - yeah - that
11 first document is the one I was wondering
12 about. This court documentation regarding WAB,
13 8/9/19.

14 MS. [REDACTED]: Mm-hmm.

15 MR. [REDACTED]: And I'm just trying to
16 refresh, see if you can remember what document
17 you would have --

18 MS. [REDACTED]: What --

19 MR. [REDACTED]: -- been talking about.

20 MS. [REDACTED]: -- what I could do is, hold on,
21 because I'm trying to -. I'm trying to over
22 document that I have. Okay. So, what -. Let
23 me first forward this to my present email, so I
24 won't lose it. And then, I'm going to go,
25 because I had a folder of documents that I did

1 maintain because of that, I kept receiving,
2 like, inquiries after as to what documents I
3 had. And so, let me see what I -. See if I
4 have anything that shows that. Okay. Hold on.
5 I'm going to have go out -. Okay. So, I have
6 -. Okay. One thing I had, that I have a title
7 for [REDACTED] was just, like, was his
8 (Indiscernible *01:04:43) and entry
9 information. Special Housing review. Okay.
10 That's not showing me the court date. R&D.
11 Okay. Hold on one second. Let me see which
12 drop file. No. The drop file. (Indiscernible
13 *01:05:16). Let me see. Man, I don't -.
14 That, as an attachment. I don't have that as
15 an attachment. I do -. I am able to look at
16 other things. But a court list. I don't have
17 that as a court list. I don't have the court
18 list.

19 MR. [REDACTED]: Now, you're talking about
20 electronically, or are you referring to --

21 MS. [REDACTED]: Mm-hmm.

22 MR. [REDACTED]: -- okay.

23 MS. [REDACTED]: Yeah. Because I saw - there
24 were things that I saved. That's how I was
25 able to send them, you know, to other

1 individuals. Meaning, in the agency. When
2 there was a request. But that, I don't see,
3 for whatever reason. I don't see that file. I
4 mean, I don't see that.

5 MR. [REDACTED]: Now, it sounds like this
6 specifically was, they were documents that you
7 obtained physically.

8 MS. [REDACTED]: Mm-hmm.

9 MR. [REDACTED]: Do you know, do you still
10 have any of those documents? When you say you
11 kept the file --

12 MS. [REDACTED]: No.

13 MR. [REDACTED]: -- are they hard copy --

14 MS. [REDACTED]: No.

15 MR. [REDACTED]: -- files?

16 MS. [REDACTED]: No. It's not a hard copy file.
17 Any hard copy files, they were turned over.
18 Items that I have were turned over. And then,
19 there was some things that were still in my
20 possession. I have the emails where it shows
21 who it is that I turned them over. It was
22 myself and Lieutenant [REDACTED], that was actually
23 working together. She was assigned to SIS.
24 Working together to gather the documents. And
25 then, there was some documents that were turned

1 over to the FBI. And that could, in fact, have
2 been one of the documents that was turned over
3 to the FBI. There should be a list of what was
4 turned over to them.

5 MR. [REDACTED]: Okay. And do you know if
6 it was the FBI versus the OIG?

7 MS. [REDACTED]: No.

8 MR. [REDACTED]: You don't know who it
9 was?

10 MS. [REDACTED]: I don't know because I - like I
11 said - any documents that Lieutenant [REDACTED]
12 would have turned over, it should have been -.
13 There should be something, some kind of
14 document indicating what was turned over to
15 them.

16 MR. [REDACTED]: And do you know -. So,
17 there should be some kind of a receipt with the
18 documents --

19 MS. [REDACTED]: There should be.

20 MR. [REDACTED]: -- that were provided?

21 MS. [REDACTED]: Yeah. Mm-hmm.

22 MR. [REDACTED]: And that would be
23 something that Lieutenant [REDACTED] would have?

24 MS. [REDACTED]: If she, in fact, turned those
25 documents over, she worked in SIS.

1 MR. [REDACTED]: Okay. So, it wouldn't -.
2 You didn't turn it over to the FBI. She --

3 MS. [REDACTED]: No. Yeah. I didn't have any
4 contact with the FBI agents directly. At all.

5 MR. [REDACTED]: Okay. And then, as far
6 as - what is your understanding of what it
7 means, though, when it says, "Court
8 documentation regarding WAB." Do you know what
9 court --

10 MS. [REDACTED]: That was --

11 MR. [REDACTED]: -- documentation you
12 would be referring to?

13 MS. [REDACTED]: -- that was (Indiscernible
14 *01:08:04). I don't know specifically, but
15 obviously, it would have to have been something
16 that said for, in order for me to write WAB,
17 without being able to look at it right now, it
18 obviously had to be something that said WAB on
19 it, and listed that inmate's name. Other than
20 that, I would not have wrote that.

21 MR. [REDACTED]: And do you think that
22 that would have been that Receiving and
23 Discharge document that the SHU staff would
24 have utilized when they transported [REDACTED] to
25 R&D?

1 MS. [REDACTED]: It wouldn't have been his -
2 that document from SHU. Because I didn't even,
3 I didn't go to SHU that day. So --

4 MR. [REDACTED]: Sorry. But --

5 MS. [REDACTED]: -- (Indiscernible *01:08:42).

6 MR. [REDACTED]: -- the court production
7 list that, I'm just saying that, because my
8 understanding is, R&D, you know, prints out all
9 the same court production lists, and they
10 provide it to the different housing units, and
11 to the ops lieutenant, and to, you know, the
12 different various people that need to be in the
13 know with who is being produced. So, that is
14 all --

15 MS. [REDACTED]: Mm-hmm.

16 MR. [REDACTED]: -- all I'm saying, is,
17 like --

18 MS. [REDACTED]: Uh-huh.

19 MR. [REDACTED]: -- would it be the --

20 MS. [REDACTED]: A copy of it. You're saying a
21 copy. It could have -. It had to be a copy of
22 something. But I don't know if it was, if it
23 was the court production list, or some kind of
24 Sentry roster. That, because you could print a
25 Sentry roster also, that shows, like you said,

1 everybody, you know, movement. So, it had to
2 be a copy of something listing information as
3 to who was going out of the institution on that
4 particular day.

5 MR. ██████████: Okay.

6 MS. ██████: That is the only thing I could
7 have - that I could surmise why I would have
8 wrote WAB.

9 MR. ██████████: Okay. Can I ask you just
10 to see if, you know, after the interview, if
11 you can, if you can track that down by any
12 means? Or if you may -. I don't know if you
13 can coordinate with Lieutenant - can ask
14 Lieutenant ██████, as well - but if you could
15 just see if you, in fact, did make a copy, or
16 you know what you did with this document, or
17 figure out what that document was. And I don't
18 know how you would do that. So, I don't, you
19 know --

20 MS. ██████: Yeah.

21 MR. ██████████: -- you might not be able
22 to, but just, if you could just check.

23 MS. ██████: Mm-hmm. That means all of
24 them, the documents that I listed, those things
25 were turned over. But okay. I will even look

1 at all of my emails I saved. Well, what I -
2 whom I turned things over to, or what I've
3 turned, what I turned over.

4 MR. [REDACTED]: That would be great.
5 Specifically, we would be very interested in
6 that court documentation regarding, you know,
7 [REDACTED].

8 MS. [REDACTED]: Mm-hmm.

9 MR. [REDACTED]: And is it surprising to
10 you now, though, since again, like, you thought
11 that he was at court, and then released on, you
12 know, released from there, but now that you see
13 that you actually wrote, "Court documentation
14 regarding WAB," is that surprising?

15 MS. [REDACTED]: Well, I won't say it's -. I
16 won't use the word "surprising." But it would
17 jog my memory to say, okay, you - like I said -
18 if he left on WAB, I have something that says
19 WAB, that is what it was. WAB. But did I know
20 at the time, or was I in the know? No. This
21 is after the fact.

22 MR. [REDACTED]: Right, right, right. No.
23 I'm just saying the, you know, it seems like a
24 lot of people seemed to think that he was, you
25 know, sent to court and released, whereas, you

1 know, as we just discussed, he was actually
2 transferred. So, I was just wondering if that
3 surprised you to find out that, oh, wow, I
4 actually did know he was WAB after the, you
5 know, on --

6 MS. [REDACTED]: Yeah, well --

7 MR. [REDACTED]: -- August 10th.

8 MS. [REDACTED]: -- yeah, that part, because
9 that is, like you said, that has been, that has
10 been the discussion all along, that [REDACTED] went
11 to court, and he was released from court. So,
12 I'm hoping that my information is accurate, but
13 typically, when you - because it's now, it
14 seems like, it conflicts, obviously, with what
15 everyone's recollection is - but typically,
16 when you see WAB, that means With All
17 Belongings, that the person is leaving, they
18 are transferring. Now, how the whole court got
19 into play, maybe, I don't know. And I don't
20 want to speculate, because it is just going to,
21 you know, further confuse everything.

22 MR. [REDACTED]: Okay. Yeah. No. I
23 think we've definitely cleared up the fact that
24 he was WAB, and he transferred, just upon the
25 emails that we, you know, I talked to you about

1 with the U.S. Marshal Service, as well as this
2 one. But I was just, you know, for you being
3 that you are the one who gathered that
4 document, I'm just hoping that we can figure
5 out where that document went, because --

6 MS. [REDACTED]: Sure.

7 MR. [REDACTED]: -- you know, it's really
8 the R&D document, and I'm hoping that that's
9 what it is, that we can track down, is whatever
10 they --

11 MS. [REDACTED]: Well --

12 MR. [REDACTED]: -- generated.

13 MS. [REDACTED]: -- I want to clarify. It may
14 not be their specific document. If it's a
15 document that says WAB.

16 MR. [REDACTED]: Absolutely.

17 MS. [REDACTED]: It doesn't necessarily have to
18 be their, you know --

19 MR. [REDACTED]: No, no. Absolutely. I'm
20 just hoping that it is. And that we can track
21 it down --

22 MS. [REDACTED]: Okay.

23 MR. [REDACTED]: -- is what I'm saying.
24 Like, I don't know what it is, because again,
25 it's not --

1 MS. [REDACTED]: Yeah.

2 MR. [REDACTED]: -- specific. But yeah, I
3 was just hoping that you would be able to, you
4 know, provide some clarification on that
5 document.

6 MS. [REDACTED]: Yeah.

7 MR. [REDACTED]: Now, just to back up a
8 little bit. Now, what was your responsibility,
9 like, the AWs are kind of split. Right?
10 There's two AWs, and one is in charge of one
11 thing, and another is in charge of another.
12 What - when you were at the MCC - what were you
13 in charge of on August 9th and 10th?

14 MS. [REDACTED]: What? I was in - I had
15 oversight of correctional services.

16 MR. [REDACTED]: Okay. So, you actually
17 did have oversight over this incident?

18 MS. [REDACTED]: Mm-hmm.

19 MR. [REDACTED]: And is that --

20 MS. [REDACTED]: Well --

21 MR. [REDACTED]: -- is that why you would
22 have --

23 MS. [REDACTED]: -- I think what --

24 MR. [REDACTED]: -- gathered all those
25 documents?

1 MS. [REDACTED]: -- not specifically only
2 because of that. But because I just know there
3 is an incident that happened, because I've been
4 an exec staff, and there is certain things that
5 you should gather. But it wasn't because I was
6 the AW of correctional services. Now, as an
7 AW, or someone in exec staff, you should just
8 know kind of what to gather anyway.

9 MR. [REDACTED]: Okay.

10 MS. [REDACTED]: What information to gather.

11 MR. [REDACTED]: Okay. Great. And on
12 that note, would that have been something that
13 you would have gathered, specifically the R&D
14 court production list?

15 MS. [REDACTED]: No. Hmm-mm.

16 MR. [REDACTED]: No?

17 MS. [REDACTED]: No. Mm-hmm.

18 MR. [REDACTED]: But it's just something
19 that had -. Something that was court
20 production for [REDACTED] with WAB, you just don't
21 know what it was.

22 MS. [REDACTED]: I gathered all of the
23 information that I knew logically was
24 associated with Epstein.

25 MR. [REDACTED]: Okay.

1 MS. [REDACTED]: That was, it's just logical
2 connections, if you wanted - if you know you
3 have an incident, and you know something
4 happened, in the Special Housing, and there is
5 only two inmates that are in the cell, you know
6 you are not only going to focus on, quote
7 unquote, "The victim." You have to then also
8 turn your attention to who was in the cell at
9 the time. So, to me, anything that I gathered,
10 as far as Sentry information for Epstein, or
11 his Special Housing Unit record, I gathered the
12 same for his cellmate because that's just a
13 logical thing to do.

14 MR. [REDACTED]: Sure. And that is what
15 I'm asking for my question. Being that you
16 logically gathered these documents, and you can
17 see that you wrote the document, I'm asking,
18 like, can you recall what would be - what would
19 have been the logical document that you would
20 have gathered, that would have showed that he
21 was --

22 MS. [REDACTED]: Oh, I understand what you mean.

23 MR. [REDACTED]: -- WAB?

24 MS. [REDACTED]: Mm-hmm. I don't, I don't know
25 if I would have gone in R&D to see, or if I ran

1 - or if it was a Sentry roster, like, a log, a
2 PP-37 log that showed something. But I don't -
3 thinking about it now - I honestly, I can't say
4 that, because I do have other R&D documents,
5 but I don't know if that was that R&D court
6 roster.

7 MR. ██████████: If you don't mind, and if
8 it's not too much trouble, can you just send me
9 an email with the documents that you do have,
10 and then I can go through them to figure out
11 what it is we have and don't have, and what we
12 need, and don't need?

13 MS. ██████: Sure.

14 MR. ██████████: With regards to this
15 incident.

16 MS. ██████: Okay.

17 MR. ██████████: You can just, like, and
18 not right now. After, after we're done.

19 MS. ██████: Okay. Not right now.

20 MR. ██████████: Yeah, yeah.

21 MS. ██████: Okay.

22 MR. ██████████: No, no, not right now.

23 MS. ██████: Okay. Mm-hmm.

24 MR. ██████████: All right. So --

25 MS. ██████: And I will also look at other

1 emails that I sent out, because it's been, like
2 I said, it's been, it's been several requests
3 to show what I had and what I didn't have. So,
4 any other emails, I will be more than happy to
5 share with you.

6 MR. [REDACTED]: Yeah. If you can just,
7 if that's possible, just to forward me those
8 emails that you have provided --

9 MS. [REDACTED]: Mm-hmm.

10 MR. [REDACTED]: -- that had documents
11 with regarding, with regard to the matter.

12 MS. [REDACTED]: Mm-hmm.

13 MR. [REDACTED]: That would be great. So,
14 being that you were the AW in charge of
15 custody, you would probably be perfect to
16 answer some of these questions. So, since
17 Epstein was required to have a cellmate, what
18 should have happened once the notification was
19 made that [REDACTED] was being transferred?

20 MS. [REDACTED]: He should have received another
21 cellmate.

22 MR. [REDACTED]: And obviously, we
23 probably did just cover this, and just because
24 we got sidetracked, and you said that SHU
25 staff, once they found out that [REDACTED] was

1 transferred, they should have notified,
2 Lieutenant [REDACTED] wasn't there, so they should
3 have notified either the activities lieutenant,
4 or the operations lieutenant. Is that what you
5 said?

6 MS. [REDACTED]: I'm saying that someone of a
7 supervisory nature, yeah, should have been
8 notified.

9 MR. [REDACTED]: But who was it that
10 should have notified them? Would it be the OIC
11 of the SHU? Would it be the person that
12 transferred [REDACTED] to R&D? You know it, when I
13 say transferred, I mean escorted him to R&D.
14 Should it have been R&D themselves? Who should
15 have made the notification to the lieutenant?

16 MS. [REDACTED]: And without me spinning the
17 tale, and pointing a finger, because lack of,
18 it didn't, it all depends. For instance, if
19 the SHU staff knew that [REDACTED] - and that's why
20 it's just kind of, I don't know, a question
21 mark - if the SHU staff knew that [REDACTED] was not
22 coming back, then that would mean that they
23 would know that he wasn't, he was not going to
24 have a cellmate. So, without knowing what
25 everybody knew, I --

1 MR. [REDACTED]: Okay. So, I'll --

2 MS. [REDACTED]: -- (Indiscernible *01:17:59)

3 MR. [REDACTED]: -- fill you in on that.

4 MS. [REDACTED]: Right.

5 MR. [REDACTED]: So --

6 MS. [REDACTED]: Yeah.

7 MR. [REDACTED]: -- [REDACTED]. Do you know
8 who Roberto [REDACTED] is?

9 MS. [REDACTED]: Yes.

10 MR. [REDACTED]: So, he was the SHU OIC at
11 the time. He's the one who escorted Epstein to
12 attorney conference that morning. And --

13 MS. [REDACTED]: Mm-hmm.

14 MR. [REDACTED]: -- at the same time, they
15 were jointly escorted with, I believe it was
16 Monge, but one of the, one of the SHU, one of
17 the internal staff who provided, produced [REDACTED]
18 to R&D. They both did the --

19 MS. [REDACTED]: Mm-hmm.

20 MR. [REDACTED]: -- they both escorted
21 their inmates together. And during their
22 conversation, it was discussed that [REDACTED] was,
23 in fact, WAB, and --

24 MS. [REDACTED]: Okay.

25 MR. [REDACTED]: -- would be getting a new

1 cellmate.

2 MS. [REDACTED]: Mm-hmm.

3 MR. [REDACTED]: So, knowing that [REDACTED]
4 was present, and there was an internal employee
5 that was present, and they both had this
6 discussion, and both said that they --

7 MS. [REDACTED]: Mm-hmm.

8 MR. [REDACTED]: -- knew that he was WAB,
9 does that clue you in a little bit more of what
10 --

11 MS. [REDACTED]: Yeah.

12 MR. [REDACTED]: -- actions should have
13 taken at that time?

14 MS. [REDACTED]: Yes. Either one of them should
15 -. Now, either one of them. So, you said
16 [REDACTED], was [REDACTED] was the OIC?

17 MR. [REDACTED]: [REDACTED] was the OIC. He
18 was the one that was --

19 MS. [REDACTED]: Okay.

20 MR. [REDACTED]: -- bringing Epstein, and
21 the conversation was had with both Epstein and
22 [REDACTED], saying, [REDACTED], we know you're leaving,
23 you're WAB. Epstein, you'll get a new cellmate
24 by the end of the day.

25 MS. [REDACTED]: Now, as the OIC, [REDACTED]

1 should have then contacted the lieutenant.

2 MR. [REDACTED]: Okay. So, being the AW
3 in charge of custody, do you believe that --

4 MS. [REDACTED]: Mm-hmm.

5 MR. [REDACTED]: -- it was really [REDACTED]
6 that should have made that notification?

7 MS. [REDACTED]: Because as the OIC, that means
8 that you are, if you look at the post orders,
9 you are basically have oversight of SHU, for
10 lack of a better term. You should make sure
11 that the rounds are being conducted. If
12 inmates needs to be pulled out for whatever
13 reason. That the appropriate inmates are going
14 in their appropriate cages, so that, you know,
15 separate tees are adhered to. That inmates are
16 being fed. That sanitation is being conducted.

17 And if, and because you are now telling me
18 that this individual, whomever the individual
19 is, is saying that they were aware that Epstein
20 needed a cellmate, and that his cellmate was
21 leaving, they knew, so when you know something,
22 then you should, either you're going to - if
23 you didn't want to make the determination to
24 make another decision about who the cellmate
25 would be, then you need to contact your

1 supervisor.

2 If you, yourself, can't make a decision,
3 you contact your supervisor who is authorized
4 to make that decision. But you must make the
5 contact in order for your supervisor to know.
6 And as an OIC, you are aware of who you can
7 contact.

8 MR. [REDACTED]: Yeah.

9 MS. [REDACTED]: That's plainly known that you
10 can contact the lieutenant when something is
11 going on, especially for something that, it's
12 not, it's the Special Housing Unit, that you
13 must be able to get a decision maker.

14 MR. [REDACTED]: Okay. So, he should have
15 notified a lieutenant, is basically the long
16 and short of it?

17 MS. [REDACTED]: Yes. Yes. The long and short
18 of it, he should have notified a lieutenant.

19 MR. [REDACTED]: Okay. And are you aware
20 if - we are going to just touch on counts and
21 rounds that were conducted in the SHU - are you
22 aware if the SHU counts and rounds were not
23 conducted by the SHU staff on August 9th and
24 10th of 2019?

25 MS. [REDACTED]: I was aware after the fact that

1 the staff members indicated that they did not
2 make rounds.

3 MR. ██████████: And what did you become
4 aware of? Can you just give me a little bit
5 more clarity on that?

6 MS. ██████: Well, I became aware of it just
7 like everybody else, you know, that the staff
8 member are saying that they didn't make rounds.
9 But was I aware of it on the day? No.

10 MR. ██████████: No, no, no. I'm sorry --

11 MS. ██████: (Indiscernible *01:21:57).

12 MR. ██████████: -- so, what I mean is,
13 like, what did you became aware of? What staff
14 members, and what did you learn?

15 MS. ██████: Oh. Oh, oh. Okay. The two
16 staff members that were assigned on the morning
17 watch shift, that they have said that they did
18 not make rounds.

19 MR. ██████████: And is that Tova Noel and
20 Michael Thomas?

21 MS. ██████: Yes. Those were the two staff
22 members that worked that shift.

23 MR. ██████████: And do you remember who
24 you learned that information from?

25 MS. ██████: No. Hmm-mm.

1 MR. ██████████: Okay. Did either Thomas
2 or Noel say that that, you know, tell you that
3 information directly?

4 MS. ████████: No. I didn't -. I haven't
5 even, from the day of the incident, I have not
6 laid eyes on either one of them.

7 MR. ██████████: Okay.

8 MS. ████████: Besides on TV. So, I have not
9 spoken to either one of them. Well, no, and
10 I'm not going to say I haven't spoken to either
11 one of them. I did call to make welfare checks
12 on staff members, to see if they were okay, and
13 that was weeks after, because they haven't been
14 at work, and that's what we were told to do, to
15 call the staff members, just to say, you know,
16 if you're okay. Because they physically were
17 not in the institution. But as far as
18 discussing the incident, and what they did and
19 did not do, I did not engage in that.

20 MR. ██████████: Okay. And did you learn
21 anything, you know, during your time on this,
22 did you learn anything about the accuracy of
23 the MCC SHU counts and rounds on August 9th and
24 10th of 2019?

25 MS. ████████: You said did I run anything as

1 far as the -.

2 MR. [REDACTED]: Did you learn if they
3 were accurate or not? Like, the counts that
4 they conducted, and the rounds they conducted.
5 Did you find out through your, you know, what
6 you were doing, did you learn if they were
7 accurate counts and accurate rounds?

8 MS. [REDACTED]: The date, the date, you're
9 saying the date of when I was gathering the
10 information, or the documentation?

11 MR. [REDACTED]: Or at any point. Did you
12 ever find out if the counts were either
13 accurate or not? And the rounds were accurate
14 or not.

15 MS. [REDACTED]: Not specifically about the
16 counts and the rounds, but just like, like I
17 said, and like everybody else, of what has come
18 out, that they said that they did not do
19 counts. I mean, do rounds.

20 MR. [REDACTED]: But had you heard
21 anything about, like, the counts being wrong?
22 Like, they're actually reporting the wrong
23 numbers, or anything like that?

24 MS. [REDACTED]: (Indiscernible *01:24:04). I'm
25 trying to remember. I know that there was,

1 there was discussion about whether or not the
2 count was done because, and I can't remember
3 exactly what happened to make that come up, but
4 I know there - we couldn't find certain count
5 slips. And I think somebody, and I can't
6 remember if it was Epstein, or ██████, or
7 somebody was not keyed out. One of the inmates
8 was not keyed out, and if that, and my memory
9 is serving me properly, and the count should
10 have been affected by --

11 MR. ██████: Right. And did --

12 MS. ██████: -- you know, inaccurate Sentry.
13 Inaccurate Sentry information.

14 MR. ██████: -- okay. So, you are
15 aware of that then. Yeah. So, do you know,
16 it's, I think the inmate's name was Fernandes.
17 Does that ring a bell? Someone that --

18 MS. ██████: I --

19 MR. ██████: -- was found to have been
20 pass contraband, and then, they were removed
21 from the SHU and placed in R&D holding cell,
22 but they were not actually keyed out of the
23 SHU?

24 MS. ██████: No. I don't - hmm-mm - I don't
25 remember that specific. Hmm-mm.

1 MR. ██████████: Okay. But you remember
2 someone wasn't keyed out, which messed up the
3 counts?

4 MS. ████████: If you, it was something to
5 that effect. That there was somebody not keyed
6 out. I don't know if it was about SHU or about
7 the institution itself. But I know that there
8 was something about, there was some Sentry
9 inaccuracies that should have affected the
10 count.

11 MR. ██████████: Okay. And do you know if
12 that was documented anywhere, or you, you know,
13 provided information to anyone on that, that
14 you might be able to retrieve, to help, you
15 know, help us?

16 MS. ████████: I'm going to try.

17 MR. ██████████: You know, you don't have
18 to do now.

19 MS. ████████: Yeah.

20 MR. ██████████: But this is another one
21 of those --

22 MS. ████████: Okay.

23 MR. ██████████: -- things that if --

24 MS. ████████: All right.

25 MR. ██████████: -- you can put that to

1 your --

2 MS. [REDACTED]: Let me do Fernandes.

3 MR. [REDACTED]: -- yeah.

4 MS. [REDACTED]: Okay.

5 MR. [REDACTED]: Yeah. So --

6 MS. [REDACTED]: Yeah.

7 MR. [REDACTED]: -- if you can --

8 MS. [REDACTED]: Mm-hmm.

9 MR. [REDACTED]: -- those two things.

10 One, whatever documents --

11 MS. [REDACTED]: What's his -?

12 MR. [REDACTED]: -- (Indiscernible

13 *01:25:53).

14 MS. [REDACTED]: What is Fernandes's register
15 number?

16 MR. [REDACTED]: Let me pull that up.

17 That wasn't something I was going to touch on
18 with you, but since you brought it up, that's
19 the only reason I did. Let's see. All right.
20 And this one, I just have inmate Fernandes.

21 Let me -. Hold on. All right. So, it's
22 Leonardo. L-[REDACTED]-O-N-A-R-D-O.

23 MS. [REDACTED]: Mm-hmm.

24 MR. [REDACTED]: Fernandes. F-[REDACTED]-R-N-A-N-
25 D-[REDACTED]-S.

1 MS. [REDACTED]: Mm-hmm.

2 MR. [REDACTED]: Register number 86824-
3 054.

4 MS. [REDACTED]: Okay. And you said he was -.

5 MR. [REDACTED]: And there is, you
6 actually have an -. Actually, what I pulled up
7 was an email from [REDACTED] [REDACTED] to both you
8 and [REDACTED] [REDACTED]. So, and it talks --

9 MS. [REDACTED]: And it said, it talks about
10 that?

11 MR. [REDACTED]: No. It talks about the
12 incident, where it just talks about, the date
13 was Friday, August 9th, 2019, at 3:52 p.m., and
14 it just says, "On August 9th, 2019, at
15 approximately 1:37 p.m., while conducting
16 routine duties, the 9 South visiting officer
17 observed a female visitor produce an unknown
18 object from her waistband and hand it to inmate
19 Fernandez." And then, it just talks about, you
20 know, a little bit more of it. But this is the
21 individual --

22 MS. [REDACTED]: Okay.

23 MR. [REDACTED]: -- that was not keyed out
24 of the SHU. And he was placed in R&D --

25 MS. [REDACTED]: Okay.

1 MR. [REDACTED]: -- the R&D holding cell,
2 which caused the count numbers to be
3 inaccurately reported. Because the SHU staff
4 was still adding him on their count slips.

5 MS. [REDACTED]: Yeah. Mm-hmm. Okay. Okay.

6 MR. [REDACTED]: And does that --

7 MS. [REDACTED]: Okay.

8 MR. [REDACTED]: -- does that --

9 MS. [REDACTED]: Okay.

10 MR. [REDACTED]: -- does that refresh your
11 memory at all?

12 MS. [REDACTED]: Hmm-mm. But you're saying, so,
13 but [REDACTED] email doesn't talk about that. It
14 just talks about --

15 MR. [REDACTED]: No, no, no.

16 MS. [REDACTED]: -- (Indiscernible *01:28:02).

17 MR. [REDACTED]: It just talks about the
18 incident.

19 MS. [REDACTED]: Okay.

20 MR. [REDACTED]: It doesn't --

21 MS. [REDACTED]: Okay.

22 MR. [REDACTED]: -- it doesn't talk about
23 the fact that it -. That's something that our
24 investigation has revealed.

25 MS. [REDACTED]: Oh, okay.

1 MR. ██████████: Because we had to figure
2 out why are, you know, are the counts accurate
3 or not, how do we find out if they --

4 MS. ██████: Mm-hmm.

5 MR. ██████████: -- actually conducted the
6 counts, or didn't conduct the counts.

7 MS. ██████: Okay.

8 MR. ██████████: So, when we went through
9 everything, we found that there was some
10 discrepancies based upon what was on the
11 lieutenant's log versus what was on
12 institutional count, which was on the, you
13 know, count slips. There are different things.
14 And then, you know, looking through the
15 lieutenant log, we see that, on August 10th,
16 during the night, at around 12:30 a.m., it has
17 a note in there, saying that they keyed
18 Fernandez out of the SHU, or out of the SHU,
19 and into wherever, R&D. And that's how we were
20 able to figure out, okay, these count slips are
21 actually all off.

22 MS. ██████: Oh.

23 MR. ██████████: They are saying that they
24 were counting this many bodies, whereas, in
25 fact, there was one less because he wasn't

1 there.

2 MS. [REDACTED]: Okay. Yeah. That doesn't jog,
3 that doesn't jog my memory for that, though.

4 MR. [REDACTED]: Okay.

5 MS. [REDACTED]: Yeah.

6 MR. [REDACTED]: This is kind of the first
7 you're hearing of that, then?

8 MS. [REDACTED]: Yeah. I don't, I don't -. If
9 for whatever reason, this is, I don't recall
10 anything about that.

11 MR. [REDACTED]: There was something you
12 recalled about the counts being off, but it
13 wasn't that?

14 MS. [REDACTED]: Yeah. But it wasn't that.

15 Hmm-mm.

16 MR. [REDACTED]: But you did know that
17 someone wasn't keyed out?

18 MS. [REDACTED]: I, perhaps out of the
19 institution, and again, if something came up
20 about the count, but I don't recall there being
21 - and because it's --

22 MR. [REDACTED]: Well, I think --

23 MS. [REDACTED]: -- (Indiscernible *01:29:35).

24 MR. [REDACTED]: -- well, there was a
25 question that - and maybe this is something

1 that the warden asked you - but Ray Ormond, who
2 I'm assuming you know - correct? - the regional
3 director at the time.

4 MS. [REDACTED]: Yeah. Mm-hmm.

5 MR. [REDACTED]: He sent an email to
6 Warden N'Diaye, on the, I believe the 10th,
7 asking, "Why are the counts off? Why does one
8 say 72, and one say 73?" Maybe.

9 MS. [REDACTED]: For Special Housing?

10 MR. [REDACTED]: For Special Housing.
11 Correct. So, maybe --

12 MS. [REDACTED]: Mm-hmm.

13 MR. [REDACTED]: -- that's where they
14 asked you. Do you recall?

15 MS. [REDACTED]: And you said, when did, that
16 happened on the day of 8/10?

17 MS. [REDACTED]: Yeah. That would have been
18 Ray, Mr. Ormond asking N'Diaye on 8/10 because
19 --

20 MS. [REDACTED]: Mm-hmm.

21 MR. [REDACTED]: -- he was provided all
22 the count documentation, and asking him --

23 MS. [REDACTED]: Mm-hmm.

24 MR. [REDACTED]: -- why are these counts -
25 ? Why did the count - oh, no. He said, "Why

1 did the count change?" That's what it was.

2 MS. [REDACTED]: Okay.

3 MR. [REDACTED]: He was, like, from the
4 10:00 p.m. --

5 MS. [REDACTED]: That's probably --

6 MR. [REDACTED]: -- count to midnight, it
7 changed from 73 down to 72 , and our
8 investigation has revealed it's because this
9 person was never keyed out of the SHU --

10 MS. [REDACTED]: Mm-hmm.

11 MR. [REDACTED]: -- until --

12 MS. [REDACTED]: That is maybe that is what
13 prompted it, but like I said, I knew something
14 happened with the count, and from that, I -
15 myself and Lieutenant [REDACTED] were trying to
16 gather the count slips, and it should be a 30-
17 day file maintained in control, and we were not
18 able to find the count slips. So, I didn't
19 know it. Well, now that you're telling me, I
20 didn't know it was because of that. And there
21 is some things that I was in the know about,
22 that I - or I wasn't - but I knew it had
23 something to do, like, is that with the counts,
24 and we were told to get some of the count
25 slips.

1 MR. [REDACTED]: Okay. But just, you
2 don't have anything to add to that. This is
3 all kind of --

4 MS. [REDACTED]: Mm-hmm.

5 MR. [REDACTED]: -- more new information
6 for you?

7 MS. [REDACTED]: Yes. Mm-hmm.

8 MR. [REDACTED]: Okay. We can move on,
9 then.

10 MS. [REDACTED]: Okay.

11 MR. [REDACTED]: What is a lieutenant - or
12 sorry - a SHU lieutenant round? So, sorry.
13 So, when a lieutenant conducts a round in the
14 SHU, what should that consist of?

15 MS. [REDACTED]: So, when you're the SHU
16 lieutenant, you --

17 MR. [REDACTED]: And I don't mean
18 specifically the SHU lieutenant. I said that
19 wrong.

20 MS. [REDACTED]: Okay.

21 MR. [REDACTED]: In the first.

22 MS. [REDACTED]: Okay.

23 MR. [REDACTED]: Just when a lieutenant,
24 whether it's an activities, a SHU lieutenant --

25 MS. [REDACTED]: Okay.

1 MR. [REDACTED]: -- an activities
2 lieutenant, an operation lieutenant. When a
3 lieutenant goes to the SHU and conducts a
4 round, what should they be doing when they
5 conduct a round?

6 MS. [REDACTED]: They should be walking around
7 and talking to the inmates.

8 MR. [REDACTED]: So, is there, is the SHU
9 -. Is a lieutenant round the same thing as a
10 staff round, where you are supposed to go up
11 and actually check on the inmates?

12 MS. [REDACTED]: Hmm. I'm not going to say it's
13 the exact same thing because the staff in SHU,
14 they actually have to record that they have
15 done rounds. And by them recording that, they
16 are indicating that they recorded timely
17 rounds, and that they actually are able to say
18 with certainty that they looked, you know, that
19 they verified that all the inmates are there,
20 and that they are alive. Versus a lieutenant,
21 what your responsibility is, you are just
22 making, you are generally making sure that you
23 go around and ensure that everything is okay.
24 But are you specifically and stopping at every
25 single cell? I wouldn't say necessarily that

1 that is exactly, but it mimics the same
2 requirement as the staff.

3 MR. ██████████: Okay. So, if ██████ is
4 gone at 8:30, approximately 8:30 a.m. on August
5 9th --

6 MS. ██████: Mm-hmm.

7 MR. ██████████: -- and there is
8 obviously, I think there is supposed to be at
9 least, what? One lieutenant round conducted in
10 the SHU per shift?

11 MS. ██████: Mm-hmm.

12 MR. ██████████: Is that --

13 MS. ██████: Mm-hmm.

14 MR. ██████████: -- is that correct?

15 MS. ██████: Mm-hmm.

16 MR. ██████████: So, if there is an
17 activity, you know, the SHU lieutenant is out,
18 so there is an activities or an ops lieutenant
19 conducting a round, both the day shift and the
20 night shift, and then, the operations
21 lieutenant conducting one in the morning shift.
22 Should any of those lieutenants realized, when
23 they were doing their rounds, that Epstein, you
24 know, ██████ was gone, and/or Epstein was by
25 himself?

1 MS. [REDACTED]: Yeah. If - now, that's a -. I
2 would say yes. I would say yes.

3 MR. [REDACTED]: And how should have they
4 known that? What should have the -. What
5 should have clued them in on the fact that
6 [REDACTED] is gone, and Epstein is by himself? Or
7 if Epstein is in attorney conference, there is
8 just no one in the cell in general.

9 MS. [REDACTED]: Well --

10 MR. [REDACTED]: Since they have names on
11 the door tags, like you said.

12 MS. [REDACTED]: -- that's what I was going to -
13 yeah - that's what I was going to say. But the
14 names on the -. The names on the door tag.
15 When someone leaves, you should remove the door
16 tags, so then, in fact, there should have only
17 just been one tag on the door. You wouldn't
18 have, you wouldn't have two tags on the door if
19 there is only supposed to be one person in
20 there. So, the tag should have been removed.
21 And -.

22 MR. [REDACTED]: Do you know if the tag
23 was removed for [REDACTED]?

24 MS. [REDACTED]: That, I don't know if [REDACTED],
25 tag was removed, because I didn't go in the

1 Special Housing Unit. So, I don't know if his
2 tag was removed. But you - by us talking - you
3 indicated that the SHU staff was aware that he
4 was leaving. So, they put the tags up, they
5 should remove the tags. And there would be no
6 reason to keep a tag on the door, indicating
7 that there is two inmates. One, when you are
8 aware that he is no longer going to be there.

9 MR. [REDACTED]: But should --

10 MS. [REDACTED]: Yeah.

11 MR. [REDACTED]: -- should those
12 lieutenants have conducted a round on basically
13 Epstein's cell?

14 MS. [REDACTED]: I would -. You would conduct a
15 -. I would say yes. Because especially if you
16 have a highlighted inmate, or an inmate of
17 great concern. Or someone that you know you
18 need to check on. If you are not going to look
19 at anybody else's cell, you would definitely
20 look at, or check on, the inmates that are of
21 concern, to even say, hey, you okay? Or, you
22 know, just to talk with them, or physically see
23 them. So, I would say that you would - yeah -
24 that you would have looked in his cell to see
25 something, that something is going on.

1 MR. [REDACTED]: Now, what about --

2 MS. [REDACTED]: And then -.

3 MR. [REDACTED]: -- if Epstein -. So, if
4 they are conducting their rounds when Epstein
5 is in attorney visits, should they still be
6 checking in on his cell itself, like, to make
7 sure everything is okay with his cellmate, or
8 anything like that?

9 MS. [REDACTED]: Well, if he was, if he was
10 physically inside of his, he physically was not
11 inside the cell at the time, but the only way
12 for you to know, because why would the
13 lieutenant automatically know that he's in
14 attorney conference? So, you still would have
15 looked in his cell.

16 MR. [REDACTED]: So, they - regardless, in
17 this specific, you know, Epstein is your
18 highest profile inmate at the time --

19 MS. [REDACTED]: Mm-hmm.

20 MR. [REDACTED]: -- any time a lieutenant
21 basically goes into that SHU, they should
22 really check on him? And check on that cell?

23 MS. [REDACTED]: I would say so.

24 MR. [REDACTED]: Okay. But that is more
25 of a, you know, it sounds like it's not

1 necessarily a policy, but just, that's good
2 practice. Is that what you are saying?

3 MS. [REDACTED]: Yeah. Yeah. That's what I'm
4 saying. And because it was known, as you and I
5 discussed, that he should have a cellmate. So,
6 there's certain things that you would be
7 checking for, you would be checking for his
8 welfare, and you would also be checking to make
9 sure that those recommendations were adhered to
10 because you want to make sure, with certainty,
11 if you are saying that you made the round, you
12 are annotating it in the book that you made the
13 round. And you would want to say that you
14 actually went around to them, and you checked
15 on these things.

16 MR. [REDACTED]: But is there any kind of
17 BOP or MCC policy or directive that, you know,
18 they would have violated, if they didn't in
19 fact check on Epstein's cell?

20 MS. [REDACTED]: I can't say that it would be a
21 -. I don't know about the lieutenant, that
22 they would say that, because they didn't look
23 in one cell or two cells. But I do know, if
24 you are indicating, and then, that's another
25 thing. If you are, when you come inside of the

1 Special Housing Unit, there is a logbook. If
2 you are annotating in the logbook that you are
3 visiting, or if you are indicating in the
4 logbook that you are doing a round, you -. So,
5 I'm going to backtrack what I said before.

6 MR. [REDACTED]: Well, there is an actual
7 log sheet that they sign. So, the lieutenants
8 actually have to sign that they conducted their
9 round.

10 MS. [REDACTED]: So then, that's why I'm going
11 to backtrack then. If you are saying that you
12 did rounds, that means that you should have
13 looked in all of the cells.

14 MR. [REDACTED]: Okay. And so, for a
15 lieutenant, that - and that, so, this is where
16 we've been getting kind of different
17 information - some lieutenants are saying,
18 absolutely, you need to go down each range,
19 check on every cell door. Other lieutenants
20 are saying, no, no, no, no, we're just supposed
21 to check in with the staff member that are in
22 there, and make sure that they don't have any
23 problems. Our rounds are really conducted on
24 the staff members, not on the inmates. So,
25 that is where I am - and there is nothing that

1 I can find, specifically in policy, that really
2 specifies that information.

3 MS. [REDACTED]: Yeah. So, I - and that's where
4 I was kind of weaving back and forth. A
5 lieutenants' purpose, let's just say in the
6 general housing, like, general, you know, GP.
7 You are making rounds on the unit, you're
8 checking on, generally, you're checking on the
9 unit itself. And you don't, you would not go
10 down, and checking every cell, because that's
11 general population. You don't anticipate being
12 in SHU. And you are making yourself available
13 in the event that the staff member needs
14 something. So, you are physically supposed to
15 go. But if it's the Special Housing Unit, and
16 then, also 10 South, which MCC also has.

17 MR. [REDACTED]: Correct.

18 MS. [REDACTED]: Your responsibility level,
19 because of the practices, or just you knowing,
20 inherently, what you should be doing, it's a
21 little different than the just making yourself
22 available to the staff. You are not just there
23 for the staff. You are also there for the
24 inmates because they can't come to you. You
25 have to go to them.

1 MR. [REDACTED]: Okay. So --

2 MS. [REDACTED]: So -.

3 MR. [REDACTED]: -- so, basically, I'm
4 understanding that general population, no, a
5 SHU - or a lieutenant wouldn't have to - with
6 their rounds - don't have to be with the
7 specific inmates, but in the SHU, because they
8 have limited movement, and they are only in
9 their cells, a lieutenant really should be
10 checking on each cell, during their rounds?

11 MS. [REDACTED]: For - like you said - for good
12 correctional judgment, sound correctional
13 practices, you - yeah - you would.

14 MR. [REDACTED]: But to your knowledge,
15 there is no requirement. It's just sound
16 judgment and sound practice?

17 MS. [REDACTED]: Yeah. And because that, but
18 that's why I was going back, because I don't
19 think there is anything written that says when
20 a lieutenant makes his rounds, they should go
21 to every single cell. I know their requirement
22 is, like you said, for you to, for a lieutenant
23 to be present, and to, on every shift, as well
24 as if there is also, also different departments
25 that are required to make rounds. Weekly. And

1 with that in mind, you typically know that that
2 means that you are stopping at every door, and
3 you are talking to the inmates, because again,
4 your purpose in SHU is to provide information,
5 and again, it's not like they can come out to
6 you. So, you have to go to them.

7 MR. [REDACTED]: So, just to wrap this
8 thing up, if a lieutenant is saying that they
9 did not conduct any rounds of cells, they just
10 stopped in and talked to staff members. Do you
11 believe that they did something wrong?

12 MS. [REDACTED]: I would say that I don't think
13 that they acted responsibly. I don't want to
14 say it's wrong or right because, you know, then
15 that person could say this, it's not written,
16 but I would say that that's not a responsible
17 decision.

18 MR. [REDACTED]: So, when they certify
19 their round sheets that they conducted a round,
20 what do you believe that they are certifying?

21 MS. [REDACTED]: That they have visited SHU, and
22 that they visited the inmates.

23 MR. [REDACTED]: Okay. So, you do believe
24 that certification that they are signing, that
25 they conducted a round in the SHU, is that they

1 actually did conduct a round with the inmates?

2 MS. [REDACTED]: That is what I believe.

3 MR. [REDACTED]: Okay. But that is more
4 of a belief and opinion versus a knowledge.
5 Correct?

6 MS. [REDACTED]: Yes.

7 MR. [REDACTED]: Okay. Great. We can
8 move on. Next thing we are going to talk
9 about, and I apologize this has taken a little
10 long, is the cameras. Do you know if the SHU
11 cameras were recording on August 9th and 10th
12 of 2019?

13 MS. [REDACTED]: I know there was some -. And
14 again, this is information that has become
15 available after the fact. I know it has become
16 known after the fact that there was some
17 cameras that were not working. And that were
18 not recorded. But did I know the day of the
19 incident? No. I did not know on the day of
20 the incident.

21 MR. [REDACTED]: Did you know why they
22 weren't recording? Do you know what happened
23 with the cameras?

24 MS. [REDACTED]: I know that, I don't know why
25 they were not working on that day, but I know

1 that, following Epstein, that there have been
2 issues with MCC's cameras. The recorder, that
3 there was supposed to be a backup camera, and
4 that, when the primary camera failed to record,
5 that there was supposed to be another camera
6 that kind of acts, or kind of, you know,
7 interfaces, so that there is always some
8 recording going on. That has been going on,
9 and again, that was after the fact, but as far
10 as the day of, I don't know.

11 MR. ██████████: So, you don't know what
12 caused the cameras to stop recording?

13 MS. ██████: No. I don't know.

14 MR. ██████████: Okay. And do you
15 remember the - so, on August 8th, which would
16 have been a Thursday - do you remember, if on
17 August 8th, if you and SIS Lieutenant ██████████
18 were attempting to review video footage, and
19 you learned that you were not able to rewind
20 the cameras, and review the footage that you
21 were looking for?

22 MS. ██████: You said on August 8th?

23 MR. ██████████: Right. And to help
24 further jog your memory. So, the information
25 we received from Lieutenant ██████████ was that the

1 two of you were attempting to review video
2 footage, you weren't able to, so you called the
3 comtech, Hughwon Daniel, and asked him to
4 review the matter, and fix the issue. Does
5 that ring a bell to you?

6 MS. [REDACTED]: If she's saying that that's
7 happened, and I know, Lieutenant [REDACTED] and I
8 have had conversations, and about that, I would
9 say that that's - that if she is saying that
10 she and I had a conversation, I would say that
11 that probably did occur.

12 MR. [REDACTED]: But you don't recall it?

13 MS. [REDACTED]: I don't know if it was August
14 8th, or if it happened prior to. But I do
15 recall. I, again, I recall her and I trying to
16 look at something, but I don't recall the date
17 or the timeframe.

18 MR. [REDACTED]: So, I guess, when you
19 arrived on the 10th, and learned that the
20 cameras weren't recording, which is, I'm
21 assuming, you would have learned on that day,
22 the 10th, that Epstein was found. Is that --

23 MS. [REDACTED]: Mm-hmm.

24 MR. [REDACTED]: -- is that accurate?

25 MS. [REDACTED]: No. No. That is not accurate.

1 MR. [REDACTED]: Okay. When did you learn
2 that the cameras actually weren't, or didn't
3 record, or weren't recording?

4 MS. [REDACTED]: I don't recall exactly when I
5 learned that --

6 MR. [REDACTED]: Oh, okay.

7 MS. [REDACTED]: -- but mm-hmm.

8 MR. [REDACTED]: Okay. So, when we spoke
9 with Lieutenant [REDACTED], she said, when she
10 found out on the 10th that the cameras weren't
11 recording, she went to Daniel and said, hey,
12 what happened? You were to supposed fix this.
13 So, I didn't know if you --

14 MS. [REDACTED]: Oh.

15 MR. [REDACTED]: -- you would have, you
16 know, had a similar reaction, or a similar take
17 on the matter.

18 MS. [REDACTED]: Mm-hmm. And she is saying that
19 it was the SHU cameras that were not recording?
20 That --

21 MR. [REDACTED]: Well, she --

22 MS. [REDACTED]: -- (Indiscernible *01:45:44).

23 MR. [REDACTED]: -- well, she just said
24 that she knows that there were problems with
25 the cameras. I would have to look back at her

1 transcript to find out exactly if we were
2 talking about the SHU, but she says that --

3 MS. [REDACTED]: Mm-hmm.

4 MR. [REDACTED]: -- the two of you were
5 trying, were attempting to review video, and
6 you were unable to review it because there was,
7 you couldn't find the recording, or you
8 couldn't rewind. So, the, you know, the
9 determination was made between the two of you,
10 and I can actually, let me pull up the actually
11 specific part of what she, of what she said
12 here. To see if you think it's accurate. So,
13 it says, "I remember stepping into his office."
14 Oh, okay.

15 So, "I remember stepping into his office,
16 which was right next door to mine, and
17 notifying him that the camera was down, and I'm
18 trying to get back to look at footage, and I
19 can't. Actually, I had one of the associate
20 wardens with me, as well, who happens to be his
21 supervisor." "So," I said, "Who was that?"
22 "Associate Warden [REDACTED]." "[REDACTED] was there?"
23 "Yes." "Okay." "It was me and her together,
24 looking at the camera."

25 "Okay. So, it wasn't [REDACTED]? It

1 was actually [REDACTED]?" "No. It was me and AW
2 [REDACTED]." "And that was with Captain [REDACTED]?"
3 "Yes." "Okay. So then, the two of them knew
4 that the cameras were down?" "Yes." "All
5 right. And do you know if they had any
6 conversation with Daniel about a need to get
7 them back up?"

8 She says, "I don't know if they had a
9 separate conversation, but when I called Mr.
10 Daniel over to radio, Ms. [REDACTED] was still
11 standing there with me in the office, and she
12 was there with me when he came up to check,
13 because we thought it was something that maybe
14 he could just go in, and it allow us to go to
15 look at the camera, and look for what we were
16 looking for." So, does that ring a bell to you
17 at all?

18 MS. [REDACTED]: Yeah. That does. Mm-hmm.

19 MR. [REDACTED]: Does that sound accurate?

20 MS. [REDACTED]: It does. Mm-hmm.

21 MR. [REDACTED]: Okay. So, and this was
22 what she was saying, was on August 8th, that
23 she went in. So, do you know if, were you
24 there and present when Daniel was brought into
25 the office and told to fix the issue?

1 MS. [REDACTED]: I don't recall. I don't recall
2 - hmm-mm - I don't recall having that
3 conversation. And then, and I could have had
4 that conversation, but I don't recall having a
5 conversation with Daniel.

6 MR. [REDACTED]: Okay. So, you don't
7 recall -. But you do recall --

8 MS. [REDACTED]: Mm-hmm.

9 MR. [REDACTED]: -- this interaction --

10 MS. [REDACTED]: I remember --

11 MR. [REDACTED]: -- with both you,
12 Lieutenant [REDACTED], and --

13 MS. [REDACTED]: Yeah.

14 MR. [REDACTED]: -- Captain [REDACTED]?

15 MS. [REDACTED]: Mm-hmm. I do remember that.
16 And speaking of, I don't remember if it was, if
17 it was, because I'm trying to understand if it
18 was because you were saying we just couldn't
19 rewind, or if it was known that it was not, or
20 if it was that the cameras were not recording.
21 I'm hoping that you understand what I'm saying.

22 MR. [REDACTED]: Yeah. So, the way that -
23 all right - the question was asked, so I said,
24 "Okay. So then, the two of them knew the
25 cameras were down?" She said, "Yes." And I

1 said, "Oh, all right. And do you know if they
2 had any conversations with Daniel about a need
3 to get them back up?" She said, "I don't know
4 if they had a separate conversation, but when I
5 called Mr. Daniel over to radio, Ms. [REDACTED] was
6 still standing there with me in the office, and
7 she was there with me when he came up to check
8 because we thought it was something that may be
9 he could just go in and it allow us to go to
10 the camera, and look for what we were looking
11 for."

12 I then said, "And when he mentioned the
13 whole -". So then, we started talking about
14 overtime, and when he couldn't fix it, I said,
15 "And when he mentioned the whole, I'll stay
16 overtime, was she there when - was [REDACTED] there -
17 when he mentioned that he would stay to work
18 overtime?" And she said, "I can't remember."

19 MS. [REDACTED]: Well, and I know that, if I had
20 a conversation with Daniel, or anybody, about
21 the cameras not recording, versus you not being
22 able to rewind on your, on the Nice Vision.
23 That that would have been something that would,
24 that I would have known that was important.
25 And I'm trying to differentiate because there

1 are there, and I have had the experience that I
2 have access to Nice. And I was not able to
3 actually rewind on one of the cameras.

4 But it's not because the camera was not
5 recording. It's because it was, the camera was
6 not programmed correctly or something. I don't
7 even know if I'm using the proper word. But
8 it's not that the camera was not recording. It
9 had something to do more with you're not being
10 able to pull it up and rewind it on the Nice
11 Vision application. But it's not the same as
12 it not being recorded. So, that's why I was
13 asking you, is she saying that we knew that it
14 was not recording? Because that's not my
15 knowledge, or my understanding, that the
16 cameras were not recording.

17 MR. [REDACTED]: Okay. Yeah. No. Her
18 specific words were, "I remember stepping into
19 his office, which was right next door to mine,
20 and notifying him that the camera was down.
21 And I'm trying to go back and look at the
22 footage, and I can't. Actually, I had one of
23 the associate wardens with me --

24 MS. [REDACTED]: Yeah.

25 MR. [REDACTED]: -- as well."

1 MS. [REDACTED]: That - I wouldn't say that that
2 means that the camera is not recording. Hmm-
3 mm.

4 MR. [REDACTED]: So --

5 MS. [REDACTED]: And that -.

6 MR. [REDACTED]: -- so, saying the camera
7 was down, that would, what would you think that
8 that was saying?

9 MS. [REDACTED]: And that's not -. When you say
10 that a camera is down, that's different than
11 the whole system not recording. That's not the
12 same thing. That might be that one particular
13 camera, and whatever area that she was talking
14 about, that I believe they had to be a fight,
15 or something happening for her and I to look at
16 a camera. That particular camera may, again,
17 something might have not been programmed
18 correctly, that we were not able to rewind.
19 But that is not the same thing as a whole
20 system not being operational.

21 MR. [REDACTED]: Okay.

22 MS. [REDACTED]: It's two totally different
23 things.

24 MR. [REDACTED]: Okay. So, my question on
25 this really is --

1 MS. [REDACTED]: And it's still fine.

2 MR. [REDACTED]: -- my question on this is
3 really is --

4 MS. [REDACTED]: Mm-hmm.

5 MR. [REDACTED]: -- regarding Daniel,
6 because it sounds like Daniel was told to fix
7 the issue, and that's really why I'm asking
8 this question. Do you know if Daniel was
9 instructed that you need to fix this issue?

10 MS. [REDACTED]: You said in SHU?

11 MR. [REDACTED]: Well, no. This is just
12 the cameras in general.

13 MS. [REDACTED]: (Indiscernible *01:52:06).

14 MR. [REDACTED]: Well, we learned that the
15 cameras in SHU weren't recording.

16 MS. [REDACTED]: Okay.

17 MR. [REDACTED]: Through the
18 investigation. And to find --

19 MS. [REDACTED]: Mm-hmm.

20 MR. [REDACTED]: -- and determining, well,
21 when was this first found out? This is --

22 MS. [REDACTED]: Okay.

23 MR. [REDACTED]: -- you know, that there
24 was a problem with the cameras. You know, we
25 obviously had to talk to a lot of people,

1 including, you know, Daniel, and [REDACTED], and,
2 you know --

3 MS. [REDACTED]: Now, that, now, I would like to
4 ask you to, did Daniel ever say that he knew
5 that the whole camera system was not working,
6 and when he knew, and who he had a conversation
7 with?

8 MR. [REDACTED]: No, no, no.

9 MS. [REDACTED]: About it.

10 MR. [REDACTED]: So, that --

11 MS. [REDACTED]: Oh.

12 MR. [REDACTED]: -- so, the understanding
13 that I am of is that - and again, I know at
14 least [REDACTED] spoke with Daniel, and she
15 believed that you were with her when the
16 conversation took place. So, that is where I
17 was asking if you recall having a conversation
18 with [REDACTED] and Daniel?

19 MS. [REDACTED]: I recall that, but not about
20 the camera system. The whole Nice system. And
21 all of the cameras in SHU not recording.

22 MR. [REDACTED]: Yeah. Right. And I'm
23 not saying that that would have been the
24 conversation. I would think that the
25 conversation would more be along the lines of,

1 hey, we are trying to review this video. We
2 are not able to do it. Can you figure out
3 what's going on with the cameras?

4 MS. [REDACTED]: If that, if we had a
5 conversation about that, then I could see,
6 logically, that, yeah, I would say, Daniel,
7 hey, why we can't rewind?

8 MR. [REDACTED]: Sure.

9 MS. [REDACTED]: Can you fix a camera, X, Y, and
10 [REDACTED], or see why it's not focused, or something to
11 that effect.

12 MR. [REDACTED]: Right. And so, my
13 question --

14 MS. [REDACTED]: Yeah. Yeah.

15 MR. [REDACTED]: -- is to you --

16 MS. [REDACTED]: Yeah.

17 MR. [REDACTED]: -- do you remember what
18 the conversation entailed?

19 MS. [REDACTED]: I can't remember the
20 conversation, but I know, if we were talking
21 about a particular image, or a particular
22 camera, and again, I'm not saying that it's not
23 recording, we are saying that we can't rewind,
24 that is what it would have been about. Daniel,
25 why can't we rewind? Why can't we pull up

1 camera X, Y, and [REDACTED]? But not about the whole
2 system. Especially if the whole system was not
3 in question. Or there was no talk about the
4 system not recording, or even SHU not
5 recording. There was never any conversation
6 about SHU, or anything. So, that's the
7 conversation would have been limited to that
8 particular camera, and why we can't rewind.

9 MR. [REDACTED]: Absolutely. And then --

10 MS. [REDACTED]: And -.

11 MR. [REDACTED]: -- that is kind of my
12 understanding --

13 MS. [REDACTED]: Yeah.

14 MR. [REDACTED]: -- is what your part of
15 this conversation was, is we are having an
16 issue trying to recording, can you figure it
17 out? And my question to isn't, like, you know,
18 this isn't an I gotcha type of question, even
19 in the slightest. It's just, if you can --

20 MS. [REDACTED]: Yeah.

21 MR. [REDACTED]: -- recall what
22 conversation you had with Daniel.

23 MS. [REDACTED]: I can only recall about that,
24 like you said, about the interaction with
25 [REDACTED] and I talking about why we were not able

1 to rewind to see what happened. Because we
2 were able to pull the image up. We were just
3 not able to rewind. So, that is what I'm
4 saying. There is, and it might sound like I'm
5 trying to be very specific and deliberate,
6 because I am, because there is a difference
7 with you accessing the Nice system, and I'm not
8 an electronic - an electrician - or, you know,
9 an electronic person, and I could physically
10 see it, I could see it, but I am not able to
11 rewind. That doesn't let me know that, oh, the
12 system is not recording. So, that would not
13 have ever been part of the conversation. The
14 conversation would have been limited to, why is
15 it that I am able to look at it, but I can't
16 rewind?

17 MR. [REDACTED]: Sure. Now, do you know
18 anything about --

19 MS. [REDACTED]: So, figure that out.

20 MR. [REDACTED]: -- and do you know if, do
21 you know if Lieutenant [REDACTED] created a memo,
22 and provided it to [REDACTED], regarding the camera
23 issue on the 8th?

24 MS. [REDACTED]: No. Now, if she included me in
25 it, then I would say, oh, okay --

1 MR. [REDACTED]: But you --

2 MS. [REDACTED]: -- but I don't --

3 MR. [REDACTED]: -- yeah. And I don't
4 know that she would have included. She said
5 that she wrote a memo, based upon the issue
6 with the camera, and provided it to Captain
7 [REDACTED].

8 MS. [REDACTED]: No.

9 MR. [REDACTED]: But --

10 MS. [REDACTED]: Hmm-mm.

11 MR. [REDACTED]: -- but when you -. But
12 you do remember when, you know, in her, like I
13 just read to you, she said that the
14 conversation with the problem with rewinding
15 actually was with you and [REDACTED], though? Do
16 you remember [REDACTED] being present for that, you
17 know -?

18 MS. [REDACTED]: Now, I don't know if [REDACTED] was
19 present for that. But I do, I know, because of
20 you reciting about the conversation, I do know,
21 definitely, that [REDACTED] was there, and if she
22 is saying that [REDACTED] was there, it is -.
23 Gosh, I don't know see why she would say he was
24 or he wasn't. It didn't have great importance
25 to me, that conversation, because it wasn't -.

1 So, that is why I am not, I am not - I can't
2 recall this (Indiscernible *01:56:39), oh, this
3 person was there, that person was there,
4 because it wasn't, it wasn't, in my mind,
5 highlighted that the camera system was down.
6 So --

7 MR. [REDACTED]: Okay. So, what we have
8 learned is that, that is when Daniel checked on
9 the system, and he realized that - and this,
10 there is nothing that we learned that, you
11 know, have any knowledge of this, so I will
12 just, you know, put that out front - -s that
13 Daniel said he checked on the system, and he
14 realized that two of the drives were down, and
15 when two drives go down, it stops the system
16 from recording. So, half of the cameras in the
17 institution stopped, were not recording at the
18 time. And this was basically learned on August
19 8th and August 9th, when he was trying to fix
20 the system. Were you ever made aware of that
21 information?

22 MS. [REDACTED]: No. I was not.

23 MR. [REDACTED]: Okay. Is this the first
24 time you are even hearing of that information?

25 MS. [REDACTED]: Absolutely.

1 MR. ██████████: And is there someone that
2 he should have told about that information, the
3 fact that --

4 MS. ██████: Yeah.

5 MR. ██████████: -- no, no, no, that half
6 the cameras in the institution are actually
7 down and not recording? I mean, there is a
8 live feed, but there is no recording.

9 MS. ██████: Yeah. So, he should have
10 definitely told his first line supervisor, who
11 would have known to then tell his supervisor,
12 and if I am the common denominator, because I
13 am, I was the AW, and I probably was
14 supervising facilities at the time, that
15 information, at some point, would have made it
16 to me.

17 MR. ██████████: All right. So, this is
18 another one of those everyone seemed to be out
19 on the 9th, at least. Mr. Nobile was the
20 facilities manager, and he was actually out
21 that entire week. So, he wasn't in the know
22 that the cameras were down. So, it was just --

23 MS. ██████: There is a, there is a -.
24 Okay. So, there is his -. So, Daniel's first
25 line supervisor is not actually Nobile. Nobile

1 was his second line supervisor.

2 MR. ██████████: Okay.

3 MS. ██████: His first line supervisor was
4 another person. Linton (Phonetic Sp.
5 *01:58:34). I don't know if Linton was working
6 at the institution at the time, but Nobile, who
7 is the facility manager, is the second line
8 supervisor.

9 MR. ██████████: Would --

10 MS. ██████: So, I don't -.

11 MR. ██████████: -- would Linton be, you
12 are talking about the general foreman?

13 MS. ██████: Yeah. The general foreman.

14 MR. ██████████: If there was no one --

15 MS. ██████: Yeah.

16 MR. ██████████: -- filing the general
17 foreman at the time --

18 MS. ██████: No.

19 MR. ██████████: -- is our understanding.

20 MS. ██████: So, there was not even an
21 acting in place?

22 MR. ██████████: Yeah. From Nobile's out
23 of office response, to the people that acted in
24 his stead, where Ryan McNamara (Phonetic Sp.
25 *01:58:57), and I think her name was Geise

1 (Phonetic Sp. *01:59:02).

2 MS. [REDACTED]: Oh. Oh.

3 MR. [REDACTED]: But --

4 MS. [REDACTED]: Acting in his place.

5 MR. [REDACTED]: -- right. So, but that
6 wasn't an acting for the general foreman. From
7 our understanding is that there was just no one
8 in the general foreman role at the time, and
9 that's, unfortunately, on the 9th, there is a
10 lot of people that were out of the institution,
11 and a lot of people that were not there, that
12 would have --

13 MS. [REDACTED]: Then --

14 MR. [REDACTED]: -- potentially been in
15 the know in these situations.

16 MS. [REDACTED]: -- then he could have
17 contacted, he should have contacted somebody.
18 I mean, if you are all - and I'm just going to
19 say line staff, but they are all peers, they
20 are all subordinates, and no one is a
21 supervisor. If there is something that, that's
22 a security issue, you would raise it to
23 someone, of a supervisory nature. And if your
24 supervisor is not there, you would raise that
25 to the next level, who was, in the absence of

1 your supervisor, your supervisor's supervisor.

2 MR. [REDACTED]: And do you know, so,
3 according to Daniel, this is something that
4 happened quite regularly.

5 MS. [REDACTED]: Mm-hmm.

6 MR. [REDACTED]: That these things would
7 go down, he would have to rebuild the system,
8 and then the cameras would be down for, you
9 know, a period of 24 hours, while the system
10 rebuilt. Were you aware of that?

11 MS. [REDACTED]: Hmm. No. I know, after the
12 fact, there have been issues that we were aware
13 of with the camera. But prior to, and again, I
14 arrived at the institution in July --

15 MR. [REDACTED]: Sure.

16 MS. [REDACTED]: -- so, this is one-month in.
17 So, if there were historical issues with the
18 camera, I have no way of knowing what existed
19 because I was not present then. But at the
20 time that I was present, there is no mention of
21 those cameras being down. And again, because
22 of that incident, there was obviously
23 heightened attention to the cameras, and who
24 you should notify when you are aware that a
25 camera is down. But at the time ,when I was,

1 you know, like I said, a recent arrival, there
2 was no mention or a discussion that I was aware
3 of about any issues with the camera.

4 MR. ██████████: Okay. So, leading up to
5 this issue, you didn't know that the cameras,
6 they are a big problem at the institution?

7 MS. ██████: You said leading up, or
8 following the incident?

9 MR. ██████████: No. Leading up to the
10 incident.

11 MS. ██████: You said, did I have any
12 knowledge of it?

13 MR. ██████████: Right.

14 MS. ██████: Yes. Leading up to the
15 incident, there was no knowledge that there was
16 issues with the cameras recording.

17 MR. ██████████: Okay. And do you know if
18 - when you and Lieutenant ██████ were speaking
19 with Daniel - do you know if he was told to fix
20 the camera situation immediately? Or to just
21 look into it and figure out what's going on.
22 Do you recall?

23 MS. ██████: I don't -. I don't want to -.
24 I don't want to -. I don't recall my exact
25 words to him. But again, if there was no

1 mention that the camera was not recording,
2 there is a difference when instruction, based
3 on knowledge that the cameras are not working,
4 versus knowledge that the camera that I can see
5 it, but I can't rewind it:

6 MR. ██████████: Sure.

7 MS. ██████: And not --

8 MR. ██████████: So, you --

9 MS. ██████: -- knowing --

10 MR. ██████████: -- so, you knew that
11 there was an issue with the camera. You just
12 didn't know what the issue was.

13 MS. ██████: I knew that we could not
14 rewind. Yes.

15 MR. ██████████: Okay.

16 MS. ██████: Yes.

17 MR. ██████████: And do you remember if
18 you ever followed up, after that conversation,
19 with anyone, to say, hey, did that ever get
20 resolved?

21 MS. ██████: I don't. I don't recall.

22 MR. ██████████: Okay. Is there a reason
23 why you should have, or did you believe someone
24 else was on top of it, and that was fixing it,
25 and looking into it?

1 MS. [REDACTED]: I don't (Indiscernible
2 *02:02:48). I don't -. I actually, I don't
3 recall because, again, at the time, when we
4 were looking at the camera, you can see it.
5 So, there was, there was never any discussion,
6 or there was never even no information to say
7 that the camera was not working. There was
8 never any discussion about that. So, to follow
9 up on an issue that you don't know is present,
10 I would say that that's, if I didn't have a
11 further discussion about it, it's because of
12 that, that there was no discussion that the
13 camera was not recording.

14 MR. [REDACTED]: Okay. So, from the
15 knowledge that you do have, that, you know, you
16 know, according to [REDACTED], she was saying she
17 knew that the cameras weren't recording, and
18 they were down. And then, Daniel saying that
19 he was going to fix them, and he clearly knew
20 the cameras weren't recording. What should
21 have happened?

22 MS. [REDACTED]: Well, first, I want to clarify,
23 you are saying that [REDACTED] said that she knew
24 the cameras were not recording.

25 MR. [REDACTED]: She - yeah - her -. That

1 is what I read you before - that she said, her
2 words, "Notifying him that the camera was down,
3 and trying to go back and look at the footage,
4 and I can't." And then, later on --

5 MS. [REDACTED]: But that's not saying that --

6 MR. [REDACTED]: -- saying, you know,
7 saying --

8 MS. [REDACTED]: -- (Indiscernible *02:04:10).

9 MR. [REDACTED]: -- so, okay --

10 MS. [REDACTED]: Yeah.

11 MR. [REDACTED]: -- the two of them knew
12 the cameras were down. Yes. And then, she
13 said that she actually wrote a memo to the
14 captain, saying that, you know, the cameras
15 were down, and that Daniel was fixing the
16 issue. And then, when he came in on the 10th,
17 to find out the cameras still hadn't recorded,
18 she had a conversation with Daniel and said,
19 hey, you told me you were going to fix the
20 cameras. Why didn't you fix them? So, I'm not
21 saying that you have any part of this. What
22 I'm saying --

23 MS. [REDACTED]: Oh.

24 MR. [REDACTED]: -- you, is --

25 MS. [REDACTED]: No. I know --

1 MR. [REDACTED]: -- being that Lieutenant
2 [REDACTED] seems to have known that the cameras
3 were down, and Daniel definitely knew the
4 cameras were down, what should have happened?

5 MS. [REDACTED]: Then no one should have
6 followed up to say were the cameras, if saying
7 down means not recording.

8 MR. [REDACTED]: Right. And that's what
9 they --

10 MS. [REDACTED]: That's (Indiscernible
11 *02:04:57).

12 MR. [REDACTED]: -- and that was clear.
13 Daniel went into, you know, great detail of,
14 the cameras, you could watch live, it's only
15 when you try to rewind, because they weren't
16 recording. And he said --

17 MS. [REDACTED]: That's --

18 MR. [REDACTED]: -- this is what happened
19 --

20 MS. [REDACTED]: -- (Indiscernible *02:05:11).

21 MR. [REDACTED]: -- and he --

22 MS. [REDACTED]: -- (Indiscernible *02:05:11).

23 MR. [REDACTED]: -- sorry. Go ahead.

24 MS. [REDACTED]: I don't know if [REDACTED] knew
25 that what, the explanation that you said,

1 Daniel provided, that, I have never had a
2 conversation to say that the reason why you
3 can't rewind is because the cameras are not
4 recording. I don't know. I can't say what
5 [REDACTED] knew. If she understood that that's
6 what that meant. I know that I know that
7 that's -. I did not know that that's what that
8 meant. So, if Daniel never came back, and
9 said, oh, the cameras are not recording, that
10 is a difference with then just saying that, oh,
11 you could see the camera, you are thinking that
12 the camera is working. If you pull up a camera
13 on the Nice Vision (Phonetic Sp. *02:05:52),
14 and you could actually see the image and
15 everything, you are thinking that the camera is
16 recording. So, how else would -? Why else
17 would you think that it's not recording?

18 MR. [REDACTED]: Well, that's why --

19 MS. [REDACTED]: (Indiscernible *02:06:02)

20 MR. [REDACTED]: -- that's why I'm trying
21 to explain to you --

22 MS. [REDACTED]: (Indiscernible *02:06:04).

23 MR. [REDACTED]: -- like, [REDACTED] said that
24 she knew that they weren't. That's why she
25 wrote the memo to the captain, and that's why -

1 -

2 MS. [REDACTED]: Yeah.

3 MR. [REDACTED]: -- on the 10th, when she
4 found out that the cameras were still down, she
5 confronted Daniel and said, you were supposed
6 to fix this, why didn't you fix the cameras?

7 MS. [REDACTED]: Hmm.

8 MR. [REDACTED]: So, those two things is
9 what I'm trying to -. I've been trying to
10 explain to you --

11 MS. [REDACTED]: Oh.

12 MR. [REDACTED]: -- is that she did know,
13 is because that is why she wrote the memo to
14 the captain, and that is why she confronted
15 Daniel on the 10th, saying why didn't you fix
16 this?

17 MS. [REDACTED]: And my response then would be:
18 maybe she thought - and I'm not, I don't even
19 want to -. I don't know. Maybe --

20 MR. [REDACTED]: And she didn't point the
21 --

22 MS. [REDACTED]: -- (Indiscernible *02:06:42).

23 MR. [REDACTED]: -- she didn't point the
24 finger at you in the slightest. I'm not even
25 trying to insinuate that.

1 MS. [REDACTED]: Mm-hmm.

2 MR. [REDACTED]: I'm saying, because you
3 are the AW in charge of --

4 MS. [REDACTED]: Yeah.

5 MR. [REDACTED]: -- you know, this
6 situation, what should have happened? And this
7 --

8 MS. [REDACTED]: Mm-hmm.

9 MR. [REDACTED]: -- and again, isn't a
10 gotcha. I'm asking you --

11 MS. [REDACTED]: Mm-hmm.

12 MR. [REDACTED]: -- as a genuine question.
13 Like, you're the boss. What should have they
14 done?

15 MS. [REDACTED]: Yeah. Someone should have
16 specifically said the cameras are not
17 recording. And I'm not going to say it's
18 [REDACTED] responsibility, but she reported it.
19 If she reported it to her supervisor, she did
20 what she was supposed to do. So, I'm going to
21 kind of -. Like you said, I'm going to try to
22 come back and be, like, really assess it. If
23 she reported it to her supervisor, that's her
24 responsibility.

25 That's what she did. But from there, it -

1 . I wish [REDACTED] had said to me, hey, I
2 received this memo from [REDACTED], saying that the
3 cameras are not working. And that I spoke with
4 Daniel, and the cameras are not working, they
5 are not recording. And that is something that
6 I could have definitely said, okay, Daniel, you
7 have to do overtime, in the absence of your
8 supervisor, I am authorizing you to do
9 overtime, to then fix the cameras, and then,
10 when something like that happens, obviously,
11 you know you have to make security related
12 decisions.

13 Then you could have recalled all the
14 inmates, so that if there is any incidents that
15 happened, at least the inmates are confined to
16 their cells. And then, you say, well, there is
17 no cameras inside of the cells. But you make
18 rounds. You have to make rounds in Special
19 Housing anyway. You know? So, you wouldn't be
20 able to capture what's happening inside of the
21 cell itself. But you would have a general idea
22 about, you know, with the cameras, what's going
23 on.

24 But there would have been decisions that
25 would have been made, to ensure security. But

1 there should have been notification, and
2 clarification, and specificity about -
3 specificity - about actually what was the
4 issue.

5 MR. ██████████: Okay. So, in your
6 opinion, though, it's ██████████ should have
7 reported it to ██████████. ██████████ should have made
8 the appropriate - like, this is, I'm not saying
9 that this did or didn't happen. I'm just
10 saying, under, from what you know --

11 MS. ██████████: Mm-hmm.

12 MR. ██████████: -- ██████████ should have
13 told ██████████. ██████████ should have made whatever
14 appropriate, you know --

15 MS. ██████████: He should have told --

16 MR. ██████████: -- taken whatever actions
17 needed to be taken.

18 MS. ██████████: -- he should have -. Yeah.
19 Then, if I was his supervisor, then he should
20 have told me.

21 MR. ██████████: Okay. And again, it
22 sounds like this is how - you already answered,
23 but to be clear - you knew there was a problem
24 with that one specific incident, trying to
25 rewind, but you had no idea what the problem

1 was. You just knew you weren't able to rewind.

2 MS. [REDACTED]: And - yeah - if you simplify
3 it. Yeah.

4 MR. [REDACTED]: Right. So, you didn't
5 know that the --

6 MS. [REDACTED]: Mm-hmm.

7 MR. [REDACTED]: -- point being, you
8 didn't know the cameras were down.

9 MS. [REDACTED]: Yeah.

10 MR. [REDACTED]: You didn't know that they
11 were not recording.

12 MS. [REDACTED]: Exactly.

13 MR. [REDACTED]: Great. So, were you
14 aware that MCC cameras were scheduled to be
15 replaced?

16 MS. [REDACTED]: Hmm. No. I didn't know that
17 they were scheduled to be replaced. I know -
18 again - there is information that you -. I
19 don't know if they were scheduled to be
20 replaced. I know that they have been, they
21 were upgraded after. And then, I know there
22 was certain projects. But I don't -. I,
23 again, I don't know what I -. That, if they
24 were scheduled to be replaced at the time of
25 the incident.

1 MR. [REDACTED]: So, I guess what I'm
2 saying is, do you know if they were, you had
3 new cameras on site at the MCC, and there was
4 currently a camera project underway, of
5 replacing the old cameras? Did you know that?

6 MS. [REDACTED]: No. Not at the time.

7 MR. [REDACTED]: Okay.

8 MS. [REDACTED]: Not -. Not at the time.

9 MR. [REDACTED]: So, based on the work
10 orders and email communications that we
11 received --

12 MS. [REDACTED]: Mm-hmm.

13 MR. [REDACTED]: -- the MCC ordered new
14 cameras, DVRs, and other system parts, and had
15 them delivered to the MCC in approximately
16 October of 2018.

17 MS. [REDACTED]: Mm-hmm.

18 MR. [REDACTED]: These were the cameras
19 that were installed immediately after Epstein's
20 death in August of 2019.

21 MS. [REDACTED]: Hmm.

22 MR. [REDACTED]: Did you know that to be
23 accurate?

24 MS. [REDACTED]: I know that there were cameras
25 that were installed after, and afterward, but

1 again, I don't know when those cameras arrived
2 because I didn't work there in 2018.

3 MR. ██████████: Sure. Sure.

4 MS. ██████: No.

5 MR. ██████████: But I guess what I'm
6 saying, though, is --

7 MS. ██████: Oh.

8 MR. ██████████: -- did you know that
9 those cameras were on site, and they were, you
10 know --

11 MS. ██████: No.

12 MR. ██████████: -- you didn't even know
13 that?

14 MS. ██████: No. There's a lot of things
15 that have, obviously that folks have knowledge
16 of after the fact because of the incident, and
17 there have been actions after, but there was
18 no, I was not knowledgeable about cameras being
19 on site, and about the installation prior to.

20 MR. ██████████: And just to be clear.
21 So, Nobile, you know, the facilities manager --

22 MS. ██████: Mm-hmm.

23 MR. ██████████: -- you know, Warden
24 N'Diaye, and, you know, Daniel, they have all
25 said, yup, this is accurate. So, the follow up

1 on that is, when should the new camera system,
2 that was already on site at the MCC, have been
3 installed? Do you have even a -? Or do you
4 just not have knowledge on that because you
5 weren't there at the time?

6 MS. [REDACTED]: Yeah. So, I don't have
7 knowledge of that.

8 MR. [REDACTED]: Okay. Do you know who
9 would have been ultimately responsible for
10 ensuring -? Because it sounds - and again, you
11 weren't there at the time, but there was a lot
12 of problems, the same problem happened time and
13 time again, at the MCC, where these cameras
14 would -. Two hard drives would crash, and then
15 take out the system. And then, Daniel would
16 have to go and rebuild the system, and it was,
17 like, a 24 hour process to rebuild it.

18 MS. [REDACTED]: Mm-hmm.

19 MR. [REDACTED]: Who should have made sure
20 that new camera system was installed? That was
21 on site. Who should have, like, said, like,
22 this is an urgent matter? And I am assuming it
23 was. Was that an urgent matter, if the cameras
24 are down?

25 MS. [REDACTED]: Mm-hmm. Yeah.

1 MR. [REDACTED]: And they are not
2 recording? I would think that that's a pretty
3 big deal. Correct?

4 MS. [REDACTED]: Mm-hmm. Correct.

5 MR. [REDACTED]: So, who should have made
6 sure that that new system was installed? That
7 had been on site, all the way back to October
8 2018.

9 MS. [REDACTED]: It's multi-layered. And when
10 it's a multi -. This is multi-layered. Because
11 if you are saying that, who actually does the
12 work for the installation, or who the primary
13 person is the electronics technician. But
14 ultimately, they have a supervisor, and that
15 supervisor tracks the completion of projects.
16 The progress of projects. So, it's - that's
17 what I'm saying - it's multi-layered. That,
18 and if the cameras were present, I don't know
19 what would have happened to make them not be
20 installed.

21 MR. [REDACTED]: And just for more --

22 MS. [REDACTED]: (Indiscernible *02:13:50)

23 MR. [REDACTED]: -- information, the
24 reason why they were on site, the reason why
25 you guys were able to get your cameras

1 immediately back up and running, with a whole
2 new system, was because they were already on
3 site. So, knowing that information, what is
4 your thought on the matter? Like, the fact,
5 now that you are hearing, and again, this is,
6 I'm looking at you as a subject matter expert.
7 I am not looking for any type -.

8 I'm not accusing you of anything. I'm
9 just looking at you as you are a boss there.
10 You are in charge of custody. So, I am just
11 kind of giving you this information, so you can
12 give me your professional feedback. So, the
13 fact that they were able to immediately install
14 this, have SigNet come in, who was the
15 contracted company, and install these new
16 cameras that had been on site since October of
17 2018 --

18 MS. [REDACTED]: Mm-hmm.

19 MR. [REDACTED]: -- what is your opinion
20 on that?

21 MS. [REDACTED]: Hmm.

22 MR. [REDACTED]: Do you think that they
23 were, you know, the MCC, or, you know, really
24 dropped the ball with having this faulty camera
25 system, and actually having the parts that they

1 needed on site, to be able to be replaced?

2 MS. [REDACTED]: I'm careful with saying about
3 this, who dropped the ball. I know if you know
4 that there is cameras present. And there is no
5 logical reason why the cameras can't be
6 installed. And if it is your department that
7 is responsible for installing the cameras, then
8 you should ultimately ensure that the cameras
9 are installed. And -.

10 MR. [REDACTED]: Now, should - would it
11 fall on the facilities manager to make sure
12 that that's happening?

13 MS. [REDACTED]: The Comtech works for the
14 facility manager. So, the facility manager is
15 responsible for the department that that staff
16 member works in.

17 MR. [REDACTED]: So --

18 MS. [REDACTED]: You know?

19 MR. [REDACTED]: -- according to Daniel,
20 he said that his job was basically to fix it.
21 His job, you know, fix things when they're
22 broken. And he had been screaming that there
23 was a problem with these camera systems for a
24 long time, and he's basically the reason why
25 they got the new cameras, but he said, you

1 know, it wasn't his job to get SigNet there, to
2 be able to actually get these installed.

3 You know, so, that is where, to me,
4 hearing that explanation, it sounds like oh,
5 well, it's really probably the facilities
6 manager that is, you know, supposed to manage
7 that task, and make sure that they get in
8 there. But I don't -. I want to make sure
9 that that would be an accurate, you know,
10 assessment, or if I'm off.

11 MS. [REDACTED]: Now, would have -. I don't know
12 if, like you said, if it's the facility manager
13 that actually calls SigNet, or if it is the
14 Comtech that would call and coordinate SigNet's
15 visit. It's between the two.

16 MR. [REDACTED]: So, you believe they
17 have, both have part responsible ---

18 MS. [REDACTED]: Mm-hmm.

19 MR. [REDACTED]: -- you know --

20 MS. [REDACTED]: Mm-hmm.

21 MR. [REDACTED]: -- their part exposure to
22 this thing?

23 MS. [REDACTED]: Yeah.

24 MR. [REDACTED]: And anything --

25 MS. [REDACTED]: Yeah.

1 MR. [REDACTED]: -- anyone outside of the
2 facilities manager? I mean, did this go up to
3 the executive, you know, level, to the captain,
4 AWs, or warden?

5 MS. [REDACTED]: If they were aware that the
6 cameras were there, and that the cameras should
7 have been installed. Now, and that's what I'm
8 saying, I don't know if, who knew that the
9 cameras were there.

10 MR. [REDACTED]: Yeah. I mean, certainly,
11 the warden did.

12 MS. [REDACTED]: Or that --

13 MR. [REDACTED]: But --

14 MS. [REDACTED]: -- that it shipped. Mm-hmm.

15 MR. [REDACTED]: So, if the --

16 MS. [REDACTED]: Mm-hmm,

17 MR. [REDACTED]: -- warden knew that, is
18 that something you think that he has exposure
19 to, then, as well?

20 MS. [REDACTED]: Hmm. Oh my gosh. If -- again,
21 without knowing who knew what, I don't, I don't
22 know who --. This is --. Yeah.

23 MR. [REDACTED]: Sure.

24 MS. [REDACTED]: No.

25 MR. [REDACTED]: No. And that's fine.

1 And point being, though, you didn't know that
2 the cameras were even there. It sounds like
3 you are saying?

4 MS. [REDACTED]: I would have no knowledge to
5 know about the cameras were there, because this
6 all happened prior to me.

7 MR. [REDACTED]: Right. No. I'm just
8 saying --

9 MS. [REDACTED]: (Indiscernible *02:17:39).

10 MR. [REDACTED]: -- like, you know, you
11 were --

12 MS. [REDACTED]: Yeah. No.

13 MR. [REDACTED]: -- you were --

14 MS. [REDACTED]: No.

15 MR. [REDACTED]: -- you were, I know it
16 was only a month and a half, but you were
17 there, leading up to this point. I just didn't
18 know if that was a conversation that would be
19 happening within executive staff meetings,
20 that, hey, this is where we are on the camera
21 project. You know, and --

22 MS. [REDACTED]: Well, now --

23 MR. [REDACTED]: -- we'll be --.

24 MS. [REDACTED]: -- conversations about the
25 camera project, and again, I'm going to

1 reiterate what I've kind of said before,
2 because of this incident, there have been
3 discussions about things that happened within
4 this incident, but that's after the fact.

5 MR. [REDACTED]: And so, prior --

6 MS. [REDACTED]: -- you're asking --

7 MR. [REDACTED]: -- prior to August 10th,
8 that you weren't involved in the conversations
9 at all with the camera project?

10 MS. [REDACTED]: I do not recall anything
11 specifically about discussing about camera
12 project.

13 MR. [REDACTED]: Great.

14 MS. [REDACTED]: Now, if you can, if you can
15 show me something, or anything to that effect,
16 then I can say, okay, yes.

17 MR. [REDACTED]: No, no, no, and again,
18 this is not an I gotcha interview. This is
19 just to ask --

20 MS. [REDACTED]: No. I know.

21 MR. [REDACTED]: -- you know --.

22 MS. [REDACTED]: I know. But I'm being
23 forthcoming, so that's why I'm trying to tell
24 you. In your investigation, I know you are
25 aware, you've had conversations with folks that

1 are giving you information, but this is
2 information after the fact.

3 MR. ██████████: Right. And then --

4 MS. ██████: So -.

5 MR. ██████████: -- and point being is you
6 don't recall anything prior to, about --

7 MS. ██████: No.

8 MR. ██████████: -- a camera project. You
9 are not -. You weren't aware that there was a
10 - at least at this moment in time - you don't
11 recall there ever being a camera project
12 leading up to the incident?

13 MS. ██████: I do not recall. Hmm-mm.

14 MR. ██████████: Okay.

15 MS. ██████: I did -. Yeah. I don't
16 recall. Mm-hmm.

17 MR. ██████████: Okay. So, now, we are
18 going to touch on cell assignments. Then we're
19 going to just try to fly through the rest,
20 because that was the primary things I wanted to
21 talk to you about, were the cameras and ██████.

22 MS. ██████: Mm-hmm.

23 MR. ██████████: So, these are more just
24 to touch on some things.

25 MS. ██████: Mm-hmm.

1 MR. ██████████: Now, are you aware that,
2 on August 9th and 10th, 2019, Epstein was not
3 in his assigned cell, as documented within the
4 BOP cell assignment history, and the BOP
5 database?

6 MS. ██████: Can you say that one more time?
7 I'm sorry.

8 MR. ██████████: So, were you aware, are
9 you aware of anything with a cell discrepancy,
10 with Epstein, that he was, he was physically in
11 a cell that didn't correspond with the BOP
12 system?

13 MS. ██████: Yes. And this information
14 after, after the fact.

15 MR. ██████████: And do you know why
16 Epstein wasn't in his assigned cell, according
17 to the BOP database?

18 MS. ██████: Sheer error.

19 MR. ██████████: And do you know who made
20 that error?

21 MS. ██████: Not - no - not specifically. I
22 don't know who made the error.

23 MR. ██████████: So, what do you know
24 about it?

25 MS. ██████: I know that there were keying

1 errors. And so, Sentry reflected one cell
2 assignment, but he was physically in another
3 cell.

4 MR. [REDACTED]: And do you -? So, he was
5 in that cell from the time he, you know,
6 assigned to that cell in Sentry, from July
7 30th, all the way to August 10th.

8 MS. [REDACTED]: Mm-hmm.

9 MR. [REDACTED]: So, being that he was
10 there for, you know, ten or 11 days --

11 MS. [REDACTED]: Mm-hmm.

12 MR. [REDACTED]: -- should that have been
13 caught in that period of time?

14 MS. [REDACTED]: Yes.

15 MR. [REDACTED]: And who should have
16 caught that?

17 MS. [REDACTED]: The folks that are doing the
18 rounds.

19 MR. [REDACTED]: So, is that, that falls
20 onto the SHU staff?

21 MS. [REDACTED]: If - yeah - if it happened in
22 GP, it would have fallen on the person that is
23 actually doing the rounds in GP. So, yes. Mm-
24 hmm

25 MR. [REDACTED]: Okay. And then, would

1 any lieutenants, whether it be the SHU
2 lieutenant, or the captain, or, you know, ops,
3 activities lieutenant, should any of them
4 caught this?

5 MS. [REDACTED]: Well, they would have only know
6 that if they actually looked at a roster, and
7 physically walked with a roster, to know which
8 cell he was in. But I'm thinking about the
9 292s, whether or not it would have the cell on
10 it. I'm not sure if the 292 -. Do you know
11 what I'm talking about when I say 292?

12 MR. [REDACTED]: Yeah. His file that is
13 kept in the housing unit.

14 MS. [REDACTED]: Does it have this -? I'm not
15 even sure if it has the cell number on it. But
16 the long and short of it, you are making
17 rounds, you're pulling the inmate in and out of
18 his cell, you're keying, because --

19 MR. [REDACTED]: Now, are you talking
20 about bed book count, or are you talking about,
21 like, actual rounds?

22 MS. [REDACTED]: No. You're making rounds. Not
23 a bed count. If you actually did it, if a bed
24 book was done, between those days, then whoever
25 did the bed book would most definitely know

1 that there was an error. Because you have to
2 have the roster with you. But without, if a -.
3 I don't know if a bed book was count during
4 that time. I know that the counts were done
5 after the fact.

6 MR. ██████████: And is there a --

7 MS. ██████: (Indiscernible *02:22:36).

8 MR. ██████████: -- requirement to do,
9 like, a bed book count, like once a week, or
10 any certain amount of days, or -?

11 MS. ██████: There is no, there is no
12 requirement that says a bed book count has to
13 be done once a week. That was -. There was
14 some procedures put in place after the fact.

15 MR. ██████████: Okay. And is, and how do
16 we determine if a bed book count was in fact
17 conducted?

18 MS. ██████: Without there being some
19 documentation, or to say, or, because I know
20 after the fact, like I said, when that was a
21 procedure put in place, it was indicated that
22 that should be documented in the log.

23 MR. ██████████: But that was an after the
24 fact thing? So, it wasn't --

25 MS. ██████: After.

1 MR. [REDACTED]: -- being documented prior
2 to?

3 MS. [REDACTED]: No. It wasn't. It wasn't done
4 prior to. Now, if you are making, TruScope,
5 the officers have a log that they do. Any
6 activity is part of whatever is going on in
7 your unit. That should have -. That could
8 have been logged. But is there a requirement
9 that said that you have to log that, that you
10 did the bed book count? You would be doing it,
11 you know, for documentation purposes. But a
12 lieutenant or a staff member can do a bed book
13 count, just to make sure that things are done
14 accurate. So, that's not -. It's not
15 something that was a requirement prior to.

16 MR. [REDACTED]: Okay. So --

17 MS. [REDACTED]: Mm-hmm.

18 MR. [REDACTED]: -- aside from the bed
19 book count, though, is there any other way,
20 though, and you said when they were conducting
21 rounds. I mean, when a staff member is
22 conducting rounds, are they supposed to be
23 walking around with the, you know, Sentry
24 report, or BOP roster, or whatever it is, the
25 housing roster that indicates what cell he is

1 assigned to in the system?

2 MS. [REDACTED]: No. They don't have to have
3 the roster. However, once the inmate is
4 introduced into SHU, typically, the OIC does a
5 lot of the data entry. So, someone, even if
6 it's not the OIC, if someone in SHU, if someone
7 is doing the data entry, they are the ones that
8 is physically recording where the inmates is.
9 No one else would know where that inmate was
10 assigned unless they actually go in the system
11 and do the Sentry assignment. So --

12 MR. [REDACTED]: Okay.

13 MS. [REDACTED]: -- the person that is saying,
14 okay, if I am saying put inmate X, Y, and [REDACTED] in
15 cell ten, I have to change him from wherever he
16 was before, and make sure that I update, I
17 update it. And not only that, there is a
18 physical board in SHU that you have the cards.
19 You have name tags or whatever. And it shows
20 where everyone is.

21 MR. [REDACTED]: And does it say where
22 they are based upon them writing it down from
23 knowing that they are in there, or is that
24 showing where they are based upon what the BOP
25 system says?

1 MS. [REDACTED]: From knowing where - from
2 knowing where they are.

3 MR. [REDACTED]: Okay.

4 MS. [REDACTED]: So, the system, and everything
5 should be the same. So, if I'm changing, if
6 I'm changing an inmate's Sentry assignment,
7 then I know I - I automatically know there is
8 not just one thing I have to do, there is a
9 couple of things I have to do.

10 MR. [REDACTED]: Mm-hmm.

11 MS. [REDACTED]: I have to physically move the
12 body from one place to another.

13 MR. [REDACTED]: Okay.

14 MS. [REDACTED]: I have to put the card, you
15 know, the card off of one door, put it on the
16 new door, and I know I have to update Sentry
17 because Sentry should be accurate. I
18 physically have to do a PP - I can't remember -
19 34, and then update the Sentry assignment. And
20 then, I should physically update the board, so,
21 the door and the board would have cards on
22 them, or, you know --

23 MR. [REDACTED]: And this is where, so, I
24 know what happened. I know what happened when
25 this all happened on the 30th. On the - I know

1 what happened, how it was done, where the
2 discrepancy came in place. So, I guess my
3 question, though, is: between - and so, I know
4 that the person who dropped, you know,
5 basically dropped the ball by not making the
6 correct entry on the 30th, but the fact that
7 from the 30th all the way to the 10th --

8 MS. [REDACTED]: Mm-hmm.

9 MR. [REDACTED]: -- this, you know,
10 discrepancy continued, my question to you is,
11 is there any point, aside from when he was
12 physically placed in the wrong cell, and the
13 key entry wasn't, you know, updated, or not in
14 the wrong cell, but they key entry wasn't
15 updated. Was there any way that that would
16 have been caught in those approximately ten
17 days? After that initial mistake happened.
18 So, like, an audit of the system --

19 MR. [REDACTED]: Yeah.

20 MS. [REDACTED]: -- or, like, hey, let's, you
21 know, aside from a bed book count, how do we
22 know that these inmates are actually in the
23 cells that they are supposed to be assigned,
24 you know, or they are in the cells that they
25 are assigned in, in the system? Is there a

1 checks and balance to that? Are they -? Is
2 there -? Is the staff supposed to be checking
3 those sheets, or is it -? Is there an audit
4 that is done by the lieutenant or the OIC?

5 MS. [REDACTED]: I wouldn't say that there is an
6 audit done, but you -. That's (Indiscernible
7 *02:27:56). That's the 30 (Indiscernible
8 *02:27:58), ten. That -. There is not a
9 specific audit that is done on a daily basis.
10 There is not an audit that is done besides,
11 like I said, you making rounds --

12 MR. [REDACTED]: Mm-hmm.

13 MS. [REDACTED]: -- and you -. Yeah. I can't
14 think of a specific, like you said, a procedure
15 in place that you would check, where you would
16 audit on a daily basis, besides if you were
17 actually required to do a bed book count.
18 Which, she was not required to do a bed book
19 count daily.

20 MR. [REDACTED]: Right. And at the time,
21 they weren't required to do them at all?

22 MS. [REDACTED]: There was no procedure - and
23 when you say they were not required - there is
24 times when --

25 MR. [REDACTED]: I mean, based upon a time

1 period.

2 MS. [REDACTED]: -- yeah.

3 MR. [REDACTED]: versus, like, a, you
4 know, an incorrect count.

5 MS. [REDACTED]: Yeah. Not that I am - not that
6 I am aware of.

7 MR. [REDACTED]: Okay. Now, just to touch
8 on cell searches. On August 9th and 10th,
9 2019, do you know how often the SHU staff were
10 supposed to conduct cell searches?

11 MS. [REDACTED]: Oh, you are supposed to do cell
12 searches daily.

13 MR. [REDACTED]: Okay. And is it, like,
14 supposed to be at least five per shift --

15 MS. [REDACTED]: Mm-hmm.

16 MR. [REDACTED]: -- aside from the
17 morning?

18 MS. [REDACTED]: It's five.

19 MR. [REDACTED]: Five.

20 MS. [REDACTED]: Yeah. Yeah. And then, you
21 annotate it in, I believe it's TruScope, so
22 that you are ensuring, and that kind of, it
23 tracks, so that there is a, so that you can
24 ensure that all of the cells have been done.

25 MR. [REDACTED]: Okay. So, is it

1 acceptable that only one cell was entered as
2 being searched in TruScope, on August 9th,
3 2019?

4 MS. [REDACTED]: No. You should do at least
5 five.

6 MR. [REDACTED]: Now, do you believe that
7 if only one was entered, does that mean only
8 one was actually conducted?

9 MS. [REDACTED]: Hmm. I wouldn't say that. But
10 because I don't -. Hmm. That would be -. I
11 would question why one was only entered. But
12 you should do five. And you should recall,
13 record all five.

14 MR. [REDACTED]: Now, being, you know, day
15 and night watch --

16 MS. [REDACTED]: Mm-hmm.

17 MR. [REDACTED]: -- are required to do
18 five, who is responsible for, one) conducting
19 them; and two) entering them into TruScope? Is
20 it the OIC that is ultimately responsible to
21 make sure that they are done, and then enter
22 them, or is it, there is no rhyme or reason to
23 who is actually responsible? Everybody is --

24 MS. [REDACTED]: I wouldn't --

25 MR. [REDACTED]: -- responsible.

1 MS. [REDACTED]: -- no. I wouldn't say who,
2 because the folks that actually do the, that do
3 the rounds, they are physically, you know,
4 doing the manual labor. And typically, the SHU
5 OIC, because there is not, like, five computers
6 up in SHU. There may be one or two computers
7 in SHU. And typically, the OIC is the one that
8 is logged in. And that person is doing all the
9 administrative work. So, they would ensure
10 that, okay, rounds are done. And if there were
11 bar taps, or like you said, if there were cell
12 searches done, that information is then
13 communicated from one officer to the OIC, and
14 then that person goes in and records that it's
15 done.

16 MR. [REDACTED]: Okay. Do you know
17 anything about Epstein placing a telephone call
18 on August 9th, 2019, from the SHU?

19 MS. [REDACTED]: You said from August 9th?

20 MR. [REDACTED]: August 9th, 2019. Do you
21 know anything about Epstein placing --

22 MS. [REDACTED]: I --

23 MR. [REDACTED]: -- a telephone call from

24 --

25 MS. [REDACTED]: -- again --

1 MR. [REDACTED]: -- the SHU?

2 MS. [REDACTED]: -- I know, I know information
3 after the fact. Just like everybody else. But
4 the day that it happened, no, I wasn't aware of
5 the phone call the day that it happened. I
6 know information after the fact.

7 MR. [REDACTED]: Okay. And what did you
8 learn after the fact? And just briefly.

9 MS. [REDACTED]: Mm-hmm. That there was a staff
10 member that allowed him to place a phone call.

11 MR. [REDACTED]: Did you learn that it was
12 a phone call on an unrecorded line?

13 MS. [REDACTED]: Mm-hmm.

14 MR. [REDACTED]: Is that a yes?

15 MS. [REDACTED]: Yes. That is a yes.

16 MR. [REDACTED]: Okay. And then, do you -
17 is that standard practice, to allow inmates to
18 make personal calls, as had been done, from an
19 unrecorded line?

20 MS. [REDACTED]: No. That is not standard
21 practice, and the phone call should be on the
22 ITS - the Inmate Telephone System - line.

23 MR. [REDACTED]: Now, if he didn't have
24 his pack and PIN set up --

25 MS. [REDACTED]: Oh, yeah.

1 MR. [REDACTED]: -- or PIN and pack, or
2 however, which way you say it, what, what could
3 have or should have happened, if you wanted to
4 allow someone to take a - make a telephone
5 call?

6 MS. [REDACTED]: They don't make a phone call.

7 MR. [REDACTED]: They just don't make one?

8 MS. [REDACTED]: They don't make one. There is
9 allowances for, like, the (Indiscernible
10 *02:32:44) phone calls. That would be done by
11 the Chaplin, but that, too, is on a recorded
12 line. And that is in the Chaplin area. The
13 other thing is a legal phone call, and that
14 would be on an unmonitored line. But that
15 would only be for legal purposes.

16 MR. [REDACTED]: Now, is it true, though,
17 if it was allowed to be done on a legal line,
18 if it was authorized by, you know, the captain
19 or whomever, or the case manager, unit manager,
20 should it be put on speaker phone, and
21 monitored by a staff member?

22 MS. [REDACTED]: Policy says - I don't know -
23 but policy says that the inmates should make
24 phone calls, and it should be through the ITS
25 system.

1 MR. [REDACTED]: And do you --

2 MS. [REDACTED]: But you --

3 MR. [REDACTED]: -- is that --?

4 MS. [REDACTED]: -- but there is social calls
5 and legal calls.

6 MR. [REDACTED]: Phone calls and legal
7 calls --.

8 MS. [REDACTED]: Oh, no. I said there is social
9 calls and there is legal calls.

10 MR. [REDACTED]: Okay.

11 MS. [REDACTED]: And the only phone call that
12 should be on an unmonitored line would be the
13 legal call.

14 MR. [REDACTED]: Okay. So, you don't, you
15 don't believe there is any circumstance where,
16 if it is not a legal call, that a social call
17 should be made?

18 MS. [REDACTED]: I know policy, what I know of
19 policy, it indicates social calls, which should
20 be via ITS.

21 MR. [REDACTED]: And do you know if there
22 was any kind of recorded line in the SHU, that
23 could have been utilized if an inmate did not
24 have a pack and PIN?

25 MS. [REDACTED]: No.

1 MR. [REDACTED]: No.

2 MS. [REDACTED]: Hmm-mm.

3 MR. [REDACTED]: There was no line. There
4 was no such line. Just a legal line?

5 MS. [REDACTED]: No. I'm saying, there is an
6 ITS system in SHU.

7 MR. [REDACTED]: No, no, no. What I'm
8 saying is --

9 MS. [REDACTED]: (Indiscernible *02:34:31).

10 MR. [REDACTED]: -- if someone doesn't
11 have a pack and PIN, to be able to record it,
12 do you know if there was another type of a
13 line, like you said, I think you said the
14 Chaplin has a line that people can use, that
15 for bereavement purposes, but it's still
16 recorded.

17 MS. [REDACTED]: Mm-hmm.

18 MR. [REDACTED]: Is there a line that is
19 still recorded, that a staff member can provide
20 to an inmate that doesn't have the ability to
21 make a call from his pack and PIN?

22 MS. [REDACTED]: No.

23 MR. [REDACTED]: Or -?

24 MS. [REDACTED]: No.

25 MR. [REDACTED]: And is that no, there is

1 no line, or no, you are not aware?

2 MS. [REDACTED]: No, there is no line that you
3 can make a phone call from, that is recorded,
4 that is not hooked up to the ITS.

5 MR. [REDACTED]: Okay. And when you say -
6 -

7 MS. [REDACTED]: -- (Indiscernible *02:35:09).

8 MR. [REDACTED]: -- the ITS, what does
9 that mean?

10 MS. [REDACTED]: Inmate Telephone System.

11 MR. [REDACTED]: And is that --

12 MS. [REDACTED]: Yeah.

13 MR. [REDACTED]: -- with reference to the
14 pack and PIN that they receive to be able to
15 put money on their cards and use --

16 MS. [REDACTED]: Mm-hmm.

17 MR. [REDACTED]: -- or -? Yes?

18 MS. [REDACTED]: Yeah.

19 MR. [REDACTED]: Okay.

20 MS. [REDACTED]: Yeah. That is a yes.

21 MR. [REDACTED]: Okay. And what is your
22 understanding of what occurred in Epstein's
23 cell on August 9th or 10th, 2019?

24 MS. [REDACTED]: Well, what I am aware of,
25 again, after the fact, is that he committed

1 suicide.

2 MR. [REDACTED]: Okay. So, you believe
3 that Epstein took his own life?

4 MS. [REDACTED]: Yes. He was the only one in
5 the cell.

6 MR. [REDACTED]: And do you have any
7 information, with regard to anyone else taking
8 Epstein's life?

9 MS. [REDACTED]: No.

10 MR. [REDACTED]: Had you heard anything
11 about Epstein's cell door being left open the
12 night of August 9th, 2019, or 10th, or the
13 morning of August 10th --

14 MS. [REDACTED]: No.

15 MR. [REDACTED]: -- 2019?

16 MS. [REDACTED]: This is the first -. If that
17 happened, this would be the first time that I
18 have, of me even hearing that. I have never
19 heard that.

20 MR. [REDACTED]: And have you heard of any
21 other cell mates in the SHU, in the SHU, with
22 their doors being left open the night of August
23 9th, 2019, or the morning of August 10th --

24 MS. [REDACTED]: No.

25 MR. [REDACTED]: -- 2019?

1 MS. [REDACTED]: No. I have never heard that.

2 MR. [REDACTED]: No? And do you know if -

3 -

4 MS. [REDACTED]: Never heard that.

5 MR. [REDACTED]: -- do you know any
6 information, with regard to anyone harming
7 Epstein on August 9th or 10th, 2019?

8 MS. [REDACTED]: No.

9 MR. [REDACTED]: Okay. Do you know
10 anything about Epstein changing his will just
11 prior to his death?

12 MS. [REDACTED]: Again, that's just in the news,
13 but no, I don't have any knowledge of that.

14 MR. [REDACTED]: So, only from what you've
15 heard in the news?

16 MS. [REDACTED]: Yeah. I don't have any
17 knowledge of that. We don't -. The BOP has
18 nothing to do with inmates' wills.

19 MR. [REDACTED]: Okay. So, and we're just
20 going to now wrap up. It's just specific to
21 the timeline. There was an after action report
22 that was created by the BOP. So, this is
23 specifically where I am getting this
24 information, but --

25 MS. [REDACTED]: Mm-hmm.

1 MR. [REDACTED]: -- I'm just going to ask
2 you just a couple more questions, then we will
3 be done.

4 MS. [REDACTED]: Okay.

5 MR. [REDACTED]: It says, "6:33 a.m., on
6 August 10th, 2019, a body alarm is activated in
7 the Special Housing Unit. SHU staff reported
8 inmate Epstein was unresponsive in cell," and
9 it says the cell, but it says Sentry does not
10 reflect this accurately. "Staff entered the
11 cell and attempted to wake inmate Epstein.
12 Control center announced a medical emergency,
13 and CPR was initiated." So, the information
14 that we have is that 6:33, Thomas told Noel,
15 call in the emergency, and Thomas went straight
16 into the cell. Did Thomas act appropriately by
17 going straight into the cell, or should he have
18 waited for someone to arrive?

19 MS. [REDACTED]: No. There is -. Well, it
20 depends if you feel like you - that is an
21 emergency, and it is a life or death situation.
22 I don't know if he had the -. He could have
23 gone into -. He could have gone into the cell.

24 MR. [REDACTED]: Okay. So, policy doesn't
25 dictate that you are supposed to wait for other

1 people to arrive, so that if it was a --

2 MS. [REDACTED]: Yeah.

3 MR. [REDACTED]: -- a ruse, that someone
4 could have overpowered him, and then taken -?

5 MS. [REDACTED]: There is no -. When you say
6 policy, policy does state that you have to be
7 safe, and that you should wait for another
8 staff to arrive. Policy does say that. If
9 Thomas felt that he had enough staff on hand, I
10 don't know if he felt that, but policy does say
11 to ensure. And especially if you have more
12 than one inmate in a cell. So, with, I guess
13 Thomas realized there was only one inmate in
14 the cell, and if he saw the inmate hanging, he
15 would probably want to act immediately. But
16 policy protects you either way. If you feel
17 that you have enough, because - and that's your
18 - that's what I said - that's your discernment.
19 If you feel that you have enough people on, you
20 know, available, maybe he felt that way.

21 MR. [REDACTED]: Okay. And then, it says,
22 "At 7:36 a.m., inmate Epstein pronounced dead
23 by the emergency room physician." Do you know
24 of anything about -? Do you know if Epstein
25 ever shown signs of life, prior to leaving the

1 MCC, or specifically from 6:33 a.m. to 7:36
2 a.m., do you know if he showed any kind of
3 signs of movement or life?

4 MS. [REDACTED]: No. I don't. I arrived after.
5 And I have never heard of anything to the
6 contrary that he exhibited life.

7 MR. [REDACTED]: Okay. And here is
8 another thing that was written in there, in the
9 BOP, and again, this is the BOP after-action
10 report. It says, "SHU has multiple cells
11 equipped with video recording capability.
12 Inmate Epstein was not housed in one of these
13 cells, and there appears to be no set guidance
14 on when to utilize these cells." So
15 specifically, I am assuming he is, they are
16 either talking about 10 South or possibly G-
17 tier. I'm not sure. I can't remember if G-
18 tier has cameras or not. But 10 South
19 certainly does.

20 MS. [REDACTED]: Mm-hmm.

21 MR. [REDACTED]: Do you believe that
22 Epstein should have been placed in one of those
23 cells that were, that had cameras in them?

24 MS. [REDACTED]: I'm not going to say that. I'm
25 not going to say that he should have been

1 placed in a cell with a camera. He was an -.
2 He is an inmate, just like another inmate. So,
3 I can't, I can't say that, that he should have
4 definitely been placed in a cell. There
5 obviously was a reason that they felt that he
6 was safe, since he didn't say that he was going
7 to -. I don't -. Yeah. I can't say that he
8 should have definitely been placed in a cell
9 with a camera.

10 MR. [REDACTED]: Okay.

11 MS. [REDACTED]: Because those cells are for the
12 SAMs inmates. Those inmates that can't, you
13 know, their communication has to be monitored.
14 So, that is a different vetting process.

15 MR. [REDACTED]: Okay.

16 MS. [REDACTED]: Mm-hmm.

17 MR. [REDACTED]: And do you -. These are
18 going to be the last, like, three or four
19 questions. Oh. What do you believe allowed
20 Epstein to be able to - if he took his own life
21 - what do you believe allowed Epstein to take
22 his own life?

23 MS. [REDACTED]: Well, there were, I think his,
24 if that's what he wanted to do, without -
25 because the -. Now, we do know that staff

1 members have to make rounds. They're going
2 to, every, I don't know, 30 minutes, a regular
3 round. But he could have done it right before,
4 or right after the round. So, it doesn't mean
5 that he still - at the end - still wouldn't
6 have happened. So, I can't say for certain
7 that, we still would not have had the same
8 outcome.

9 So, I can't -. I know there was some
10 things that staff did not do that they were
11 supposed to do. Had they still made their
12 rounds, there is a possibility that a death
13 could have still have occurred, because there
14 are instances where staff make their rounds,
15 and inmates still are able to successfully
16 complete suicide, unfortunately. So, in this
17 instance, staff - we all, again, know - staff
18 did not do what they were, you know, supposed
19 to do by policy, but I can't say with certainty
20 that he still would not have been able to
21 successfully complete suicide.

22 MR. [REDACTED]: So, it sounds like rounds
23 would have helped. What about having a
24 cellmate? Do you think that would have helped?

25 MS. [REDACTED]: Yes. A cellmate would have

1 been able to alert a staff member, that is, if
2 they were alert and oriented themselves.

3 MR. [REDACTED]: Yeah. I would think,
4 though, if a cellmate was in there, and they
5 saw someone hanging themselves, you know,
6 obviously, there would be no requirement, I
7 guess, for them to do it, but that would
8 certainly indicate to that person that they
9 probably, there was an issue. Right?

10 MS. [REDACTED]: Yeah. But when you say that,
11 when you say that, it depends on, see, if the
12 manner in which he committed suicide, he did it
13 because he was in there by himself. Yes.

14 MR. [REDACTED]: Right.

15 MS. [REDACTED]: But there is instances where
16 you have cellmates, if you are on, you could
17 have - an inmate could have tied a ligature
18 around his neck, if he was in his bed, and just
19 hung himself that way. So, again, there are
20 things that were not done on line with policy,
21 but I can't say for certain because we have, we
22 do have successful suicides, where staff do
23 follow procedure and follow policy.

24 MR. [REDACTED]: But in this case, I
25 guess, you know, you know, correct me if I'm

1 wrong, but I would think that the two most
2 glaring things were the fact that he was
3 required to have a cellmate, and he didn't; and
4 that, also, staff were not conducting rounds as
5 they were required. Would you agree with that
6 assessment?

7 MS. [REDACTED]: Yeah. We know that those
8 things did not happen.

9 MR. [REDACTED]: And do you believe
10 anything else, you know, basically, if we are
11 looking at what all, you know, what could have
12 helped prevent this from happening in the
13 future? If we are looking at it as, you know,
14 like, well, what can we do better next time?
15 Aside from making sure, you know, cellmates
16 that are required to have cellmates have them,
17 and then, aside from making sure that staff are
18 actually conducting their rounds and counts, is
19 there anything else that should have been done?

20 MS. [REDACTED]: Just --

21 MR. [REDACTED]: It sounds like you didn't
22 agree with putting him in a cell with a camera.
23 So, I'm just wondering if there is anything
24 else that --

25 MS. [REDACTED]: No. I'm not saying necessarily

1 I agree or disagree. I'm saying that there is
2 inmates that are in cells without cameras, and
3 they don't necessarily commit suicide. So,
4 what was the difference? Why did Epstein have
5 to be in a cell with a camera? So, I'm saying,
6 we don't -. That's not part of our policy,
7 that cameras have to be present. So, that is
8 not the -. That does -. That in and of itself
9 doesn't determine or make a difference whether
10 someone commits suicide or doesn't.

11 MR. [REDACTED]: Sure.

12 MS. [REDACTED]: Like, that's not a requirement.

13 MR. [REDACTED]: So, I guess the - and I
14 probably got you off on track, on the camera
15 thing - I'm just saying, is there anything else
16 we are missing here, aside from, you know, what
17 we just discussed, as far as reasons that
18 allowed for Epstein to be able to take his
19 life?

20 MS. [REDACTED]: No.

21 MR. [REDACTED]: No.

22 MS. [REDACTED]: I don't know.

23 MR. [REDACTED]: Okay. What do you
24 believe the failures of the BOP - if you
25 believe there are any - that allowed for

1 Epstein to die?

2 MS. [REDACTED]: I don't believe that the BOP is
3 responsible for him committing suicide. I
4 believe that, as you investigate, that there
5 are things that - no, none with the policy, but
6 I don't believe that that contributed to the
7 suicide itself. Because, like I said, I know
8 we are looking at it after, like, Monday
9 morning quarterbacking, but there are, there
10 are some instances where there is a successful
11 suicide, where does not follow protocol from
12 top to bottom. And it happens, unfortunately.
13 And in this instance, they didn't do everything
14 that they were supposed to do, or they didn't
15 do a lot, but I don't believe that it
16 contributed to him committing suicide. I
17 don't. I don't really believe that.

18 MR. [REDACTED]: So, you don't believe -
19 and we didn't get into staff members sleeping -
20 but you don't believe that a staff member not
21 conducting rounds, a staff member sleeping on
22 the job, a staff members not, you know, making
23 proper notifications and getting a new cellmate
24 into them, you don't believe that that is
25 contributed to him taking his own life?

1 MS. [REDACTED]: I'm --

2 MR. [REDACTED]: The ability to do that?

3 MS. [REDACTED]: -- hmm. Because when you are
4 saying staff members sleeping, yeah, if, even
5 if a staff member is awake, and that I'm saying
6 that because I'm aware of a successful suicide,
7 staff members can make their rounds every 30
8 minutes. And when they go by, unfortunately,
9 if someone actually is intent on committing
10 suicide, they can wait for you to make your
11 round, and they know that you don't have to
12 come back until another 30 minutes.

13 MR. [REDACTED]: Sure. And I didn't say
14 that staff members --

15 MS. [REDACTED]: (Indiscernible *02:47:32).

16 MR. [REDACTED]: -- caused him to die.
17 What I said is, helped contribute, and allowed
18 for him --

19 MS. [REDACTED]: Yeah.

20 MR. [REDACTED]: -- to take his life. So,
21 what I'm saying is, like, the job --

22 MS. [REDACTED]: Okay.

23 MR. [REDACTED]: -- performance that
24 wasn't done, and that's why this investigation
25 pertains to security failure and job

1 performance failure, because it seems to me
2 that there was a lot of job performance failure
3 here, at the very least, in the sense that
4 people weren't doing their jobs.

5 MS. [REDACTED]: Mm-hmm.

6 MR. [REDACTED]: And that, that helped
7 cause, you know, and again, I think you
8 mentioned it, if a person wants to kill
9 themselves, they're probably going to be able
10 to find a way. But there is also things that,
11 when an inmate is in our custody, it is our job
12 to try to do everything we can to keep them
13 alive, and prevent that from happening.

14 MS. [REDACTED]: Mm-hmm.

15 MR. [REDACTED]: So, my question to you
16 is, you don't believe that, by though, you
17 know, them not doing those things, that that
18 helped contribute?

19 MS. [REDACTED]: And I know this might sound -
20 but you sound bewildered by my response, but I
21 believe that it contributed to some failures,
22 but I don't really believe that the failure
23 equals the contribution of the suicide. I
24 really don't believe that.

25 MR. [REDACTED]: Okay. Yeah. I don't

1 know that I look at it as a contribution. I'm
2 just saying, the failures that allowed for him
3 to be able to take his own life. And so,
4 again, I'm not saying that they helped assist
5 him with taking his life, but by not doing --

6 MS. [REDACTED]: Mm-hmm.

7 MR. [REDACTED]: -- their job, that, you
8 know, provided him ample opportunity to do so.
9 Would you agree with that?

10 MS. [REDACTED]: Again, I'm going to - my thing
11 is going to be the same.

12 MR. [REDACTED]: Okay. No. You're just
13 the first person I've talked to that said that.

14 MS. [REDACTED]: Yeah.

15 MR. [REDACTED]: Okay. That's totally
16 fine. Okay. Well, is there anything else that
17 I missed, or that you would like to add to
18 this?

19 MS. [REDACTED]: Hmm-mm. No.

20 MR. [REDACTED]: And [REDACTED], are you still
21 there? Is there any follow up questions that
22 you have, before we end this thing?

23 MR. [REDACTED]: No follow up questions.

24 MR. [REDACTED]: All right. Great. Well,
25 you have my information. My cell phone. My

1 email.

2 MS. [REDACTED]: Mm-hmm.

3 MR. [REDACTED]: If there is anything you
4 need, please feel free to contact me. But
5 otherwise, I would very much greatly appreciate
6 if you get me that stuff we talked about,
7 specific with regard to the documents that you
8 --

9 MS. [REDACTED]: Okay.

10 MR. [REDACTED]: -- that you kept on file,
11 and I think you took - there was something else
12 that we discussed. What was the other thing?
13 Was it -?

14 MS. [REDACTED]: You said it was about the bad
15 (Indiscernible *02:49:59). I made some notes
16 about the bad count. And then, about the court
17 document.

18 MR. [REDACTED]: Perfect. Yeah. So,
19 there would be those specific things. But
20 again, anything -? I think you said you made
21 records of things that you produced, that would
22 be very much appreciated, as well.

23 MS. [REDACTED]: Yeah.

24 MR. [REDACTED]: It is 1:24 p.m. on
25 December 2nd, 2021. This is Senior Special

1 Agent ██████████ ██████████, and I am going to turn
2 off this recorder.

3 MS. ████████: Okay.

4 (Whereupon, the above-entitled matter went
5 off the record and back on the record).

6 MR. ██████████: This is Senior Special
7 Agent ██████████ ██████████. It is currently 1:26
8 p.m., 12/02/2021. Prior to hanging up the
9 call, Associate Warden ████████ asked if I could
10 turn back on the recorder so she could make a
11 clarifying statement. So, Ms. ████████, go ahead.
12 I'll just remind you, you are under oath, and
13 this is a voluntary interview.

14 MS. ████████: I wanted to clarify whether I
15 filled that, some of the things helped, I guess
16 helped to, or contributed to, Epstein's ability
17 to commit suicide. While I understand that
18 this is something that no one wanted, there
19 were things that were not done, that were in
20 line with policy. That were required to be
21 done, and had those things been done, maybe we
22 would not be questioning the liability aspect.
23 But I just want to ensure that it's understood
24 that I have - I believe that that's should
25 follow policy, to ensure with certainty that no

1 inmate is able to hurt themselves, or that no
2 other inmate is able to hurt them.

3 So, with that knowledge, again, I really
4 hope that staff would have done everything
5 within their power to follow policy, so that
6 there would be no question as to what should or
7 should not have been done. And with
8 acknowledgement that there were not things done
9 that should have been done, as it relates to
10 following policy.

11 MR. [REDACTED]: All right. Thank you
12 very much. Is there anything else you wanted
13 to add before I turn off the recorder and we
14 end this interview?

15 MS. [REDACTED]: No. I think that's it. I just
16 wanted to add that as a sentiment, that I
17 understand that this is a serious matter, and
18 that it required care and attention, and that
19 it requires me to clarify what I believe
20 actually, you know, the staff did or did not
21 do.

22 MR. [REDACTED]: Perfect. Thank you so
23 much. Again, if there is anything you need
24 from me, you have my email, and I will greatly
25 look forward to the information you can provide

1 following this interview. It is 1:28 p.m.,
2 12/02/2021. This is Senior Special Agent
3 [REDACTED] [REDACTED], and I am turning off the
4 recorder.

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CERTIFICATE

I hereby certify that the foregoing pages represent an accurate transcript of the electronic sound recording of the proceedings before the Department of Justice, Office of the Inspector General in the matter of:

Interview of [REDACTED] [REDACTED]

Brianna Rose Burton

Brianna Rose Burton, Transcriber