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DIGITALLY RECORDED
SWORN STATEMENT
OF



OIG CASE #:
2019-010614

DEPARTMENT OF JUSTICE
OFFICE OF THE INSPECTOR GENERAL

JULY 12, 2021

RESOLUTE DOCUMENTATION SERVICES
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APPEARANCES:

OFFICE OF THE INSPECTOR GENERAL

BY: [REDACTED]

BY: [REDACTED]

WITNESS:

[REDACTED]

OTHER APPEARANCES:

NONE

1 MR. [REDACTED]: The recorder is on. My
2 name is [REDACTED] with the U.S.
3 Department of Justice Office of the Inspector
4 General New York Field Office and these are my
5 credentials. All right. This interview with
6 federal Bureau of Prisons lieutenant
7 [REDACTED] is being conducted as part
8 of an official U.S. Department of Justice
9 Office of the Inspector General investigation.
10 Today's date is July 12, 2021, and the time is
11 1:06 p.m. This interview is being conducted at
12 the federal correctional institution Danbury,
13 located in Danbury, Connecticut. This is the
14 training center. What is it the -?

15 MR. [REDACTED]: SIPE Center.

16 MR. [REDACTED]: SIPE Center?

17 MR. [REDACTED]: Yeah.

18 MR. [REDACTED]: What does it stand for do
19 you know?

20 MR. [REDACTED]: Mm....

21 MR. [REDACTED]: SPI - whatever. It's the
22 training center.

23 MR. [REDACTED]: SIPE. Yeah.

24 MR. [REDACTED]: Yeah. It's the training
25 center right outside of the FCI Danbury on the

1 FCI Danbury property. Also present is DOJ OIG
2 Special Agent [REDACTED]. This interview
3 will be recorded by me, SSA [REDACTED].
4 Could everyone please identify themselves for
5 the record and spell your last name. To start,
6 again I am DOJ OIG Senior Special Agent [REDACTED]
7 [REDACTED], [REDACTED].

8 MR. [REDACTED]: I am Special Agent [REDACTED]
9 [REDACTED], [REDACTED].

10 MR. [REDACTED]: I am Lieutenant [REDACTED]
11 [REDACTED], [REDACTED].

12 MR. [REDACTED]: Thank you sir. This is
13 an official DOJ OIG investigation to the death
14 of inmate Jeffrey Epstein and the surrounding
15 circumstances, and you're being asked to
16 voluntarily provide answers to our questions.
17 Will you agree to a voluntary interview with
18 the DOJ OIG?

19 MR. [REDACTED]: Yes.

20 MR. [REDACTED]: Thank you sir. This is a
21 form that we have for our voluntary interviews.
22 We give this to everybody that's voluntary just
23 so you know that it is voluntary. You know you
24 can stop the interview any time. You don't
25 have to answer our questions. You can leave.

1 I'm going to read it to you for the record.
2 It's United States Department of Justice Office
3 of the Inspector General Warnings and
4 Assurances to Employee Requested to Provide
5 Information on a Voluntary Basis. You are
6 being asked to provide information as part of
7 an investigation being conducted by the Office
8 of the Inspector General. This investigation
9 is being conducted pursuant to the Inspector
10 General Act as amended. This investigation
11 pertains to job performance failure and
12 security failure. This is a voluntary
13 interview. Accordingly, you do not have to
14 answer questions. No disciplinary action will
15 be taken against you if you choose not to
16 answer questions. Any statement you furnish
17 may be used as evidence in any future criminal
18 proceedings or agency disciplinary proceedings
19 or both. Then there's the waiver which says I
20 understand the Warnings and Assurances stated
21 above and I am willing to make a statement and
22 answer questions. No promises or threats have
23 been made to me and no pressure or coercion of
24 any kind has been used against me. And there's
25 the - right here - employee signature and

1 employee's name. You want to read that
2 yourself. Feel free to. If you agree just
3 sign

4 MR. [REDACTED]: So it says job performance
5 failure and security failure according to-

6 MR. [REDACTED]: That's for everybody.
7 We're giving that - that's just the blanket
8 statement we're providing to every single
9 person that we interview.

10 MR. [REDACTED]: .mm

11 MR. [REDACTED]: It doesn't necessarily
12 mean that you've done anything wrong. It's
13 just that's what the investigation is looking
14 into. You know security failure of the
15 institution - job performance failure. Because
16 someone died in this matter. And looking into
17 the surrounding circumstances with it.
18 Everybody's being provided that same -

19 MR. [REDACTED]: Okay.

20
21 MR. [REDACTED]: -- that same information.
22 Okay. So I just signed my name as the Special
23 Agent. And I'm printing my name. Again this
24 is [REDACTED].

25 MR. [REDACTED]: This is Special Agent [REDACTED].

1 I am signing as a witness.

2 MR. [REDACTED]: Okay. And Special Agent
3 [REDACTED], if you don't mind, just place the date
4 and time. Again it is July 12, 2021, and the
5 time is 1:10 p.m. now. And the place is FCI
6 Danbury Training Center. Thank you, sir.
7 Okay. Did you understand that form?

8 MR. [REDACTED]: Yeah.

9 MR. [REDACTED]: Okay. Cool. Is there
10 any other questions you want to ask about that
11 though?

12 MR. [REDACTED]: no.

13 MR. [REDACTED]: No?

14 MR. [REDACTED]: I mean it's voluntary is that
15 right?

16 MR. [REDACTED]: Yeah. Exactly.
17 Voluntary. You don't have to answer. And
18 again that job performance failure - security
19 failure that's something we're telling
20 everybody that that's the purpose of our
21 interviews is to figure out -

22 MR. [REDACTED]: Okay.

23 MR. [REDACTED]: -- what went wrong and
24 all that kind of stuff with regard to this
25 matter. Before starting the interview, I'd

1 like to place you under oath. Lieutenant
2 ██████████ can you please raise your right hand.
3 Do you swear to tell the truth and nothing but
4 the truth during this interview?

5 MR. ██████████: Yes.

6 MR. ██████████: Thank you sir. All
7 right. Please just let me know if you don't
8 understand these questions and I'll try to
9 rephrase them or put them in a different way -
10 add clarification. So what is your home
11 address?

12 MR. ██████████: ██████████.

13 MR. ██████████: And what is your date of
14 birth?

15 MR. ██████████: ██████████.

16 MR. ██████████: And your Social Security
17 number?

18 MR. ██████████: ██████████.

19 MR. ██████████: Thank you. And your
20 current cell phone number.

21 MR. ██████████: ██████████.

22 MR. ██████████: And what's your highest
23 level of education?

24 MR. ██████████: Um bachelors.

25 MR. ██████████: Where?

1 MR. [REDACTED]: Criminal justice.

2 MR. [REDACTED]: Criminal justice. Where
3 did you get that from?

4 MR. [REDACTED]: John Jay.

5 MR. [REDACTED]: Is that in New York City?

6 MR. [REDACTED]: Yeah.

7 MR. [REDACTED]: And when did you
8 graduate?

9 MR. [REDACTED]: 2006, I think.

10 MR. [REDACTED]: Okay. And what did you
11 do prior to working for the BOP?

12 MR. [REDACTED]: Uh TSA.

13 MR. [REDACTED]: Um okay. And what did
14 you do for TSA?

15 MR. [REDACTED]: I was a screener at JFK.

16 MR. [REDACTED]: How long did you do that?

17 MR. [REDACTED]: Mm six and a half years.

18 MR. [REDACTED]: From approximately when
19 until when?

20 MR. [REDACTED]: '02 to '09.

21 MR. [REDACTED]: '02 to '09. Okay. And
22 do you have any military service?

23 MR. [REDACTED]: No.

24 MR. [REDACTED]: Okay. And how long have
25 you served with the Federal Bureau of Prisons?

1 MR. [REDACTED]: Mm like about 20 years.

2 MR. [REDACTED]: Twenty years.

3 MR. [REDACTED]: Yeah.

4 MR. [REDACTED]: Oh, okay. So you did it
5 while you were with TSA?

6 MR. [REDACTED]: I did TSA is federal. And I

7 -

8 MR. [REDACTED]: No-no-no. With the BOP.
9 How long have you served with the BOP?

10 MR. [REDACTED]: The BOP?

11 MR. [REDACTED]: Sorry.

12 MR. [REDACTED]: Twelve years.

13 MR. [REDACTED]: Twelve years. Okay.

14 From when until when.

15 MR. [REDACTED]: '09 to present.

16 MR. [REDACTED]: What was your Enter on
17 Duty Date?

18 MR. [REDACTED]: Mm June 21st I think uh 2009/

19 MR. [REDACTED]: Okay. Any breaks of
20 service?

21 MR. [REDACTED]: Nah.

22 MR. [REDACTED]: Okay. And when did you -
23 do you know when you graduated BOP training?

24 MR. [REDACTED]: Mm I think it's September or
25 August.

1 MR. [REDACTED]: Of ;09?

2 MR. [REDACTED]: You're talking about Glencoe,
3 right?

4 MR. [REDACTED]: Yeah.

5 MR. [REDACTED]: Yeah '09.

6 MR. [REDACTED]: '09. Okay. And when and
7 where was your first office assignment with the
8 BOP?

9 MR. [REDACTED]: New York.

10 MR. [REDACTED]: Uh which institution?

11 MR. [REDACTED]: MCC.

12 MR. [REDACTED]: Were you with MCC the
13 whole time?

14 MR. [REDACTED]: Yeah.

15 MR. [REDACTED]: Oh, okay. And when did
16 you become a lieutenant?

17 MR. [REDACTED]: What's this '21 - 2019, '18
18 ... I think December 17th I did a temp.

19 MR. [REDACTED]: December of 2017?

20 MR. [REDACTED]: '17. Yeah.

21 MR. [REDACTED]: And when did you leave
22 the MCC?

23 MR. [REDACTED]: I left December '19.

24 MR. [REDACTED]: December of 2019?

25 MR. [REDACTED]: Yeah.

1 MR. [REDACTED]: And then is that when you
2 came here to the FCI Danbury?

3 MR. [REDACTED]: Yeah.

4 MR. [REDACTED]: And um did you come here
5 for a promotion?

6 MR. [REDACTED]: Yeah.

7 MR. [REDACTED]: So were you a GS9
8 lieutenant?

9 MR. [REDACTED]: I was a 9 there but I got TDY
10 down there. So I was 11 also there.

11 MR. [REDACTED]: Oh you were?

12 MR. [REDACTED]: Yeah. I got TDY for about
13 four months.

14 MR. [REDACTED]: Okay. Can you just -
15 what does that mean?

16 MR. [REDACTED]: Temporary Duty. Like I
17 was picked up. I got my promotion, but I had
18 to stay down there for a few months until I
19 came up here.

20 MR. [REDACTED]: Okay. So FCI Danbury.
21 You were promoted to an 11 but they had you
22 stay down there as an 11 for four months?

23 MR. [REDACTED]: Yeah.

24 MR. [REDACTED]: So when were you actually
25 picked up?

1 MR. [REDACTED]: About three months. In
2 October, September, October, November, three
3 months. Yeah.

4 MR. [REDACTED]: So when did you actually
5 get your promotion?

6 MR. [REDACTED]: Mm September.

7 MR. [REDACTED]: Of 2019?

8 MR. [REDACTED]: Yeah.

9 MR. [REDACTED]: And when did you
10 physically come to the FCI Danbury?

11 MR. [REDACTED]: December.

12 MR. [REDACTED]: December. Okay. And
13 your current position is still GS11 lieutenant?

14 MR. [REDACTED]: Yeah.

15 MR. [REDACTED]: And what was your
16 position at the MCC on August 9th and 10th of
17 2019?

18 MR. [REDACTED]: Uh August you said 10th?

19 MR. [REDACTED]: Yeah. So August - you
20 said September you got your 11 so I'm assuming
21 in August of 2019 you were

22 MR. [REDACTED]: I was a 9 then.

23 MR. [REDACTED]: -- a 9 lieutenant.

24 MR. [REDACTED]: Yeah. In August yeah.

25 MR. [REDACTED]: And this is just for my

1 own knowledge. What is the difference between
2 a 9 lieutenant and an 11 lieutenant?

3 MR. [REDACTED]: Pretty much you could -
4 if you at 9 you can't run the institution.
5 Because it's not a higher rank. So like 11 or
6 the only ones who can without a captain.
7 You're the highest. But a 9 you can't be the
8 highest.

9 MR. [REDACTED]: So does that mean like as
10 far as like being the ops lieutenant versus the
11 activities' lieutenant?

12 MR. [REDACTED]: Nah. You could be ops as a
13 9.

14 MR. [REDACTED]: Okay.

15 MR. [REDACTED]: But - but -.

16 MR. [REDACTED]: So like acting captain
17 you mean?

18 MR. [REDACTED]: No. Say like if it's a 9,
19 it's like evening watch. Four to twelve or
20 midnight. The 11 is the highest authority.

21 MR. [REDACTED]: Okay.

22 MR. [REDACTED]: As a 9 you can't do that.
23 You have to have 11 or above for 9 to be in
24 authority.

25 MR. [REDACTED]: Okay.

1 MR. [REDACTED]: Yeah.

2 MR. [REDACTED]: So you can be an ops
3 lieutenant but somebody else has to be there
4 that's higher than you?

5 MR. [REDACTED]: Yeah. If you a 9 yeah.

6 MR. [REDACTED]: Okay. Do you recall what
7 shift you worked on August 9th and 10th of
8 2019?

9 MR. [REDACTED]: August 9th? What day was
10 that?

11 MR. [REDACTED]: It's August 9th - sorry.
12 We'll just talk about August 9th. August 9th,
13 2019 that was the day before Epstein was found
14 dead. It was a Friday.

15 MR. [REDACTED]: So the Friday. I probably
16 was day watch.

17 MR. [REDACTED]: Okay. I'm going to give
18 you the daily roster from that date just do you
19 can reprint it.

20 MR. [REDACTED]: Yeah.

21 MR. [REDACTED]: Um anytime I give you a
22 document - you don't have to do it right away -
23 but you can - I'm just going to have you
24 initial and date each document. It's just for
25 the record we can say that's the document you

1 looked at. And we don't like replace
2 something. You know what I mean?

3 MR. [REDACTED]: Mm-hm.

4 MR. [REDACTED]: Um so on that can you
5 find your name and see where it is that you
6 worked just to verify?

7 MR. [REDACTED]: Yeah. I did overtime from
8 6:00 to 2:00.

9 MR. [REDACTED]: From 6:00 a.m. to 2:00
10 p.m.?

11 MR. [REDACTED]: Yeah.

12 MR. [REDACTED]: And that was on August
13 9th?

14 MR. [REDACTED]: Yeah.

15 MR. [REDACTED]: Do you know if you -
16 there were the specific times that you worked?
17 I know for instance the individual that was the
18 activities' lieutenant after you. She didn't
19 start until 4:00 p.m. because she had her
20 regular time shift until 4:00 p.m.

21 MR. [REDACTED]: Mm-hm.

22 MR. [REDACTED]: Would that mean that you
23 had worked until 4:00? Or would you still have
24 stopped at 2:00?

25 MR. [REDACTED]: Uh I don't know.

1 MR. [REDACTED]: Do you usually have to
2 wait until the new activities' lieutenant comes
3 on board?

4 MR. [REDACTED]: Mm that's [REDACTED] was -. But
5 she wasn't a lieutenant here though.

6 MR. [REDACTED]: No. She was an SIS, but
7 she got I guess temporarily promoted. At least
8 for that day to be able to be the activities'
9 lieutenant. But she was in attorney conference
10 until 4:00 p.m. And she didn't start as the
11 activities' lieutenant until 4:00 p.m.

12 MR. [REDACTED]: I don't remember. But I know
13 we usually - even though it says 8:00 to 4:00,
14 we usually do 6:00 to 2:00, 2:00 to 10:00
15 anyway.

16 MR. [REDACTED]: Yeah.

17 MR. [REDACTED]: We relieve people early.

18 MR. [REDACTED]: Right. And my
19 understanding is it's for traffic purposes.

20 MR. [REDACTED]: So if the 9th I would have
21 came on then. She wouldn't have to stay until
22 4:00. I don't know.

23 MR. [REDACTED]: How does that typically
24 work though I guess. Would it be - do you have
25 to be relieved before you can leave?

1 MR. [REDACTED]: Mm you mean for me?

2 MR. [REDACTED]: Yeah. Like if you're the
3 activities' lieutenant at the MCC back in
4 August of 2019. Are you allowed to leave
5 before the new activities' lieutenant takes
6 over? Or do you have to wait until she's done?
7 I'm just trying to help refresh your memory if
8 you can -.

9 MR. [REDACTED]: I'm not sure. I know how we
10 do it is someone day I got you. I'll cover
11 you. Then we relieved.

12 MR. [REDACTED]: But you don't
13 specifically remember this date?

14 MR. [REDACTED]: No.

15 MR. [REDACTED]: Not the fact that like
16 Epstein died the day after. Does that help you
17 like kind of refresh your memory of what your
18 involvement may have been?

19 MR. [REDACTED]: I know I was doing day watch.
20 I was doing day watch. I do know that. But as
21 far as who relieved and all that. No. I don't
22 remember that.

23 MR. [REDACTED]: All right. We can
24 probably just grab your time and attendance
25 records then later just to try to

1 (Indiscernible * *00:12:34) that down. But you
2 just can't remember at this point?

3 MR. [REDACTED]: What you asked me was I
4 there?

5 MR. [REDACTED]: Yeah-yeah-yeah. Just I
6 mean from the 2:00 to 4:00. You don't remember
7 if you would have - you had to wait until
8 [REDACTED] was actually in place before you left or
9 not.

10 MR. [REDACTED]: Nah. I don't know. I could
11 have been there at 4:00 because I left at 2:00.
12 I'm not sure.

13 MR. [REDACTED]: Okay. Fair enough.

14 MR. [REDACTED]: Yeah.

15 MR. [REDACTED]: So you either worked
16 until 2:00 p.m. or 4:00 p.m. you just don't
17 recall.

18 MR. [REDACTED]: Yeah.

19 MR. [REDACTED]: All right. And who did
20 you - on that date - who would have you
21 primarily worked with?

22 MR. [REDACTED]: Mm ... I don't know. Because
23 Friday -. I don't know why I'm doing overtime
24 on Friday. I'm trying to think. And [REDACTED] is
25 normally not the ops lieutenant though either.

1 MR. [REDACTED]: Is that because he was a
2 9?

3 MR. [REDACTED]: [REDACTED] is 11. He's SHU
4 lieutenant.

5 MR. [REDACTED]: At that time [REDACTED] was the
6 SHU lieutenant.

7 MR. [REDACTED]: Oh no-no-no [REDACTED] was the SHU
8 lieutenant. Okay. So if I'm on Friday and
9 Saturday, then -.

10 MR. [REDACTED]: Well here if -.

11 MR. [REDACTED]: Maybe. I don't know. You
12 have my what's her name records?

13 MR. [REDACTED]: This is Saturday. So I'm
14 giving you the daily assignment roster.

15 MR. [REDACTED]: I'm thinking this is my day
16 off. I'm thinking Friday was my day off. So I
17 came in for the overtime on Friday. If I'm on
18 Friday and Saturday, then I would be ops.
19 That's what I'm thinking.

20 MR. [REDACTED]: Did you work on Saturday?

21 MR. [REDACTED]: Saturday I was off.

22 MR. [REDACTED]: Okay. So you're not on
23 that list that I just gave you for Saturday?

24 MR. [REDACTED]: No. I should be on day
25 watch.

1 MR. [REDACTED]: Okay.

2 MR. [REDACTED]: This the day Epstein died
3 right?

4 MR. [REDACTED]: Yes.

5 MR. [REDACTED]: Yeah. I wasn't there that
6 day.

7 MR. [REDACTED]: Okay. But you just can't
8 remember if you worked until 2:00 p.m. or 4:00
9 p.m. on August 9th.

10 MR. [REDACTED]: No.

11 MR. [REDACTED]: Again there's no reason
12 that I'm asking you this specifically right
13 now. It's just to try to make sure we know
14 what time you worked there.

15 MR. [REDACTED]: Well you trying to see if
16 there's a pattern of -.

17 MR. [REDACTED]: no-no-no. Not a pattern.
18 It's not looking at you. It's just to - you
19 know when we talk to people, we say like what
20 time were you there from. Just because in
21 knowing that [REDACTED] didn't start until -
22 because there's no reason for us at this point
23 to get your time and attendance records.
24 Because again we're just talking to everybody
25 that was there on each day.

1 MR. [REDACTED]: Mm-hm.

2 MR. [REDACTED]: I'm just trying to -.
3 When we talk to you, we just need to lock down
4 each person. What time were you there until?

5 MR. [REDACTED]: I don't know.

6 MR. [REDACTED]: We have specific questions
7 about what happened during the day. But if
8 you're not there during the day during that
9 specific time -.

10 MR. [REDACTED]: Some questions might not
11 apply to you.

12 MR. [REDACTED]: Apply to you. That's what
13 we're trying to figure out. So what time were
14 you there until.

15 MR. [REDACTED]: I mean so you want to ask me
16 questions up until 4:00 is what you're saying?

17 MR. [REDACTED]: We'll ask you
18 specifically questions -.

19 MR. [REDACTED]: Well you can do it but if I
20 don't remember I just say I don't remember.

21 MR. [REDACTED]: Yeah. That's fine. You
22 just don't. but at this point you just don't
23 know if you were there until 4:00.

24 MR. [REDACTED]: No.

25 MR. [REDACTED]: Um and you don't remember

1 relieving [REDACTED]. Or [REDACTED] relieving you.

2 MR. [REDACTED]: no.

3 MR. [REDACTED]: And do you remember being
4 relieved by anyone?

5 MR. [REDACTED]: no.

6 MR. [REDACTED]: No? All right. But I
7 guess then that goes back to my original
8 question. Do you need to be relieved by
9 someone in order to leave?

10 MR. [REDACTED]: Um normally. It depends.

11 MR. [REDACTED]: Can there be just an ops
12 lieutenant and no activities' lieutenant on
13 during the day?

14 MR. [REDACTED]: Yeah. That could be any day.

15 MR. [REDACTED]: Okay.

16 MR. [REDACTED]: Yeah.

17 MR. [REDACTED]: So it's just - there's
18 no-. these are genuine questions. We don't
19 know the answers to these. So that's not like
20 abnormal to have like just like a two-hour gap
21 where there's no activities' lieutenant?

22 MR. [REDACTED]: No. We was going a lot of
23 work up until this. We were doing a lot of
24 work. So some days you'll be there. I'm quite
25 sure looking at the records, you'll see my name

1 by itself.

2 MR. [REDACTED]: Right.

3 MR. [REDACTED]: So.

4 MR. [REDACTED]: On some days there was
5 just like one activity or one ops lieutenant?
6 There was nobody -?

7 MR. [REDACTED]: Yeah.

8 MR. [REDACTED]: Okay. And that was
9 Monday through Friday? Not just on weekends?

10 MR. [REDACTED]: Any day.

11 MR. [REDACTED]: Or night shifts? Or
12 morning?

13 MR. [REDACTED]: Any days. It was a busy time
14 back then.

15 MR. [REDACTED]: Yes. Um. Okay. Do you
16 know at that time who was your supervisor?

17 MR. [REDACTED]: Uh the captain. Captain
18 [REDACTED].

19 MR. [REDACTED]: Okay. And as the
20 activities' lieutenant, and you said it was day
21 watch?

22 MR. [REDACTED]: Yeah.

23 MR. [REDACTED]: What were your duties and
24 responsibilities?

25 MR. [REDACTED]: Rounds um orderly

1 institution. Running the institution.

2 MR. [REDACTED]: And what does a round
3 consist of as a lieutenant?

4 MR. [REDACTED]: Going up to the unit.
5 Speaking to the officer. If you want, go to
6 unit team. Do the tiers. See what's going on.

7 MR. [REDACTED]: Now at that time, did
8 lieutenant -? When you say go do tiers. Were
9 Lieutenants responsible for conducting rounds
10 of inmates as well? Like you know walking up
11 and down the tiers to make sure?

12 MR. [REDACTED]: Something like that. I mean
13 that's - are we - the lieutenants responsible
14 for that?

15 MR. [REDACTED]: Yeah. I know that that's
16 the CO's primary responsibility. But when you
17 are conducting a round in like a unit,
18 specifically we'll talk about the SHU. If you
19 visit the SHU, and on this date, there was no
20 SHU lieutenant. Correct?

21 MR. [REDACTED]: No.

22 MR. [REDACTED]: So if you were visiting
23 the SHU, are you responsible to conduct any
24 rounds of the tiers as a lieutenant?

25 MR. [REDACTED]: Yeah. The lieutenant has to

1 make a round in SHU each shift.

2 MR. [REDACTED]: So when I say - but when
3 you visit the SHU, is it just visiting the SHU?
4 Checking in with the officers? Or do you - I
5 mean - checking in with the COs or is it
6 actually also doing a round of - where the
7 inmates are located and looking in their cells?

8 MR. [REDACTED]: I mean yeah, you're supposed
9 to do a round.

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

11 MR. [REDACTED]: You mean exactly what do you
12 supposed to specifically do?

13 MR. [REDACTED]: Yeah. I guess what I'm
14 asking is what does a lieutenant round in the
15 SHU consist of?

16 MR. [REDACTED]: I don't know. I know for me,
17 I used to like to go down the tiers.

18 MR. [REDACTED]: To actually check on the
19 inmates.

20 MR. [REDACTED]: Yeah.

21 MR. [REDACTED]: So you're actually doing
22 -?

23 MR. [REDACTED]: Do a whole complete round.

24 MR. [REDACTED]: So you're actually doing
25 a round of the inmates not just doing a round

1 in the SHU to say hey are you guys good with
2 the officers.

3 MR. [REDACTED]: Nah. Unless something
4 happens. Like if something happens you know.
5 They just say you all right - it was a BA. All
6 right. I'll be back or something like that.
7 But.

8 MR. [REDACTED]: Right-right. You mean if
9 you got called out or something like that - you
10 needed the run.

11 MR. [REDACTED]: That or they call you.

12 MR. [REDACTED]: Right.

13 MR. [REDACTED]: Something specific to a
14 specific tale or -.

15 MR. [REDACTED]: Yeah-yeah. But were you
16 responsible - and this is just in general not
17 just specifically you? It's any lieutenant.
18 If there's no SHU lieutenant responsible to do
19 a round on day watch of the inmates when they
20 visit the SHU.

21 MR. [REDACTED]: I'm not sure.

22 MR. [REDACTED]: You're not sure. But you
23 did.

24 MR. [REDACTED]: That day?

25 MR. [REDACTED]: No I mean just in

1 general. Like when you would visit the SHU you
2 would do that?

3 MR. ██████: Yeah. Say like if I fill in
4 or whatever. And there's no SHU lieutenant to
5 say hey you got to make a round. All right.
6 Or you have activities do it or whatever.

7 MR. ██████: So ops lieutenant tells
8 you to do the round?

9 MR. ██████: Anyone could say hey I'm
10 going up there or hey I got the round or
11 whatever.

12 MR. ██████: Does a lieutenant have to
13 do a round on that shift?

14 MR. ██████: That would be yeah you have
15 to do a round.

16 MR. ██████: Okay. So at least one
17 lieutenant on day watch on August 9, 2019, had
18 to do a round in the SHU of the inmates?

19 MR. ██████: On day watch?

20 MR. ██████: Yeah.

21 MR. ██████: Uh yeah.

22 MR. ██████: What about night watch
23 and morning watch? Do they have to do it on
24 those?

25 MR. ██████: Night watch and morning watch

1 yeah.

2 MR. ██████████: So every shift a
3 lieutenant has to -.

4 MR. ██████████: Three shifts you got to do a
5 round.

6 MR. ██████████: And that -?

7 MR. ██████████: Supposed to do a round.

8 MR. ██████████: And that's with the
9 inmates not just checking in?

10 MR. ██████████: I'm not sure.

11 MR. ██████████: Oh you're not sure. But
12 you would? When you did it?

13 MR. ██████████: I'm on (Indiscernible *
14 *00:19:51). I'm trying to move around. I
15 like to hit the tiers.

16 MR. ██████████: Okay. Cool. Do you remember
17 who you replaced on that day?

18 MR. ██████████: Who I relieved?

19 MR. ██████████: Yeah.

20 MR. ██████████: Who I relieved?

21 MR. ██████████: Who relieved -?

22 MR. ██████████: Nobody.

23 MR. ██████████: So because there's no
24 activities' lieutenant prior to you?

25 MR. ██████████: No.

1 MR. [REDACTED]: And that's because yeah
2 there's only - for the morning watch is there
3 only an ops lieutenant?

4 MR. [REDACTED]: Yep.

5 MR. [REDACTED]: So you were the first one
6 in on that day? And you said you arrived when?

7 MR. [REDACTED]: Um 6:00.

8 MR. [REDACTED]: 6:00 a.m. Okay. And you
9 said you just don't recall who replaced you or
10 if you stayed until 4:00. Correct?

11 MR. [REDACTED]: Yeah. Did you look at the
12 video?

13 MR. [REDACTED]: We didn't - haven't had a
14 reason to yet. I just assumed you would have
15 remembered.

16 MR. [REDACTED]: No. I don't remember.

17 MR. [REDACTED]: Okay.

18 MR. [REDACTED]: It was '19.

19 MR. [REDACTED]: Yeah-yeah-yeah. No just
20 because of the - you know this was probably one
21 of the biggest things that's ever happened.

22 MR. [REDACTED]: Yeah but that's why I'm like
23 why are they asking about it now? That's why
24 I'm like -.

25 MR. [REDACTED]: Yeah. I mean now is just

1 because there's things that have happened in
2 the past month that now is creating a --

3 MR. ██████: Oh with the case.

4 MR. ██████: Yeah. That we now have
5 to interview a ton of people to be able to find
6 out who was there, what happened, and all that
7 kind of stuff.

8 MR. ██████: Yeah. But I'm not sure about
9 the time on that.

10 MR. ██████: All right. And are you
11 familiar with Jeffrey Epstein?

12 MR. ██████: Yeah.

13 MR. ██████: Did you ever work or
14 visit the SHU while Epstein was assigned to the
15 SHU in July and August 2019?

16 MR. ██████: Probably yeah.

17 MR. ██████: Did Epstein have a
18 cellmate when he was in the SHU?

19 MR. ██████: Up until that day, right?

20 MR. ██████: Yes. And do you know if
21 there was a reason why Epstein was assigned a
22 cellmate?

23 MR. ██████: In SHU you're supposed to be
24 double bunked.

25 MR. ██████: Okay. So -.

1 MR. [REDACTED]: Even if you don't have the
2 whole prior thing before.

3 MR. [REDACTED]: So everybody in the SHU
4 is supposed to be?

5 MR. [REDACTED]: Not everybody. But you got
6 certain cases. But he was supposed to have a
7 bunk.

8 MR. [REDACTED]: So as far as who would -
9 who wouldn't be assigned a cellmate?

10 MR. [REDACTED]: House alone, rec alone
11 inmates. You know hunger strike inmates,
12 NPOs...

13 MR. [REDACTED]: But Epstein was one of
14 those inmates that should have had a cellmate?

15 MR. [REDACTED]: Yeah. He was a regular
16 inmate. Yeah.

17 MR. [REDACTED]: Okay. Um are you aware
18 that Epstein had attempted to commit suicide on
19 July 23, 2019?

20 MR. [REDACTED]: Yeah.

21 MR. [REDACTED]: And were you one of the
22 responding officers to that?

23 MR. [REDACTED]: No.

24 MR. [REDACTED]: Were you - did you have
25 any involvement with it?

1 MR. [REDACTED]: That incident? No.

2 MR. [REDACTED]: No. Do you know what
3 transpired?

4 MR. [REDACTED]: They say he put something
5 around his neck. In his cell. And that was
6 it.

7 MR. [REDACTED]: Did you ever hear any
8 rumors that his cell mate may have tried to
9 harm him?

10 MR. [REDACTED]: Oh yeah. You're talking
11 about um -. Yeah. I heard about that. Yeah.

12 MR. [REDACTED]: What did you hear about
13 that?

14 MR. [REDACTED]: That it was a ploy for him to
15 get (Indiscernible *00:22:43). Something like
16 that.

17 MR. [REDACTED]: All right. So did you -?
18 Is your understanding that he actually did try
19 to harm himself? Or was it your understanding
20 that his cell mate tried to harm him?

21 MR. [REDACTED]: You're talking about the
22 rumor?

23 MR. [REDACTED]: Yeah. What is your
24 understanding of --

25 MR. [REDACTED]: The rumor was the guy --

1 MR. [REDACTED]: -- what actually -?

2 MR. [REDACTED]: -- also had a high-profile
3 case.

4 MR. [REDACTED]: Okay.

5 MR. [REDACTED]: And I think Epstein was up
6 for a bail hearing. So they made it look like
7 he was doing that in order to get better.

8 MR. [REDACTED]: Okay.

9 MR. [REDACTED]: Yeah.

10 MR. [REDACTED]: Do you think there was
11 any legitimacy to the rumor?

12 MR. [REDACTED]: I don't know. Not after
13 this. Nah.

14 MR. [REDACTED]: No.

15 MR. [REDACTED]: No.

16 MR. [REDACTED]: All right. So do you
17 believe that he did actually try to harm
18 himself on July 23rd?

19 MR. [REDACTED]: Yeah.

20 MR. [REDACTED]: Okay. Um do you know as
21 a result of July 23rd if Epstein - if anything
22 happened with Epstein? Was he removed from the
23 SHU and placed anywhere else?

24 MR. [REDACTED]: Mm. He went to suicide
25 watch.

1 MR. [REDACTED]: Okay. And what happens
2 on suicide watch? Is that outside of the SHU?

3 MR. [REDACTED]: Yeah.

4 MR. [REDACTED]: And then after you get
5 placed on suicide watch. Is that a temporary
6 thing and then you get moved over to psych
7 observation?

8 MR. [REDACTED]: Not all the time. No.
9 That's up to psych. Psych makes that call.

10 MR. [REDACTED]: Do you - are you aware if
11 Epstein was outside of the SHU and on suicide
12 watch or psych observation for approximately
13 one week?

14 MR. [REDACTED]: I know he was definitely on
15 there. Because I remember seeing him.

16 MR. [REDACTED]: You saw him there?

17 MR. [REDACTED]: Yeah.

18 MR. [REDACTED]: Um is that because you
19 were doing rounds? Or why did you see him
20 there?

21 MR. [REDACTED]: I had to - because I'm the
22 one who does the showers.

23 MR. [REDACTED]: Okay.

24 MR. [REDACTED]: For suicide inmates. On
25 psych watch if you're down there. So he was

1 down there one day - probably a couple days.
2 But I know I took him to the shower one time.
3 Yeah.

4 MR. [REDACTED]: Okay. So you had some
5 interaction with him.

6 MR. [REDACTED]: Yeah.

7 MR. [REDACTED]: While he was in suicide
8 watch.

9 MR. [REDACTED]: Suicide watch. Yeah.

10 MR. [REDACTED]: Okay. And I just thought
11 - I thought you were only on suicide watch for
12 like 24 hours. And then after that it was
13 called psych observation. Is that not your
14 understanding?

15 MR. [REDACTED]: It's up to psych.

16 MR. [REDACTED]: Okay.

17 MR. [REDACTED]: That's a psych call.

18 MR. [REDACTED]: But is it in the same -
19 they're in the same location. Correct?

20 MR. [REDACTED]: Yeah but people who are on
21 suicide watch longer than 24 hours.

22 MR. [REDACTED]: Okay.

23 MR. [REDACTED]: Yeah.

24 MR. [REDACTED]: So your understanding the
25 whole time he was there it was called suicide

1 watch?

2 MR. [REDACTED]: I don't remember.

3 MR. [REDACTED]: Okay.

4 MR. [REDACTED]: The whole time he was there.

5 MR. [REDACTED]: Um do you know when he
6 was removed from suicide watch?

7 MR. [REDACTED]: No.

8 MR. [REDACTED]: Do you know why he was
9 removed from suicide watch?

10 MR. [REDACTED]: He would be moved because
11 psych said it's okay.

12 MR. [REDACTED]: Okay. And when someone
13 is on suicide watch, what does it entail?

14 MR. [REDACTED]: You have a suicide smock.
15 Suicide mattress. And a suicide blanket. And
16 you allow pretty much no items unless they
17 approved it, they supposed to have.

18 MR. [REDACTED]: Okay. And what's the
19 difference? What is the difference between
20 psych observation? What does that entail?

21 MR. [REDACTED]: You got the clothes.

22 MR. [REDACTED]: All right. So when
23 you're on suicide watch, you don't have
24 clothes?

25 MR. [REDACTED]: Naked.

1 MR. [REDACTED]: You're naked the whole
2 time? And you know if Epstein was naked that
3 whole time?

4 MR. [REDACTED]: He had a smock and a -.
5 Yeah. He didn't have no clothes.

6 MR. [REDACTED]: He didn't have clothes
7 when he was on suicide watch?

8 MR. [REDACTED]: You can't have clothes on
9 suicide watch.

10 MR. [REDACTED]: Okay. All right. So
11 does it sound right that he would have been
12 removed about a week later around July 30th.
13 Does that sound like a date --

14 MR. [REDACTED]: I don't know.

15 MR. [REDACTED]: -- or you're not sure?

16 MR. [REDACTED]: Mm-hm.

17 MR. [REDACTED]: Okay. Did you ever
18 receive any instructions from anyone with
19 regard to Epstein being assigned a cellmate
20 after he came back from suicide watch?

21 MR. [REDACTED]: I'm not sure.

22 MR. [REDACTED]: You don't remember any
23 verbal conversations or anything like that?

24 MR. [REDACTED]: No.

25 MR. [REDACTED]: All right. I'm going to

1 show you an email. And then you can tell me if
2 you remember receiving it. An email from a
3 [REDACTED]. Do you know who that is?

4 MR. [REDACTED]: Yeah.

5 MR. [REDACTED]: All right. It's to
6 Suicide Watch / Psych Observation Update. And
7 that's also what the subject is. And it's from
8 July 30, 2019. It says, "Inmate Epstein" and
9 it gives his reg number. "Is being taken off
10 of psych observation and needs to be housed
11 with an appropriate cellmate." Do you recall
12 receiving -?

13 MR. [REDACTED]: Yeah. It's a generic. We
14 always get those.

15 MR. [REDACTED]: You get those?

16 MR. [REDACTED]: Yeah.

17 MR. [REDACTED]: There's names on the
18 back. It shows that you were one of them and
19 that you read it. Do you see your name? Yeah.
20 It would be under J. So. It's all
21 alphabetical.

22 MR. [REDACTED]: It's under what?

23 MR. [REDACTED]: It would be your first -.

24 MR. [REDACTED]: Oh, okay. Yeah.

25 MR. [REDACTED]: So does that ring a bell?

1 Do you remember getting that?

2 MR. [REDACTED]: Yeah.

3 MR. [REDACTED]: Okay. Cool. And then do
4 you recall -? So you are aware that he needed
5 a cellmate then. Correct? You already said
6 that you knew he needed one because he was a
7 regular inmate. Right?

8 MR. [REDACTED]: Yeah. But I don't know what
9 this is at 12:30 the 30th right?

10 MR. [REDACTED]: Yeah 7:30 - so yeah.

11 MR. [REDACTED]: Oh it was 7:30 July 30th?
12 So he got off on July 30th?

13 MR. [REDACTED]: Correct.

14 MR. [REDACTED]: Okay.

15 MR. [REDACTED]: Placed back in the SHU
16 and required a cellmate.

17 MR. [REDACTED]: Okay.

18 MR. [REDACTED]: And just before we
19 forget. Do you mind just initialing and dating
20 each one of these documents just so that they
21 don't start piling up? And as well as that
22 email. Thank you, sir. Now do you remember
23 having any conversations with anyone else like
24 verbal. Like [REDACTED] or anybody regarding the
25 need for him to have a cellmate?

1 MR. [REDACTED]: No.

2 MR. [REDACTED]: Because, I'm assuming, he
3 was the most high-profile if not one of the
4 most high-profile inmates at the time.
5 Correct?

6 MR. [REDACTED]: Yeah.

7 MR. [REDACTED]: So would that be
8 something that they would - people would
9 usually communicate with the activities and the
10 ops lieutenant about?

11 MR. [REDACTED]: I mean if you got the email.

12 MR. [REDACTED]: Okay.

13 MR. [REDACTED]: Yeah.

14 MR. [REDACTED]: You got a follow-up that
15 you wanted to ask something?

16 MR. [REDACTED]: We'll finish up on this.
17 Because it's going back one.

18 MR. [REDACTED]: No-no. Please. Go
19 ahead.

20 MR. [REDACTED]: So you mentioned that you had
21 interacted with Epstein when he was on suicide
22 watch. You took him for his showers.

23 MR. [REDACTED]: Yeah.

24 MR. [REDACTED]: How was the interactions with
25 him?

1 MR. ██████: You know, cuff up, take him
2 to the shower.

3 MR. ██████: Did you ever talk to him?

4 MR. ██████: Yeah.

5 MR. ██████: Was he pleasant? Were there
6 any issues with that?

7 MR. ██████: He was saying hey, while I'm
8 down here, pretty much he asked why he was down
9 here. I said well, he was like yeah, I'm not
10 suicidal, such-and-such. And you know let me
11 talk to psych so I could get off this. I don't
12 think he liked it.

13 MR. ██████: This was immediately after
14 the July 23rd?

15 MR. ██████: I don't know exactly what day
16 it was. But you know it was around there.

17 MR. ██████: Got it.

18 MR. ██████: We're going to follow-up
19 with some of those more lines of questioning
20 later on in the interview. Um so you don't
21 recall though receiving specific instructions
22 from Captain ██████ or anyone else with regard
23 to Epstein? You just - you do know he needed
24 one and you did get the email?

25 MR. ██████: These come all the time. Any

1 inmate comes off of watch, they send it out.

2 MR. [REDACTED]: And should everyone know
3 if someone comes off of watch that they are
4 required to have a cellmate?

5 MR. [REDACTED]: I'm not sure. I mean that's
6 what they do. They come out. Anyone comes off
7 suicide watch, you put them in with a cellmate.

8 MR. [REDACTED]: Yeah. And that's pretty
9 general, common knowledge. Correct? And where
10 do you learn that? Is that from your daily
11 operations? Or do you learn that in training
12 as well?

13 MR. [REDACTED]: I don't know. I guess it's
14 daily operations.

15 MR. [REDACTED]: Okay. But most people
16 should know that a person coming off of suicide
17 watch is required to have a cellmate.

18 MR. [REDACTED]: Uh I mean it depends. I
19 don't know. I know we get these emails though.
20 They send them out any time an inmate comes
21 off. You try to put them with a cellmate. But
22 then again like I said in the SHU, it's you
23 know. Because even if they come off suicide
24 watch, they don't -. Say like they come off
25 they stay in SHU for a year. They have to have

1 a cellmate for a year. You understand what I'm
2 saying? So as far as the notice we get, but do
3 everyone know that? I'm not sure about that.

4 MR. [REDACTED]: But you knew.

5 MR. [REDACTED]: Yeah.

6 MR. [REDACTED]: How did you know though?

7 MR. [REDACTED]: I got the email.

8 MR. [REDACTED]: Okay. So, your knowledge
9 is from the email, but earlier, you said that
10 anybody in the SHU, anyway, needs to a cell
11 mate?

12 MR. [REDACTED]: Yeah.

13 MR. [REDACTED]: All right. So, he had
14 basically two requirements to him. One, there
15 was the email that he received; also, the fact
16 that he was in the SHU, and he didn't have any
17 of those special requirements, like, he was
18 going to harm someone else, or something like
19 that, that he should have had a cellmate?

20 MR. [REDACTED]: Right.

21 MR. [REDACTED]: All right. And do you
22 know if you ever communicated that to anybody,
23 when you visited the SHU in July or August of
24 2019?

25 MR. [REDACTED]: Hmm. I'm not sure.

1 MR. ██████████: Like, the people that
2 worked in the SHU, would have you would have
3 been as the activities' lieutenant, if you're
4 doing a round in there. Is that something that
5 you would address?

6 MR. ██████████: Bring up? Yeah. If I - yeah
7 - but if he had a - one - if he had a cellmate,
8 though.

9 MR. ██████████: Right.

10 MR. ██████████: Yeah. Bring something up if
11 they didn't. Uh-huh.

12 MR. ██████████: So, you'd only bring it
13 up if you knew he didn't have one?

14 MR. ██████████: So, like, if you say, hey,
15 guys, how many single cells I have? Such and
16 such. Hey, what's going on? Hey, well, this is
17 the reason. Yeah.

18 MR. ██████████: And is that something -
19 when you would visit the SHU - is that
20 something you would ask? How many single cells
21 do you have?

22 MR. ██████████: Yeah.

23 MR. ██████████: Is that a like one of the
24 check-the-box things? Does everybody that
25 visits the SHU --

1 MR. [REDACTED]: I can't speak for everybody.
2 But I know, even as OIC, we said, hey, you know
3 the fine, we have single cells. Maneuver to
4 condense it for space. Stuff like that.

5 MR. [REDACTED]: Okay.

6 MR. [REDACTED]: So, I don't know if everyone
7 (Indiscernible *00:32:18) into it.

8 MR. [REDACTED]: But that's what you would
9 do? When you were the activities' lieutenant?

10 MR. [REDACTED]: No. Sometimes.

11 MR. [REDACTED]: Okay.

12 MR. [REDACTED]: If I seen someone without,
13 hey, what's going on with this dude? Well, he's
14 housed (Indiscernible *00:32:28) room.

15 MR. [REDACTED]: Okay.

16 MR. [REDACTED]: Okay.

17 MR. [REDACTED]: But when you would visit
18 the SHU, was that something you would address,
19 saying how many single cells do we got?

20 MR. [REDACTED]: I'm not the SHU lieutenant.

21 MR. [REDACTED]: Oh, only if you're the
22 SHU lieutenant?

23 MR. [REDACTED]: Yeah.

24 MR. [REDACTED]: I'm talking about --

25 MR. [REDACTED]: The SHU lieutenant --

1 MR. [REDACTED]: -- when you do your
2 rounds.

3 MR. [REDACTED]: -- you do the rounds, you
4 only say it if you know that someone got - a
5 new come in. Okay, you got space for him. No.
6 Right now, we've got to put him in a single
7 cell, or something like that.

8 MR. [REDACTED]: Okay. And were you ever
9 the SHU lieutenant?

10 MR. [REDACTED]: At MCC?

11 MR. [REDACTED]: Yeah.

12 MR. [REDACTED]: I don't think so. I was
13 never SHU lieutenant.

14 MR. [REDACTED]: Okay. But do you
15 remember ever having any conversations with
16 anyone in the SHU --

17 MR. [REDACTED]: No.

18 MR. [REDACTED]: -- at the MCC about
19 Epstein and his cellmate requirement?

20 MR. [REDACTED]: No.

21 MR. [REDACTED]: No? All right. So,
22 referring to the duty assignment roster, who
23 were the MCC's supervisor on duty, with
24 responsibility for overseeing the SHU on August
25 9, 2019, when you were working?

1 MR. [REDACTED]: It would be me and [REDACTED].

2 MR. [REDACTED]: So, the two of you would
3 be responsible?

4 MR. [REDACTED]: On day watch. Yeah.

5 MR. [REDACTED]: Okay. And then, would it
6 be the same thing for the shift after you?
7 Would that be the activities' lieutenant and
8 the ops lieutenant?

9 MR. [REDACTED]: Yeah.

10 MR. [REDACTED]: And is that because, when
11 the SHU lieutenant is not there, activities'
12 lieutenant and ops lieutenant always have
13 oversight of the SHU?

14 MR. [REDACTED]: Well, I told you we have to
15 make a round.

16 MR. [REDACTED]: Right.

17 MR. [REDACTED]: In SHU. Yeah.

18 MR. [REDACTED]: But that would be the
19 lieutenants - they would be the lieutenants
20 that would have oversight over the SHU,
21 correct?

22 MR. [REDACTED]: Yeah. Pretty much.

23 MR. [REDACTED]: Okay. On August 9th,
24 what communications did you have with any of
25 the other lieutenants with regard to Epstein

1 being housed with the MCC, or the MCC SHU? Can
2 you recall?

3 MR. ██████: No.

4 MR. ██████: And again, thinking back,
5 this is like one of the biggest things that's
6 ever happened when you were there, this guy
7 dies. Can you remember any conversations you
8 had the day before, with anyone, with regards
9 to Epstein?

10 MR. ██████: I just know that he used to
11 come legal all the time.

12 MR. ██████: Yeah.

13 MR. ██████: Attorney conference, pretty
14 much the whole day.

15 MR. ██████: Right.

16 MR. ██████: And that's about it.

17 MR. ██████: And about what time would
18 he be moved to attorney conference?

19 MR. ██████: Early. Like, probably 8:00
20 in the morning.

21 MR. ██████: And who would be the
22 person that would move him there?

23 MR. ██████: The SHU staff. Get him out
24 the SHU.

25 MR. ██████: Okay.

1 MR. [REDACTED]: He was in SHU.

2 MR. [REDACTED]: And what would the - as
3 the activities' lieutenant, did you visit him
4 at all in attorney conference, or check on him?
5 Is that part of your round process?

6 MR. [REDACTED]: It's not part of the rounds,
7 but if you see him in there, if you standing by
8 the elevators or something like that, yeah.

9 MR. [REDACTED]: Okay.

10 MR. [REDACTED]: But you're not - you don't
11 have to check. No.

12 MR. [REDACTED]: All right. Did anyone
13 ever provide you with special instructions,
14 with regards to Epstein?

15 MR. [REDACTED]: Special instructions?

16 MR. [REDACTED]: Yeah.

17 MR. [REDACTED]: Like? Something - no.

18 MR. [REDACTED]: No?

19 MR. [REDACTED]: With special instructions?
20 Like -?

21 MR. [REDACTED]: Like, conversations with
22 Epstein, hey, make sure you do this. Just
23 Epstein, make sure this is going - you know? I
24 guess specific instructions. Maybe "special"
25 isn't the right word --

1 MR. [REDACTED]: No.

2 MR. [REDACTED]: -- but did anyone ever
3 specifically say, you know, this is Epstein,
4 we've got to make sure we're doing this?

5 MR. [REDACTED]: Hmm-mm. No. Not that I
6 recall.

7 MR. [REDACTED]: No? Did any lieutenants
8 ever talk to you about Epstein's requirement to
9 have a cellmate?

10 MR. [REDACTED]: Hmm-mm. I mean, it's not -.
11 Like I said, we've got the email.

12 MR. [REDACTED]: Right.

13 MR. [REDACTED]: There's no one saying, hey,
14 by the way, (Indiscernible *00:36:07), and
15 didn't he have a cellmate up until then? I
16 think he had a cellmate since he got on the
17 suicide watch. So, I don't think there was a
18 lapse in it.

19 MR. [REDACTED]: Right.

20 MR. [REDACTED]: Yeah.

21 MR. [REDACTED]: So, what about up until
22 then? You're saying, so --

23 MR. [REDACTED]: Right. Yeah. The cellmate,
24 right?

25 MR. [REDACTED]: -- so, what is your

1 understanding of what happened --

2 MR. [REDACTED]: What happened?

3 MR. [REDACTED]: -- on August 9th?

4 MR. [REDACTED]: His cellmate went to court,
5 and either went to transferred, or got
6 released, or something. And never came back.
7 And then, you know, that night, he went out, he
8 went without a cellmate.

9 MR. [REDACTED]: Okay.

10 MR. [REDACTED]: Yeah.

11 MR. [REDACTED]: So, we'll get into that.
12 I'll ask you a couple more questions, then,
13 just to make sure we stay on kind of page, at
14 the bottom of this page, you see, we're going
15 to start talking about that inmate. And I'll
16 just - what you knew about that. You said the
17 lieutenants are responsible for conducting
18 rounds. Are they responsible for conducting
19 counts in the SHU?

20 MR. [REDACTED]: No.

21 MR. [REDACTED]: No? So, like, just
22 around, nothing to do with counts when you were
23 -?

24 MR. [REDACTED]: Count is for officers.

25 MR. [REDACTED]: Okay. And you don't need

1 to oversee them as the lieutenant, or anything
2 like that?

3 MR. [REDACTED]: You could take a count, but
4 usually, you're doing patrol, you're not doing
5 the count with the officers.

6 MR. [REDACTED]: Right. So, in physically
7 presence in the SHU, the only time that the
8 lieutenant is involved is actually with rounds,
9 not with counts?

10 MR. [REDACTED]: Not with counts.

11 MR. [REDACTED]: Okay. And did you
12 conduct any rounds in the SHU, on August 9,
13 2019?

14 MR. [REDACTED]: I'm not sure. I can't
15 recall.

16 MR. [REDACTED]: You don't remember?
17 Again, you're placing yourself back on one of
18 the biggest incidences, and you know all this
19 circus that's been going on since that time.

20 MR. [REDACTED]: Yeah, I know.

21 MR. [REDACTED]: So, you can't really put
22 yourself back on that day of, like, hey, what
23 was my involvement with this, and did I -?

24 MR. [REDACTED]: No. No. I had no
25 involvement with this.

1 MR. [REDACTED]: Well, that's what I mean,
2 but you --

3 MR. [REDACTED]: Mm-hmm.

4 MR. [REDACTED]: -- were the activities'
5 lieutenant, you know, on the, you know, the day
6 before.

7 MR. [REDACTED]: Yeah.

8 MR. [REDACTED]: And specifically, like
9 you just said, on the day before, when his
10 cellmate was removed.

11 MR. [REDACTED]: Yeah.

12 MR. [REDACTED]: So, you can't remember?

13 MR. [REDACTED]: If I did a round, then no.

14 MR. [REDACTED]: Okay. So, you can't -.
15 Then, do you remember having any conversations
16 with any of the people listed in there, on your
17 shift, in the SHU? On that date, specifically
18 with regard to Epstein, or Reyes, his cellmate.

19 MR. [REDACTED]: No.

20 MR. [REDACTED]: All right. And it'll be,
21 like, a [REDACTED], [REDACTED],
22 [REDACTED], Michael Thomas, Tova Noel, [REDACTED],
23 [REDACTED], [REDACTED]. None of those
24 people?

25 MR. [REDACTED]: No.

1 MR. [REDACTED]: Okay. So, you didn't
2 speak to any of those people about Epstein
3 being required to have a cellmate since his
4 cellmate was gone?

5 MR. [REDACTED]: You're talking about that
6 day?

7 MR. [REDACTED]: Yeah.

8 MR. [REDACTED]: Or you're just saying --

9 MR. [REDACTED]: On the day that --

10 MR. [REDACTED]: -- I can't remember.

11 MR. [REDACTED]: -- okay. All right. The
12 people that are in the SHU, are they
13 responsible for conducting counts and round
14 during their shift?

15 MR. [REDACTED]: Yes.

16 MR. [REDACTED]: As far as the shift that
17 you worked, on day watch, what is your
18 understanding of how many rounds and counts
19 they should have done?

20 MR. [REDACTED]: There's no counts on day
21 watch.

22 MR. [REDACTED]: Okay. What about the
23 rounds?

24 MR. [REDACTED]: The rounds, every - you're
25 doing a certain shift, we go about. So, you do

1 one, say, like, 8:00 to 8:30, you do one. 8:30
2 to 9:00, you do one.

3 MR. [REDACTED]: So, every 30 minutes?

4 MR. [REDACTED]: Every 30 minutes. Not to
5 exceed 40 minutes. They're regular rounds.

6 MR. [REDACTED]: Okay. And you're
7 supposed to do one of those rounds with them,
8 but you can't recall whether you did or not?

9 MR. [REDACTED]: No. We're not supposed to do
10 rounds with them. No.

11 MR. [REDACTED]: You're supposed to just
12 do your own round?

13 MR. [REDACTED]: Yeah.

14 MR. [REDACTED]: Okay.

15 MR. [REDACTED]: Do our round in SHU.

16 MR. [REDACTED]: And can you recall if you
17 did your round in SHU?

18 MR. [REDACTED]: No, I can't.

19 MR. [REDACTED]: You can't recall? Would
20 it be abnormal if you didn't?

21 MR. [REDACTED]: I can't recall.

22 MR. [REDACTED]: You can't recall if it
23 would be abnormal if you didn't?

24 MR. [REDACTED]: If I didn't do the round?

25 MR. [REDACTED]: Right.

1 MR. ██████: Would it be abnormal? I mean,
2 I'm not the SHU lieutenant. That's what I'm
3 saying.

4 MR. ██████: But there's no SHU
5 lieutenant, you said, that, you know, you or
6 ██████ would be responsible. So, I'm saying,
7 would it be abnormal if you didn't do it? So,
8 would you normally have done it? I know you
9 said you're responsible for it.

10 MR. ██████: No. The lieutenants are
11 responsible, but if a Monday through Friday, if
12 a SHU lieutenant is there, there's no reason
13 for me to go up there.

14 MR. ██████: But there's no SHU
15 lieutenant.

16 MR. ██████: Right. So, but I don't
17 recall if I did a round or not. No.

18 MR. ██████: Okay. But the last
19 question wasn't that. I'm saying, would it
20 have been abnormal if you didn't do one? I know
21 you can't recall it --

22 MR. ██████: Yeah.

23 MR. ██████: -- but would you normally
24 have done it, if there's no SHU lieutenant?

25 MR. ██████: Yeah.

1 MR. [REDACTED]: Yeah? So, knowing
2 yourself, you probably would -.

3 MR. [REDACTED]: If there's no SHU lieutenant,
4 yeah.

5 MR. [REDACTED]: Okay.

6 MR. [REDACTED]: Okay.

7 MR. [REDACTED]: When did you become aware
8 that inmate Reyes was removed from the MCC on
9 August 9, 2019?

10 MR. [REDACTED]: I don't know.

11 MR. [REDACTED]: What is -.

12 MR. [REDACTED]: The only thing I heard is, I
13 know, I woke up, they're saying, I saw the
14 story.

15 MR. [REDACTED]: What is your involvement,
16 as the activities' lieutenant that day, with
17 inmates who are going to court?

18 MR. [REDACTED]: I didn't have no involvement.

19 MR. [REDACTED]: So, the activities --

20 MR. [REDACTED]: (Indiscernible *00:41:32).

21 MR. [REDACTED]: -- lieutenant is not
22 involved?

23 MR. [REDACTED]: No.

24 MR. [REDACTED]: Is the ops lieutenant
25 involved?

1 MR. [REDACTED]: Not really, no.

2 MR. [REDACTED]: So, who is involved? Who

3 -?

4 MR. [REDACTED]: R&D. Receive and Discharge.

5 MR. [REDACTED]: Okay. And do you

6 remember who was working in R&D that day, in

7 that morning?

8 MR. [REDACTED]: No.

9 MR. [REDACTED]: Are you able to tell by
10 looking at that --

11 MR. [REDACTED]: No.

12 MR. [REDACTED]: -- sheet? How does that
13 work? How do you find out who was in R&D for
14 that day? On that morning.

15 MR. [REDACTED]: That's the custody roster.
16 I'm not sure.

17 MR. [REDACTED]: So, that's a different
18 roster?

19 MR. [REDACTED]: Yeah.

20 MR. [REDACTED]: What would that roster be
21 called?

22 MR. [REDACTED]: I don't know.

23 MR. [REDACTED]: You're not sure?

24 MR. [REDACTED]: That's not our department.

25 MR. [REDACTED]: Okay. So, did they come

1 and retrieve those individuals from the SHU, or
2 does the SHU staff bring them to R&D?

3 MR. [REDACTED]: It depends. If it's busy,
4 you say, hey, I need help, they go up and help
5 you out. If not, the SHU crew, all right, take
6 them down.

7 MR. [REDACTED]: So, if it were at a non-
8 busy traditional way, who would have been the
9 people on that roster?

10 MR. [REDACTED]: The SHU crew.

11 MR. [REDACTED]: And who on that day?

12 MR. [REDACTED]: You mean, for the court
13 movements?

14 MR. [REDACTED]: Yeah. Like, what time?
15 First of all, I guess I should say.

16 MR. [REDACTED]: It depends - that's what I'm
17 saying - so, it depends on if they're going to
18 Brooklyn, or wherever, you start early at 6:00.
19 So, that would morning watch or day watch.

20 MR. [REDACTED]: So, it would be one or
21 the other? And does not - let's say if it was
22 8:00 a.m., who would have it been?

23 MR. [REDACTED]: The day watch crew.

24 MR. [REDACTED]: And who was on day watch
25 that day?

1 MR. [REDACTED]: Hmm. [REDACTED]. [REDACTED].

2 [REDACTED].

3 MR. [REDACTED]: And anybody - any of
4 those people - do you remember speaking about
5 Reyes?

6 MR. [REDACTED]: No.

7 MR. [REDACTED]: All right. And who was
8 the OIC? Who was the officer-in-charge, out of
9 that crew?

10 MR. [REDACTED]: Hmm. [REDACTED].

11 MR. [REDACTED]: [REDACTED] was? Not [REDACTED]?

12 MR. [REDACTED]: According to this, it was
13 [REDACTED].

14 MR. [REDACTED]: Okay. So, on the
15 document, it's [REDACTED]. All right. I'm going
16 to show you a memo that was written by [REDACTED]
17 on August 12, 2019. And it's the subject is,
18 "Pass information from Special Housing Unit."
19 It says, "On Friday, August 9, 2019, at
20 approximately 1:50 p.m., I, SIS [REDACTED],
21 passed on to oncoming staff, officers [REDACTED] and
22 present shift staff, SIS [REDACTED], and Officer
23 [REDACTED], that inmate Reyes was going WAB, and
24 possibly may not return. Also, that inmate
25 Epstein will be needing a cellmate upon arrival

1 from his attorney visit." So, does that
2 refresh your memory? Did you have any
3 conversations with [REDACTED]?

4 MR. [REDACTED]: No.

5 MR. [REDACTED]: Who would have made
6 [REDACTED] aware that Reyes was going WAB?

7 MR. [REDACTED]: He could see it on the
8 roster. They send a sheet up the night before.

9 MR. [REDACTED]: So, if that's not on the
10 night before, if on the night before, there's
11 no WAB - and this is at 1:50 p.m. that this
12 notification was made note - if there's no WAB
13 -. Well first of all what's WAB stand for?

14 MR. [REDACTED]: With All Belongings.

15 MR. [REDACTED]: And if WAB is not next to
16 Reyes' name on the night before, the August 8th
17 roster, how would have he become aware at
18 around 1:50? Would normally the court call
19 R&D, and R&D pass that information along?

20 MR. [REDACTED]: R&D could have called him.

21 MR. [REDACTED]: So, would R&D call SHU
22 directly, or would they typically call the ops
23 or activities' lieutenant?

24 MR. [REDACTED]: They call the SHU.

25 MR. [REDACTED]: They do call SHU

1 directly? They wouldn't call you guys, and you
2 would have to the pass information on?

3 MR. [REDACTED]: No.

4 MR. [REDACTED]: Okay. So, is it your
5 belief, then, that if it's that, in fact, what
6 happened, if Reyes went to court, and then he
7 became WAB? Just tell me, what is your
8 understanding --

9 MR. [REDACTED]: I'm not sure how that one.

10 MR. [REDACTED]: -- of how that would
11 work?

12 MR. [REDACTED]: I'm not sure about that.

13 MR. [REDACTED]: Yeah. I'm not saying,
14 specifically, how he got it. What would be the
15 typical way that would work? If an inmate --

16 MR. [REDACTED]: If an inmate --.

17 MR. [REDACTED]: -- goes to work --

18 MR. [REDACTED]: Mm-hmm.

19 MR. [REDACTED]: -- and then is released.

20 MR. [REDACTED]: Mm-hmm.

21 MR. [REDACTED]: How does that process
22 work? Once that inmate is released, what
23 happens from that point, for the court, how do
24 they make the notifications known to the MCC,
25 all the way down to where that inmate was

1 housed? Specifically, this one in the SHU.

2 MR. [REDACTED]: R&D. Hey, that guy's not
3 coming back.

4 MR. [REDACTED]: Okay.

5 MR. [REDACTED]: Yeah.

6 MR. [REDACTED]: And then, would they
7 typically say, now WAB, would that be the words
8 that they would use, or would they say, he's
9 not coming back?

10 MR. [REDACTED]: Either/or. The WAB is
11 something that's on the roster.

12 MR. [REDACTED]: Okay. So, is WAB
13 specific to the roster, or is WAB also if he
14 was called and told?

15 MR. [REDACTED]: I'm not sure. I don't know.
16 I've seen it before on the roster. Like, hey,
17 this is the court list. It says WAB.

18 MR. [REDACTED]: Right. And I'm saying --

19 MR. [REDACTED]: Yeah.

20 MR. [REDACTED]: -- in this circumstance,
21 if there is no WAB --

22 MR. [REDACTED]: I'm not sure.

23 MR. [REDACTED]: -- next to Reyes' name --

24 MR. [REDACTED]: I'm not sure.

25 MR. [REDACTED]: -- okay. But you didn't

1 have any conversations with [REDACTED]?

2 MR. [REDACTED]: No.

3 MR. [REDACTED]: No? And you seem pretty
4 confident with that. Not like I can't recall.
5 You did not have any conversations with
6 [REDACTED]?

7 MR. [REDACTED]: Yeah, I had no conversations
8 with him.

9 MR. [REDACTED]: What about with [REDACTED]?
10 Did you have any conversations with [REDACTED] about
11 Reyes going WAB or not coming back?

12 MR. [REDACTED]: Pfft, I can't recall that,
13 either.

14 MR. [REDACTED]: Did you know that Reyes
15 had left that day for court?

16 MR. [REDACTED]: No.

17 MR. [REDACTED]: So then, therefore, did
18 you not know that he was not coming back?

19 MR. [REDACTED]: No, I didn't know. No.

20 MR. [REDACTED]: Okay. And you don't
21 remember if you actually did a round in the SHU
22 to see that he wasn't there?

23 MR. [REDACTED]: No.

24 MR. [REDACTED]: So, can you recall any
25 conversations you had that day about Reyes?

1 MR. ██████: I don't think I had no
2 conversations about Reyes.

3 MR. ██████: That's what I'm asking.
4 So, you can't recall any conversations you had
5 that day about Reyes?

6 MR. ██████: No.

7 MR. ██████: And you don't think you
8 had any?

9 MR. ██████: No.

10 MR. ██████: No? Okay. All right.
11 We're going to continue with this.

12 MR. ██████: I've got --

13 MR. ██████: Go ahead.

14 MR. ██████: -- so, just to clarification.
15 The night before, how would MCC get to know
16 that Reyes is leaving?

17 MR. ██████: Well, like I said, the court
18 list.

19 MR. ██████: The court list. Who creates
20 it?

21 MR. ██████: But sometimes, that's not
22 always accurate.

23 MR. ██████: Who creates that?

24 MR. ██████: Hmm-mm. I guess R&D.

25 MR. ██████: And it doesn't show who's in

1 R&D over there, right?

2 MR. [REDACTED]: No.

3 MR. [REDACTED]: No. But R&D creates the
4 court list. And what do they do with that
5 court list?

6 MR. [REDACTED]: They send it out to all the
7 units. So, you get one. If you're a unit
8 officer, you'll get it and say, okay, I got
9 three guys leaving, because it says WAB. So,
10 you say, hey, wake up, we're packing up, and
11 leaving.

12 MR. [REDACTED]: They send the whole list, or
13 they just did the email saying, hey, these are
14 the inmates leaving from here?

15 MR. [REDACTED]: Yeah. I've never seen an
16 email. I've just seen the list.

17 MR. [REDACTED]: Okay. And it's just, like, a
18 generic email that goes out to everyone?

19 MR. [REDACTED]: It's a call list.

20 MR. [REDACTED]: But - sorry, I want to
21 make sure that I understood what you just said
22 - is it provided by email, or is it provided by
23 --

24 MR. [REDACTED]: I've never seen it provided
25 by email.

1 MR. [REDACTED]: -- so, you've never seen
2 it on email. It's just a list that's provided.
3 So, who - R&D comes and gives it to the SHU?

4 MR. [REDACTED]: No. They send it up.

5 MR. [REDACTED]: So, Internal comes and
6 gets it?

7 MR. [REDACTED]: Internal. Yeah.

8 MR. [REDACTED]: So, on this date, would
9 you know who would have been Internal? Who
10 would have provided that list to the SHU?

11 MR. [REDACTED]: I see who's Internal, but I'm
12 not - I don't know if they would have provided
13 it. We've got two Internals.

14 MR. [REDACTED]: And who are the two
15 Internals?

16 MR. [REDACTED]: [REDACTED] (Phonetic Sp.
17 *00:48:29) and [REDACTED].

18 MR. [REDACTED]: [REDACTED] and [REDACTED]?

19 MR. [REDACTED]: Yeah.

20 MR. [REDACTED]: All right. So, they're
21 the two that typically - you're not saying that
22 they did - but they're typically the people
23 that would have provided the court list?

24 MR. [REDACTED]: Yeah. Internal. That's what
25 they usually do. It could have been a

1 sanitation.

2 MR. [REDACTED]: Now, isn't the list
3 typically provided the day before, or is it
4 just created the day before?

5 MR. [REDACTED]: I don't know. I can't -. Is
6 it provided the day before?

7 MR. [REDACTED]: Yeah.

8 MR. [REDACTED]: It was provided the same day.

9 MR. [REDACTED]: It is?

10 MR. [REDACTED]: You get about - you get the
11 morning watch the day of.

12 MR. [REDACTED]: I was always - I was
13 under the understanding that the night before,
14 on August 8th, they would create the list for
15 the morning, on the August 9th. Do you know --

16 MR. [REDACTED]: Yeah.

17 MR. [REDACTED]: -- was that a correct
18 understanding?

19 MR. [REDACTED]: I'm not sure. All I know is,
20 if you're an officer, you get it the day of.

21 MR. [REDACTED]: All right. So -.

22 MR. [REDACTED]: Because when I was an
23 officer, I used to get it the day of.

24 MR. [REDACTED]: All right. And you've
25 worked in the SHU before?

1 MR. [REDACTED]: Yes.

2 MR. [REDACTED]: Okay. So, when you
3 worked in the SHU, it would come in that
4 morning?

5 MR. [REDACTED]: Yeah.

6 MR. [REDACTED]: Around what time would it
7 arrive?

8 MR. [REDACTED]: About 2:00 in the morning. I
9 know that's early.

10 MR. [REDACTED]: Oh, super early.

11 MR. [REDACTED]: Yeah.

12 MR. [REDACTED]: So, it would come in at
13 morning watch.

14 MR. [REDACTED]: Yeah. Morning watch.

15 MR. [REDACTED]: Okay. And are there
16 people in Internal working at that time, around
17 2:00 a.m.?

18 MR. [REDACTED]: Yeah.

19 MR. [REDACTED]: And is that the same
20 people you just listed?

21 MR. [REDACTED]: Yeah.

22 MR. [REDACTED]: So, those morning watch
23 individuals are the ones that would probably
24 have provided the court list?

25 MR. [REDACTED]: Yeah.

1 MR. [REDACTED]: And do you know, is that
2 document maintained anywhere? The court list
3 document?

4 MR. [REDACTED]: No.

5 MR. [REDACTED]: Is that, like, uploaded
6 in any kind of system?

7 MR. [REDACTED]: Not that I know of.

8 MR. [REDACTED]: No? So, do you know who -
9 you said R&D creates it?

10 MR. [REDACTED]: Mm-hmm.

11 MR. [REDACTED]: But they don't create it
12 in a system. They just -.

13 MR. [REDACTED]: I don't know. I mean, that's
14 not my department.

15 MR. [REDACTED]: Okay.

16 MR. [REDACTED]: Mm-hmm.

17 MR. [REDACTED]: Is there, like, an
18 officer-in-charge of R&D?

19 MR. [REDACTED]: Yeah. So, you have a CMC.

20 MR. [REDACTED]: And --

21 MR. [REDACTED]: Corrections.

22 MR. [REDACTED]: -- do you know who, in
23 August, would have been that person?

24 MR. [REDACTED]: In August, no. Because I
25 know the CMC was out for a while. And they got

1 a - they also had a supervisor.

2 MR. [REDACTED]: And do you know who that
3 would be?

4 MR. [REDACTED]: No. But they had a
5 supervisor. I know that's their position, but
6 I don't know who it is.

7 MR. [REDACTED]: And that would be, like,
8 a lieutenant?

9 MR. [REDACTED]: No.

10 MR. [REDACTED]: Who would -?

11 MR. [REDACTED]: Lieutenant is custody. R&D
12 is non-custody.

13 MR. [REDACTED]: Explain to me what R&D
14 is, and as far as -.

15 MR. [REDACTED]: That's Receiving and
16 Discharge.

17 MR. [REDACTED]: Yeah, yeah, yeah, yeah.

18 MR. [REDACTED]: So, they deal with the inmate
19 movement, the inmate courts, the transfers, the
20 self-surrenders.

21 MR. [REDACTED]: And you're saying that
22 they're not called lieutenants or anything.
23 What are their titles?

24 MR. [REDACTED]: Correctional systems officer.

25 MR. [REDACTED]: Correctional systems

1 officers. And, like, a supervisor, would they
2 still be, like -?

3 MR. [REDACTED]: Supervisor correctional
4 systems officer.

5 MR. [REDACTED]: And would that be, like,
6 a nine or an 11 type of --

7 MR. [REDACTED]: Something like that.

8 MR. [REDACTED]: -- position? All right.
9 But they're just outside of, you said custody,
10 underneath -. What is the system that they're
11 underneath?

12 MR. [REDACTED]: It's the non-custody and
13 custody.

14 MR. [REDACTED]: Okay.

15 MR. [REDACTED]: And they have correctional
16 officer, a correctional worker, as opposed to
17 custody is a correctional officer.

18 MR. [REDACTED]: Okay. And who would be -
19 . Does the captain also have oversight over
20 them?

21 MR. [REDACTED]: No.

22 MR. [REDACTED]: Who has oversight over
23 them? Non-custody.

24 MR. [REDACTED]: The CMC. They have a
25 supervisor.

1 MR. [REDACTED]: What does the CMC mean?

2 MR. [REDACTED]: Correctional Management
3 Coordinator.

4 MR. [REDACTED]: Okay. And that is
5 outside of the captain's purview?

6 MR. [REDACTED]: Yup.

7 MR. [REDACTED]: And you don't remember
8 who that was, at that time?

9 MR. [REDACTED]: No.

10 MR. [REDACTED]: Okay. And you said you
11 did not have any conversations at all. So, you
12 didn't have any conversations with [REDACTED] about
13 Reyes?

14 MR. [REDACTED]: No. Not that I remember.
15 No.

16 MR. [REDACTED]: What about with [REDACTED]?

17 MR. [REDACTED]: Hmm. No.

18 MR. [REDACTED]: No? But he would have
19 been - he relieved [REDACTED].

20 MR. [REDACTED]: I can't recall.

21 MR. [REDACTED]: No?

22 MR. [REDACTED]: Hmm-mm.

23 MR. [REDACTED]: And was [REDACTED], do you
24 remember if you had any kind of interaction
25 with her at all on August 9th?

1 MR. [REDACTED]: No.

2 MR. [REDACTED]: No? So, obviously, you
3 can't remember if you had any conversations
4 about Reyes?

5 MR. [REDACTED]: No. I don't remember
6 discussing Reyes.

7 MR. [REDACTED]: Right.

8 MR. [REDACTED]: No.

9 MR. [REDACTED]: So, did you ever receive
10 any call around 1:50, or at any time, saying --

11 MR. [REDACTED]: No.

12 MR. [REDACTED]: -- that Reyes was going
13 WAB? No? So, at this point in time, obviously,
14 you're saying you didn't know anything at that
15 point in time. Now, after the fact, what do
16 you know about Reyes being removed from the
17 MMC?

18 MR. [REDACTED]: I just know he went to court,
19 and never came back. And that was it.

20 MR. [REDACTED]: Do you know any
21 information about who was informed that he
22 wasn't coming back?

23 MR. [REDACTED]: No.

24 MR. [REDACTED]: So, even after the fact,
25 you don't know?

1 MR. [REDACTED]: No.

2 MR. [REDACTED]: Do you know anything -
3 I mean, was it at all discussed about, like,
4 hey, somebody dropped the ball there?

5 MR. [REDACTED]: No.

6 MR. [REDACTED]: No? There wasn't even a
7 conversation?

8 MR. [REDACTED]: I mean, that's the thing. I
9 don't recall him going - I didn't know he was -
10 me personally - didn't know he was going WAB.
11 And I don't think a lot of other people did,
12 either. Yeah.

13 MR. [REDACTED]: Did anyone ever ask you
14 about that --

15 MR. [REDACTED]: About Reyes?

16 MR. [REDACTED]: -- yeah.

17 MR. [REDACTED]: No.

18 MR. [REDACTED]: Even after?

19 MR. [REDACTED]: No.

20 MR. [REDACTED]: So, like, on August 10th,
21 August 11th, August 12th, did anyone come up to
22 you and say, hey, did you know Reyes wasn't
23 coming back?

24 MR. [REDACTED]: No.

25 MR. [REDACTED]: And have you ever been

1 interviewed for this matter before?

2 MR. [REDACTED]: No.

3 MR. [REDACTED]: No? Did you have
4 conversations with people like [REDACTED], or
5 [REDACTED], or anyone, regarding this matter,
6 after Epstein was found?

7 MR. [REDACTED]: What matter?

8 MR. [REDACTED]: Epstein being found, and
9 not having a cellmate?

10 MR. [REDACTED]: No.

11 MR. [REDACTED]: No? You never talked to
12 anybody in the institution about that?

13 MR. [REDACTED]: About him not having a
14 cellmate, or are you talking about him being
15 found?

16 MR. [REDACTED]: No. About him not having
17 a cellmate.

18 MR. [REDACTED]: I mean, not in a -. I mean,
19 we sent a, hey, what happened, or, like, what
20 happened to his cellmate? Oh, he got released.
21 Okay. It was - he said it like that, but
22 nothing -. No. Not like that.

23 MR. [REDACTED]: Was it any conversation
24 of, like, hey, why didn't they put a new
25 cellmate with him?

1 MR. [REDACTED]: No.

2 MR. [REDACTED]: No? So, if, at around
3 1:50 -.

4 MR. [REDACTED]: That's what I'm saying.
5 That's the time. That's why I'm looking at
6 you, saying 1:50. Yeah.

7 MR. [REDACTED]: Yeah. I mean, this is
8 where --

9 MR. [REDACTED]: Yeah.

10 MR. [REDACTED]: -- I'm getting the 1:50,
11 is because --

12 MR. [REDACTED]: Because these guys --

13 MR. [REDACTED]: -- it says [REDACTED] --

14 MR. [REDACTED]: -- they go to court -.

15 MR. [REDACTED]: -- [REDACTED] knows that,
16 at least by 1:50, he's going WAB.

17 MR. [REDACTED]: Mm-hmm.

18 MR. [REDACTED]: Should have he
19 communicated with either or [REDACTED] about that?

20 MR. [REDACTED]: I don't know. I don't know
21 how he communicated with.

22 MR. [REDACTED]: No. I'm not asking who
23 he did. I'm asking you, should have he?

24 MR. [REDACTED]: I mean, I know when I was
25 OIC, and they give us call it, okay. So, if he

1 didn't say nothing to the lieutenant, I could
2 see why. I mean, you're telling me, I'm the
3 OIC. And okay, I got the notification.

4 MR. ██████████: So -.

5 MR. ██████████: So, if he didn't pass nothing
6 on, it's -.

7 MR. ██████████: Is it abnormal that he
8 didn't pass it on, though? Should have he
9 passed it to you? Because -.

10 MR. ██████████: It's not. It's not -. I
11 mean -.

12 MR. ██████████: Could have he placed
13 another inmate with someone like Epstein?

14 MR. ██████████: I'm not sure because then,
15 again, it says possibly. WABs get cancelled.
16 They get cancelled.

17 MR. ██████████: Sure.

18 MR. ██████████: That's why the 1:50, we don't
19 know until after, like, hey, who is this guy
20 coming back? R&D is open at 8:00, 9:00.

21 MR. ██████████: So, about what time would
22 they normally make that notification that, okay
23 -?

24 MR. ██████████: After 4:00.

25 MR. ██████████: After 4:00?

1 MR. [REDACTED]: Yes.

2 MR. [REDACTED]: And is it some - when you
3 say after 4:00 - is it usually between 4:00 and
4 5:00?

5 MR. [REDACTED]: After 4:00. Any time after
6 4:00.

7 MR. [REDACTED]: So, anywhere from 4:00 to
8 5:00, 4:00 to 6:00, 4:00 to 8:00. What -?

9 MR. [REDACTED]: After the count.

10 MR. [REDACTED]: So, after the 4:00 p.m.
11 count.

12 MR. [REDACTED]: After the 4:00 p.m. count.

13 MR. [REDACTED]: And why is it after the
14 count?

15 MR. [REDACTED]: Because that's when the guys
16 come back, after the count. We do the 4:00
17 count. And then, you get an (Indiscernible
18 *00:56:31) base count training is like this.
19 You get 20 guys came back from court, this WAB
20 got cancelled.

21 MR. [REDACTED]: So, as far as the 4:00
22 count, or is it at that point, do people start
23 saying, where are these guys, and start making
24 calls, are they coming back or not?

25 MR. [REDACTED]: At 4:00? No.

1 MR. [REDACTED]: No? So, when is the next
2 time that they would be listed on that count?

3 MR. [REDACTED]: The 9:00 count.

4 MR. [REDACTED]: The 10:00 count?

5 MR. [REDACTED]: Oh, the 10:00 count. Yeah.

6 MR. [REDACTED]: Do you want to ask some
7 more questions on that line? I'm just trying to
8 -. Because I thought it was at - I felt people
9 have told at 4:00, that's when they start
10 making calls to say, is this guy coming back or
11 not. That's not your understanding?

12 MR. [REDACTED]: Why would you make a call at
13 4:00?

14 MR. [REDACTED]: Because you've got to
15 know if they're coming back to the unit or not
16 coming back.

17 MR. [REDACTED]: Well, the count, 3:45 is
18 over. So, you're in the unit or not. So, at
19 4:00, we do the count. After the count, that's
20 when the guys come in from court.

21 MR. [REDACTED]: Okay.

22 MR. [REDACTED]: That's when we get the guys
23 coming back to SHU and going back to their
24 units.

25 MR. [REDACTED]: And would you be - would

1 anybody be notified, prior to 4:00, that people
2 were, or were not, coming back?

3 MR. ██████: Not to my understanding. No.

4 MR. ██████: All right. So, to your
5 understanding, it's not until 4:00 or later,
6 that this, you know, people would know Reyes
7 was not coming back?

8 MR. ██████: Yeah.

9 MR. ██████: All right. So, if Reyes
10 doesn't come back after 4:00 p.m., who, on that
11 daily assignment roster, would be responsible
12 for making notifications, or determining that
13 Epstein needed a cellmate?

14 MR. ██████: I mean, the notification is
15 here. We already have the notification.

16 MR. ██████: Yeah. I know you're
17 pointing to the email that says that he
18 requires to have a cellmate. What I'm asking
19 is, okay, now 4:00 on, at some point after
20 4:00, you're saying Reyes - it's known that
21 Reyes is now not coming back.

22 MR. ██████: Mm-hmm.

23 MR. ██████: Not - possibly not coming
24 back, but he's not coming back. Who would be
25 responsible for placing - for making

1 notifications that, hey, Reyes is out, Epstein
2 does not have a cellmate, we need to start
3 making some notifications?

4 MR. ██████: I mean, I don't know.
5 There's no notifications. That's if he doesn't
6 have a cellmate, we give him a cellmate.

7 MR. ██████: Yeah. So, what I'm
8 saying is -.

9 MR. ██████: But the lieutenant is not
10 saying, hey, by the way, you know? If they
11 catch it, they'll say it, but if they don't -.

12 MR. ██████: And I'm not saying it's -
13 -

14 MR. ██████: Yeah.

15 MR. ██████: -- a lieutenant's
16 responsibility. What I'm asking is, whose
17 responsibility is it?

18 MR. ██████: To say, hey, this guy, get
19 him a cellmate, or make a notification?

20 MR. ██████: Yes. Like, who would be
21 the first one to know that Reyes is no longer
22 there? Would it be the SHU?

23 MR. ██████: I'd say R&D.

24 MR. ██████: So, R&D would be there.
25 What is R&D's responsibility, at that point?

1 MR. [REDACTED]: Oh, hey, we've got all the
2 inmates back. It's such and such. And that's
3 it. You ain't get him? Then they're not coming
4 back. They're gone.

5 MR. [REDACTED]: But would R&D be
6 responsible for saying, hey, SHU, Reyes isn't
7 coming back, or would they say, hey, ops
8 lieutenant, Reyes isn't coming back. Who would
9 R&D notify?

10 MR. [REDACTED]: I'm not sure. In the past, I
11 would say they calling SHU directly.

12 MR. [REDACTED]: SHU directly?

13 MR. [REDACTED]: Yeah.

14 MR. [REDACTED]: All right. So, in the
15 SHU, after 4:00, who was working?

16 MR. [REDACTED]: [REDACTED], Noel, and [REDACTED].

17 MR. [REDACTED]: [REDACTED], Noel, and
18 [REDACTED]. Are they the only three there?

19 MR. [REDACTED]: That's the only three listed.

20 MR. [REDACTED]: Okay. So, one of those
21 three were likely notified?

22 MR. [REDACTED]: I'm not sure.

23 MR. [REDACTED]: Okay. And if they
24 weren't notified, at what point would they know
25 Reyes isn't coming back?

1 MR. [REDACTED]: I'll say about 8:00.

2 MR. [REDACTED]: And how would they be
3 notified?

4 MR. [REDACTED]: Because usually, all the
5 inmates are by then, you know, talking to the
6 lieutenant, hey, is anyone else down there?
7 That's like a (Indiscernible *01:00:27) call.

8 MR. [REDACTED]: Is there some point when
9 they should be saying, hey, this guy left at
10 8:00 this morning, he's still not back?

11 MR. [REDACTED]: No. You said, is it at some
12 point? Yeah.

13 MR. [REDACTED]: So, and at what point is
14 that? Is it during a count? Or is it just - is
15 there, like, you know, duties that they're
16 doing prior to the count, where they've got to
17 make sure people are there? How does that work?

18 MR. [REDACTED]: I mean -.

19 MR. [REDACTED]: You've worked in the SHU,
20 so from your recollection, from when you worked
21 in the SHU, how would that work? Especially
22 being that MCC is a jail, not a prison, where
23 people could, at any time, be released or
24 moved. How does that work in the SHU?

25 MR. [REDACTED]: I used to have, like, that, I

1 think, set by 8:00.

2 MR. [REDACTED]: I'm sorry. What did you
3 say about 8:00?

4 MR. [REDACTED]: By 8:00, is when I say, hey,
5 is anyone else coming up? And this is the base
6 count. Like, I want to get everything straight
7 in the computer.

8 MR. [REDACTED]: Okay.

9 MR. [REDACTED]: I'll say by 8:00.

10 MR. [REDACTED]: And on that date, when
11 those three people were working, who would
12 typically be responsible for doing something
13 like that? Is it, like, SHU one, SHU two, two
14 three, or is it just anybody, any one of them,
15 or how does that work?

16 MR. [REDACTED]: To do what?

17 MR. [REDACTED]: To say, like, hey, we've
18 got to make sure our base count is correct.

19 MR. [REDACTED]: I mean, it could be any one
20 of them.

21 MR. [REDACTED]: Any one of them?

22 MR. [REDACTED]: Yeah.

23 MR. [REDACTED]: But it's not like
24 someone's job? It's just someone should take
25 that role.

1 MR. [REDACTED]: I mean, but they've got to
2 have the base count right, for the 10:00 count.

3 MR. [REDACTED]: So, one of those people
4 should have got the base count right, but it's
5 not one specific person's duty? Or is it
6 something that they're supposed to collaborate
7 on all together?

8 MR. [REDACTED]: I mean, it depends. It
9 depends. If you're working, hey, such and such
10 (Indiscernible *01:02:01). If you're number
11 two, you know, you go to the board, you could
12 change it yourself. You know, the OIC. All
13 right, you know, making sure everything is in
14 order.

15 MR. [REDACTED]: Was there an OIC on that
16 night?

17 MR. [REDACTED]: Yes.

18 MR. [REDACTED]: Who?

19 MR. [REDACTED]: [REDACTED].

20 MR. [REDACTED]: So, [REDACTED] was the OIC?

21 MR. [REDACTED]: Yes.

22 MR. [REDACTED]: So, technically, he's
23 probably the one who should have been
24 responsible to catch the fact that their base
25 count changed, and he wasn't coming back?

1 MR. ██████: I'm not sure about that.
2 Because he was non-custody. I'm not sure.

3 MR. ██████: Okay.

4 MR. ██████: Because, you see, he's non-
5 custody. Mine was bon-custody. He's just up
6 there for overtime. So, I'm not sure.

7 MR. ██████: Okay. Now, as far the
8 lieutenants' job. So, at that point in time,
9 it was ██████ that was the ops, and ██████ hat
10 was the activities. What is their role in
11 ensuring that Reyes is, one, back; and two,
12 Epstein is placed with a new cellmate?

13 MR. ██████: Yeah.

14 MR. ██████: Do they have any role? Or
15 is it all on the SHU?

16 MR. ██████: I mean, it's - they don't
17 have a role. You know, it's -.

18 MR. ██████: What about when they're
19 conducting their rounds, as part of their
20 responsibility to say, to check that kind of
21 stuff, or is it just to see what inmates are
22 there, and that the inmates that are there, are
23 okay?

24 MR. ██████: Pretty much. You've got to
25 do a round.

1 MR. ██████████: Does that round entail
2 verifying that Epstein has a cellmate and Reyes
3 isn't there?

4 MR. ██████████: I'm not sure of that. We
5 just know we do our rounds.

6 MR. ██████████: So, that goes back to,
7 what does a round entail? Does that mean that
8 you need to verify that the people that are on
9 the books are there, and other people are
10 removed?

11 MR. ██████████: Yes, with staff and
12 accountability. For the most part. You know?
13 Inmates banging, hey, all right, I'll be up,
14 doing my round. I'll deal with this when I get
15 up there.

16 MR. ██████████: But when you say for
17 accountability, what does that entail?

18 MR. ██████████: Presence of inmates,
19 depending on who goes up there. They know,
20 okay, this is on - they try certain things,
21 they won't try certain things.

22 MR. ██████████: Are you comparing a list
23 of the inmates that you know to be in the SHU,
24 with who's actually in the SHU?

25 MR. ██████████: No. Not for a round. No.

1 MR. [REDACTED]: No? All right. So, as
2 far as a round conducted by a lieutenant, would
3 they know - would they be able to figure out
4 that Reyes was removed?

5 MR. [REDACTED]: Depending on what time the
6 round was.

7 MR. [REDACTED]: And can you give me more
8 explanation? What time would that change?

9 MR. [REDACTED]: If I do an early round, and
10 Epstein's in a cell by his self, okay, I still
11 have time, still doing court movements, and it
12 raise no suspicion or no alarm.

13 MR. [REDACTED]: Okay. So, about what
14 time would there be a suspicion or alarm that
15 be raised?

16 MR. [REDACTED]: I told you. At about 8:00.

17 MR. [REDACTED]: 8:00?

18 MR. [REDACTED]: Yeah.

19 MR. [REDACTED]: Because Reyes hasn't been
20 back?

21 MR. [REDACTED]: Yeah.

22 MR. [REDACTED]: Okay. Were you ever
23 provided any instructions on what actions
24 should be taken if Reyes was removed as
25 Epstein's cellmate?

1 MR. [REDACTED]: No.

2 MR. [REDACTED]: What actions should have
3 been taken once Reyes was removed?

4 MR. [REDACTED]: Hmm. Honestly, I mean, like
5 I said, we bunk all the inmates together. So,
6 if he were to move, look for him a new bunkie.

7 MR. [REDACTED]: And is that something -
8 should have they notified - when they say look
9 for a new bunkie, I'm assuming you're talking
10 about the people in the SHU?

11 MR. [REDACTED]: Yeah. A new cellmate. Yeah.

12 MR. [REDACTED]: So, I think you said
13 [REDACTED], [REDACTED], and Noel?

14 MR. [REDACTED]: Yeah.

15 MR. [REDACTED]: Could have they placed
16 him with a new cellmate, or would have they had
17 you make notification to the ops and/or
18 activities' lieutenant?

19 MR. [REDACTED]: You know, they don't need to
20 make notification.

21 MR. [REDACTED]: What about when someone
22 is high-profile as an inmate as Epstein?

23 MR. [REDACTED]: No, he didn't make
24 notification.

25 MR. [REDACTED]: So, you don't think that

1 they would have. Do you know if Epstein's
2 cellmates were vetted by the captain and above?

3 MR. ██████: I think I heard something
4 like that. I think so.

5 MR. ██████: Now, does that play into
6 that answer? About if they could have just
7 placed anyone with him?

8 MR. ██████: I'm not sure.

9 MR. ██████: Okay.

10 MR. ██████: But I think someone vetted
11 like that, pre-approved or something like that.
12 I think - I'm not sure - but I think I did hear
13 something like that.

14 MR. ██████: Okay. But to your
15 knowledge, they could have placed anyone with
16 him? Not anyone, but, like, they could have
17 placed a new inmate with him.

18 MR. ██████: Yeah, they could have.

19 MR. ██████: Okay. Should have they?

20 MR. ██████: I'm not sure. Like you said,
21 the whole vetted thing, yeah. I'm not sure.

22 MR. ██████: So, if they knew that
23 Reyes was vetted, and was placed with him, at
24 that point, should have they done anything
25 else? Such as called the lieutenant to say,

1 hey, he's not back, we need to get him a new
2 cellmate. Can I place someone with him, or
3 should have they just taken action on their
4 own?

5 MR. [REDACTED]: I don't know.

6 MR. [REDACTED]: If you were - I know you
7 were day watch - but if you were evening watch,
8 would of you expected them to notify you?

9 MR. [REDACTED]: Yeah.

10 MR. [REDACTED]: So, in this case, should
11 have they notified [REDACTED], or should have they
12 notified [REDACTED], or either of them?

13 MR. [REDACTED]: I'm not sure.

14 MR. [REDACTED]: Should have -.

15 MR. [REDACTED]: That was non-custody.

16 MR. [REDACTED]: Should have the person
17 notified them by telephone, or when one of
18 those lieutenants did their rounds?

19 MR. [REDACTED]: You said should they have?

20 MR. [REDACTED]: Yeah.

21 MR. [REDACTED]: If they would have? Yeah,
22 either/or. Both. Call, email, whatever.

23 MR. [REDACTED]: Now, someone like -. So,
24 [REDACTED] was the activities' lieutenant that
25 night, correct?

1 MR. [REDACTED]: Yes.

2 MR. [REDACTED]: Since she was not a
3 lieutenant, she was an SIS, do you feel that
4 she had the knowledge and capabilities to be
5 able to do that job, at that time?

6 MR. [REDACTED]: What job are you talking
7 about?

8 MR. [REDACTED]: Activities' lieutenant.

9 MR. [REDACTED]: Yeah. I think she was
10 training, right?

11 MR. [REDACTED]: Well, I -.

12 MR. [REDACTED]: I think she was training.
13 It's that temporary post, right?

14 MR. [REDACTED]: So -.

15 MR. [REDACTED]: Yeah, but that still wouldn't
16 be on her, though.

17 MR. [REDACTED]: If she's the one who did
18 a round in the SHU for her shift.

19 MR. [REDACTED]: Yeah.

20 MR. [REDACTED]: Is that something that
21 she should have checked on? Hey, where's Reyes?
22 There's nobody in -. Because not only - I
23 mean, everyone knows what cellmate Epstein is
24 in. So, even if Epstein's not in there, and
25 he's still down at attorney conference, nobody

1 is in there. So, shouldn't that have been
2 something that you'd say, hey, where is this
3 guy? Is he coming back? Should that be
4 something that was -?

5 MR. [REDACTED]: That kind of depends on the
6 time.

7 MR. [REDACTED]: And when you're saying
8 that you just mean because he possibly could be
9 coming back?

10 MR. [REDACTED]: Yes.

11 MR. [REDACTED]: But if no one is there,
12 and she knows he's out at court, shouldn't she
13 at least have followed up on, hey, anybody
14 check on his? Is he coming back?

15 MR. [REDACTED]: Well, that's R&D. R&D
16 notifies us if they're coming back or not.

17 MR. [REDACTED]: All right. So, when
18 doing rounds, that's not something being that,
19 hey, we've got to make sure that Epstein has a
20 cellmate. Not something that should be, like,
21 a, hey, nobody's in Epstein's cell. What's
22 going on there?

23 MR. [REDACTED]: I mean, that's what I'm
24 saying. We get this notice, not just with
25 Epstein, with every inmate --

1 MR. [REDACTED]: Okay.

2 MR. [REDACTED]: -- that comes on suicide
3 watch.

4 MR. [REDACTED]: So, did you ever see -
5 when you were visiting the cell - did you ever
6 see this sign up in the SHU?

7 MR. [REDACTED]: No.

8 MR. [REDACTED]: And I'm showing you a
9 colored note, saying, "Mandatory rounds must be
10 conducted every 30 minutes on Epstein, number
11 76318-054, as per guide."

12 MR. [REDACTED]: Nah.

13 MR. [REDACTED]: You never noticed that?

14 MR. [REDACTED]: No.

15 MR. [REDACTED]: All right. So, that's
16 nothing you ever saw in any of your times
17 visiting there?

18 MR. [REDACTED]: No.

19 MR. [REDACTED]: All right. If that was
20 up - sorry.

21 MR. [REDACTED]: Sorry.

22 MR. [REDACTED]: Please.

23 MR. [REDACTED]: No, no. If you have.

24 MR. [REDACTED]: No.

25 MR. [REDACTED]: I have a --

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

2 MR. [REDACTED]: -- I have a funny joke,
3 that's why.

4 MR. [REDACTED]: I was just going to say,
5 if that is up for people to see, doing rounds
6 in the SHU, does that change any of those
7 answers of, hey, where is Epstein's cellmate?

8 MR. [REDACTED]: I mean, this is - if it's
9 rounds - that's something different than me
10 saying single bunk. So, if they're saying
11 we're doing rounds on them, that wouldn't make
12 them to think about, why is this guy - where is
13 his bunkie?

14 MR. [REDACTED]: You don't think so? So,
15 if you're actually looking into his cell and
16 saying, you know he needs a bunkie, I'm looking
17 in his cell, and there is no one else with him,
18 you don't think that those are correlated?

19 MR. [REDACTED]: Yeah, but not because of
20 this. No. That's just saying rounds, hey,
21 make sure you do your rounds.

22 MR. [REDACTED]: It says specifically --

23 MR. [REDACTED]: Than when it's not --

24 MR. [REDACTED]: -- rounds on -?

25 MR. [REDACTED]: -- yea, but normal, it's not

1 going to think just because - it's not going to
2 mix this with this.

3 MR. [REDACTED]: So, even though they're
4 looking in on Epstein, seeing that he's not -
5 he's by himself, that won't alert them to the
6 fact -?

7 MR. [REDACTED]: No. Not that sign. No.

8 MR. [REDACTED]: No?

9 MR. [REDACTED]: No.

10 MR. [REDACTED]: You don't think so?

11 MR. [REDACTED]: It says, "Mandatory rounds."

12 MR. [REDACTED]: Do you know of any other
13 signs that were in the SHU, saying that he was
14 required to have a cellmate?

15 MR. [REDACTED]: Hmm. I can't recall.

16 MR. [REDACTED]: What about the hot list?
17 Tell me about, what is a hot list?

18 MR. [REDACTED]: The hot list is inmates who
19 have suicidal behavior or attempts in the past.

20 MR. [REDACTED]: And people on the hot
21 list, are they required to have a cellmate?

22 MR. [REDACTED]: Yeah.

23 MR. [REDACTED]: Do you remember seeing
24 the hot list that was in the SHU?

25 MR. [REDACTED]: No.

1 MR. [REDACTED]: Is that as part, as a
2 lieutenant, would they check out the hot list
3 when they would go down there?

4 MR. [REDACTED]: No. We would just - no - we
5 would just check to see if it's updated.

6 MR. [REDACTED]: Okay. So, Epstein's
7 listed on the hot list.

8 MR. [REDACTED]: Mm-hmm.

9 MR. [REDACTED]: What does that, then,
10 tell these people working in the SHU?

11 MR. [REDACTED]: He needs a cellmate.

12 MR. [REDACTED]: And do all of them know,
13 if Epstein's on the hot list, those people need
14 cellmates?

15 MR. [REDACTED]: I'm not sure if all of them
16 knew.

17 MR. [REDACTED]: But are they supposed to?

18 MR. [REDACTED]: I don't know. Yeah.

19 MR. [REDACTED]: All right. So, you feel
20 like the hot list is even more important than
21 the sign I just showed you, for cellmate
22 purposes?

23 MR. [REDACTED]: This sign? Where the sign
24 come from?

25 MR. [REDACTED]: If this sign was in the

1 SHU --

2 MR. [REDACTED]: You said "if"?

3 MR. [REDACTED]: -- well, I'm not saying -
4 I can't say if - yeah - I can't tell you --

5 MR. [REDACTED]: Oh.

6 MR. [REDACTED]: -- exactly what is and
7 what isn't. I'm just saying, assuming that
8 this was in the SHU.

9 MR. [REDACTED]: Mm-hmm.

10 MR. [REDACTED]: What was your question?

11 MR. [REDACTED]: That's what I'm saying.

12 This, I don't think this was up there.

13 MR. [REDACTED]: You don't think that was
14 in the SHU?

15 MR. [REDACTED]: No.

16 MR. [REDACTED]: Because -.

17 MR. [REDACTED]: I mean, not in no tier or
18 nothing like that.

19 MR. [REDACTED]: Okay. But around, like,
20 the officers -?

21 MR. [REDACTED]: The hot list is up there,
22 though.

23 MR. [REDACTED]: But what about, like, up
24 on, like, the desk area? Would you be around
25 the officer's desk area?

1 MR. [REDACTED]: Hmm. I mean, if I had to.

2 MR. [REDACTED]: But you didn't notice

3 that --

4 MR. [REDACTED]: But not normally.

5 MR. [REDACTED]: -- in the desk area?

6 MR. [REDACTED]: No.

7 MR. [REDACTED]: All right. Where would
8 the hot list be located?

9 MR. [REDACTED]: So, behind the desks, like, a
10 wall we have, that we keep it up there.

11 MR. [REDACTED]: All right. And they're
12 supposed to be checking that, and making sure
13 those people are, one) checked on, and two)
14 have cellmates? Is that the purpose?

15 MR. [REDACTED]: The hot list is just any -
16 it's pretty much any inmate that comes from the
17 housing unit. They come from the housing unit.
18 This guy psych alert, hey, make sure this guy
19 gets a bunkie. That's the initial check.
20 That's what the hot list is for.

21 MR. [REDACTED]: And are they supposed to
22 check that list every day, to make those same -
23 ?

24 MR. [REDACTED]: I mean, you don't - no, you
25 get up there, it's, hey, on the suicide watch,

1 is he on the hot list? So, it's not common to
2 check it every day. No.

3 MR. [REDACTED]: All right. So, it's not
4 common to check it every day?

5 MR. [REDACTED]: Every day, no. Unless it's
6 updated.

7 MR. [REDACTED]: Only when it's updated,
8 you check it.

9 MR. [REDACTED]: Yeah, if the guy is still on
10 it.

11 MR. [REDACTED]: But wouldn't - again, the
12 fact that the MCC is a jail, not a prison -
13 wouldn't it be pretty regular that people are
14 being moved in and out?

15 MR. [REDACTED]: Not on the hot list.

16 MR. [REDACTED]: No, but the people that
17 they're bunked with. If they're required to
18 have a cellmate --

19 MR. [REDACTED]: Mm-hmm.

20 MR. [REDACTED]: -- wouldn't it be pretty
21 regular that they would have to - their
22 cellmates might be leaving? Because if it's a
23 jail, not a prison.

24 MR. [REDACTED]: Yeah.

25 MR. [REDACTED]: So, that's what I'm

1 saying. So, how are they always ensuring that
2 those people that are required to have
3 cellmates have cellmates?

4 MR. ██████: That's when you say, hey, I
5 got a single cell up there.

6 MR. ██████: And at what point is that
7 reviewed?

8 MR. ██████: The single cells?

9 MR. ██████: Yeah. Is that supposed
10 to be a daily occurrence?

11 MR. ██████: Yeah.

12 MR. ██████: And is that - what time
13 is that? The 8:00 time that you're talking
14 about?

15 MR. ██████: No. Usually, that's in the
16 morning. So, like, if I come in, hey, you
17 know, I'm going to - who's in the single cell?
18 You know?

19 MR. ██████: Well, what about -.

20 MR. ██████: At night, it's just not -.
21 At night, it's -.

22 MR. ██████: Even when people are left
23 during the day, and then come back from court?
24 Some people come back, some people don't.

25 MR. ██████: Yeah.

1 MR. ██████████: Wouldn't that be another
2 time that they do it, or they don't do it at
3 that time?

4 MR. ██████████: I mean, I mean, like I said,
5 after that cut off time, that's when you start
6 saying, okay, we've got a single cell, of such
7 and such. Then again, remember, MCC get
8 inmates throughout the night.

9 MR. ██████████: They do?

10 MR. ██████████: Yeah.

11 MR. ██████████: Placed in the SHU?

12 MR. ██████████: Yeah.

13 MR. ██████████: Okay. And you didn't
14 work that night. Do you know of any people
15 that were placed in the SHU that night, on
16 August 9th?

17 MR. ██████████: No. Not according to this,
18 no.

19 MR. ██████████: And did you conduct any
20 counts or rounds in the SHU on August 9th?

21 MR. ██████████: I can't recall.

22 MR. ██████████: And what is the purpose?
23 Why do COs conduct counts and rounds in the
24 SHU?

25 MR. ██████████: To make sure they're alive.

1 MR. [REDACTED]: Is it also to make sure
2 everyone is there?

3 MR. [REDACTED]: Yeah.

4 MR. [REDACTED]: And are cells and counts
5 - are counts and rounds documented?

6 MR. [REDACTED]: Yup.

7 MR. [REDACTED]: And how --

8 MR. [REDACTED]: Probably.

9 MR. [REDACTED]: -- how are they
10 documented?

11 MR. [REDACTED]: 30-minute log in in TruScope.

12 MR. [REDACTED]: So, 30-minute log for
13 rounds?

14 MR. [REDACTED]: Yeah.

15 MR. [REDACTED]: And what is the TruScope?

16 MR. [REDACTED]: Rounds.

17 MR. [REDACTED]: That's rounds, as well?

18 MR. [REDACTED]: You put rounds in there, too,
19 but all the counts.

20 MR. [REDACTED]: So, counts --

21 MR. [REDACTED]: Mainly counts, yeah.

22 MR. [REDACTED]: -- so, are counts also -
23 are there, like, little slips that are filled
24 out?

25 MR. [REDACTED]: Yeah.

1 MR. [REDACTED]: Who fills them out?

2 MR. [REDACTED]: All the officers.

3 MR. [REDACTED]: And what do they do with
4 them?

5 MR. [REDACTED]: Give it to Internal.

6 MR. [REDACTED]: And does Internal come to
7 the SHU, or does the SHU go to Internal?

8 MR. [REDACTED]: It depends.

9 Not before this incident.

10 MR. [REDACTED]: MR. [REDACTED]: Or it does
11 it both ways?

12 MR. [REDACTED]: Both ways. Just get it to
13 control.

14 MR. [REDACTED]: Okay. Do all COs who
15 work in the SHU know how to properly conduct
16 and report counts and rounds?

17 MR. [REDACTED]: I'm not sure.

18 MR. [REDACTED]: Should they know how to
19 conduct counts and rounds?

20 MR. [REDACTED]: Yeah.

21 MR. [REDACTED]: And how should they know?

22 MR. [REDACTED]: Training.

23 MR. [REDACTED]: And do you think everyone
24 there got enough training to know how to do a
25 count and a round?

1 MR. [REDACTED]: Yeah.

2 MR. [REDACTED]: Did you ever hear of
3 people, like, filling out count slips, or round
4 sheets? Either before, or at the very start of
5 their shift, for their entire shift, or at the
6 end of the shift for their entire shift?

7 MR. [REDACTED]: Not before this incident.

8 MR. [REDACTED]: Did you hear about that
9 after this incident?

10 MR. [REDACTED]: Yeah.

11 MR. [REDACTED]: What did you hear about
12 that?

13 MR. [REDACTED]: That they didn't count. I
14 mean, it was filling out slips. It wasn't
15 counted. Wasn't making rounds.

16 MR. [REDACTED]: And who was it that you
17 heard that wasn't conducting counts and rounds?

18 MR. [REDACTED]: Thomas and Noel.

19 MR. [REDACTED]: Anybody else in there?

20 MR. [REDACTED]: No.

21 MR. [REDACTED]: Did you hear anything
22 about counts and rounds not being conducted
23 prior to midnight on August 10th? So, any time
24 on August 9th, did you hear about any of those
25 counts and rounds not being conducted?

1 MR. [REDACTED]: On the watch then?

2 MR. [REDACTED]: Any time on August 9th.

3 So, this date.

4 MR. [REDACTED]: No.

5 MR. [REDACTED]: Even after the fact, you
6 never heard about, like, the 10:00 p.m. count,
7 or the 4:00 p.m. count, the counts not being
8 conducted?

9 MR. [REDACTED]: No.

10 MR. [REDACTED]: You haven't heard that?

11 MR. [REDACTED]: No. I don't know. Not that
12 I know of. Some, what, counts on these days?

13 MR. [REDACTED]: Yeah.

14 MR. [REDACTED]: No. You have the 4:00 count.
15 You have the 10:00 count. Yeah, the midnight
16 count. Yeah.

17 MR. [REDACTED]: Right. So, what I'm
18 asking, did you --

19 MR. [REDACTED]: Have I heard that --

20 MR. [REDACTED]: -- did you hear --

21 MR. [REDACTED]: -- 4:00 and 10:00 --

22 MR. [REDACTED]: -- that (Indiscernible
23 *01:18:33) --

24 MR. [REDACTED]: -- wasn't done?

25 MR. [REDACTED]: Right.

1 MR. [REDACTED]: No.

2 MR. [REDACTED]: Now, do lieutenants sign
3 the counts or the rounds?

4 MR. [REDACTED]: The rounds. Not the counts.

5 MR. [REDACTED]: So, what is the
6 lieutenants' responsibility for signing the
7 round sheets?

8 MR. [REDACTED]: Making sure they're in
9 compliance with the policy.

10 MR. [REDACTED]: All right. And do they
11 have to - is there any way for them to verify
12 if, like, the rounds were actually done?

13 MR. [REDACTED]: Hmm. No. Unless you're
14 doing a - checking a video.

15 MR. [REDACTED]: You just - is what you do
16 is just to make sure that the - it's actually
17 filled out?

18 MR. [REDACTED]: Correctly.

19 MR. [REDACTED]: Correctly filled out? All
20 right. I'm going to - I apologize for this,
21 it's gotten a little longer - so, I'm going to
22 show you. What is this that I'm showing you?

23 MR. [REDACTED]: It's a round sheet.

24 MR. [REDACTED]: All right. And what is
25 the round sheet from?

1 MR. [REDACTED]: The 9th.

2 MR. [REDACTED]: The 9th. Did you have
3 anything - well, as the activities' lieutenant
4 - would of you had anything to do with signing
5 off on any of these?

6 MR. [REDACTED]: Yeah.

7 MR. [REDACTED]: Which ones would of you
8 signed off on?

9 MR. [REDACTED]: Day watch.

10 MR. [REDACTED]: Okay. And are you on
11 that? Did you sign any of that?

12 MR. [REDACTED]: Yeah.

13 MR. [REDACTED]: Where is your signature?

14 MR. [REDACTED]: On the day shift.

15 MR. [REDACTED]: So, that's your actual
16 signature?

17 MR. [REDACTED]: Yeah.

18 MR. [REDACTED]: Is that for the SHU?

19 MR. [REDACTED]: Yeah.

20 MR. [REDACTED]: Who else signed that?

21 MR. [REDACTED]: The officer.

22 MR. [REDACTED]: Which officer?

23 MR. [REDACTED]: I'm not sure.

24 MR. [REDACTED]: You can't tell by looking
25 at that?

1 MR. [REDACTED]: No.

2 MR. [REDACTED]: All right. And around
3 what time would of you signed that? Do you
4 know?

5 MR. [REDACTED]: Some time on my shift.

6 MR. [REDACTED]: All right. So, does that
7 indicate that you would have, then, conducted a
8 round in the SHU?

9 MR. [REDACTED]: I'm not sure.

10 MR. [REDACTED]: Would of you signed that
11 in the SHU?

12 MR. [REDACTED]: Honestly, I'm not sure.

13 MR. [REDACTED]: How else would of you
14 gotten it?

15 MR. [REDACTED]: I'm not sure.

16 MR. [REDACTED]: So, is the SHU sheet ever
17 sent outside of the SHU for the lieutenant to
18 sign?

19 MR. [REDACTED]: I'm not sure. I can't recall
20 on this day.

21 MR. [REDACTED]: But what I'm asking is,
22 like, have you ever signed one of these round
23 sheets outside of the SHU?

24 MR. [REDACTED]: I'm not sure.

25 MR. [REDACTED]: Or is it typically that

1 the lieutenant would sign the sheet in the SHU?
2 Because aren't they maintained in the SHU?

3 MR. [REDACTED]: Typically, that's what would
4 happen.

5 MR. [REDACTED]: So, typically, you would
6 have signed this in the SHU. Correct?

7 MR. [REDACTED]: Yeah.

8 MR. [REDACTED]: And would of you signed
9 this after the last one was filled out? I'm
10 assuming they wouldn't fill one out after you
11 signed it, would they?

12 MR. [REDACTED]: I'm not sure.

13 MR. [REDACTED]: So, this one says 2:05,
14 2:07. Wouldn't that typically mean that you
15 would have been there at least 2:00?

16 MR. [REDACTED]: I'm not sure.

17 MR. [REDACTED]: But by looking at this
18 document, does that indicate to you, that if
19 you signed it, you would have signed it? Do you
20 ever sign -. Are these continued to be filled
21 out after the - sorry - after the lieutenant
22 signs it?

23 MR. [REDACTED]: Yeah.

24 MR. [REDACTED]: So, even for day watch
25 right here?

1 MR. [REDACTED]: Yeah.

2 MR. [REDACTED]: So, you can sign it at
3 any point during this, and then, they continue
4 to fill it out?

5 MR. [REDACTED]: Yeah.

6 MR. [REDACTED]: All right. And that's
7 what I'm asking. How does that work? I don't
8 know. So, I'm asking.

9 MR. [REDACTED]: I mean, it's eight hours.

10 MR. [REDACTED]: So, at any point, from
11 8:00 a.m. until basically 2:07 p.m., you could
12 have signed that?

13 MR. [REDACTED]: Yes.

14 MR. [REDACTED]: Okay. And these are
15 genuine questions. They're not I trick you.
16 I'm just asking --

17 MR. [REDACTED]: No. I understand. But it
18 does seem like that, is what I'm saying.

19 MR. [REDACTED]: And then, I'm not --

20 MR. [REDACTED]: That's what I'm saying, like
21 --.

22 MR. [REDACTED]: -- I promise you, I'm
23 just asking, like, this isn't, like, an "I
24 gotcha" moment. There's no --

25 MR. [REDACTED]: Mm-hmm.

1 MR. [REDACTED]: -- I gotcha moments in
2 this. This is just asking for your, like, your
3 recollection on this.

4 MR. [REDACTED]: Yeah, I understand that. But
5 that's why I said, I'm not sure about that. I
6 don't know when I signed it.

7 MR. [REDACTED]: All right. And that's -
8 so, what I'm asking you, like, is this
9 something, typically, that you would have done?
10 And again, it's not an I gotcha.

11 MR. [REDACTED]: Yeah. But again --

12 MR. [REDACTED]: It's just, it's a genuine
13 --

14 MR. [REDACTED]: -- I'm not sure.

15 MR. [REDACTED]: -- but so, you don't know
16 if -. But so, most of the time, I mean, these
17 are maintained in the SHU, and this is - again
18 - this is our learning experience, by talking
19 to people like you, lieutenants --

20 MR. [REDACTED]: Yeah.

21 MR. [REDACTED]: -- that were there.
22 It's, again, not an "I gotcha." It's trying to
23 figure out, how does this process work?

24 MR. [REDACTED]: But also, I'm not trying to
25 incriminate myself.

1 MR. [REDACTED]: I got -.

2 MR. [REDACTED]: Or nothing. That's what I'm
3 saying. I'm not sure.

4 MR. [REDACTED]: But what I'm asking, I
5 guess, is just - and I don't even know what
6 there would be to incriminate you with - but,
7 like, what I'm asking is, like, how does this
8 process work? If you give this person a round
9 sheet, are these round sheets signed in the
10 SHU?

11 MR. [REDACTED]: Typically.

12 MR. [REDACTED]: Typically. All right.
13 And are you aware of them ever not being signed
14 in the SHU?

15 MR. [REDACTED]: I'm not sure. Not that I
16 know of, no.

17 MR. [REDACTED]: All right. So, at least
18 more likely than not, you signed this document
19 in the SHU, at some point, between 8:00 and
20 2:00 p.m.?

21 MR. [REDACTED]: Yeah.

22 MR. [REDACTED]: So, that means you
23 probably did a round in there?

24 MR. [REDACTED]: Yeah.

25 MR. [REDACTED]: All right. And if it was

1 between 8:00 and 2:00 p.m., both Reyes and
2 Epstein were not in their cell at that time,
3 then, correct?

4 MR. ██████: Okay.

5 MR. ██████: I mean, this isn't, like
6 - again - an I gotcha. I'm just trying to
7 figure out, like, where you fall in this whole
8 thing.

9 MR. ██████: So, that's what I'm trying to
10 figure out. Where do I fall in this whole
11 thing?

12 MR. ██████: Because this is your
13 idea. That's what we're -. We're talking to
14 you just specifically about, all right, Reyes
15 was gone, at some point, he goes WAB. We
16 don't know -.

17 MR. ██████: So, you're trying to say
18 who's to blame for it, or -?

19 MR. ██████: Well, it's also just trying
20 to figure out what happened. We've got to talk
21 to -.

22 MR. ██████: He left. And that's what
23 happened.

24 MR. ██████: Right. And you, when you
25 were there, there was no conversations that you

1 had with anyone?

2 MR. [REDACTED]: No conspiracy. No. It's not

3 --

4 MR. [REDACTED]: No, no, no, and we're not
5 asking --

6 MR. [REDACTED]: -- nothing like that.

7 MR. [REDACTED]: -- for a conspiracy.

8 It's just, we need to know who, what
9 conversations happened, where, where did the --

10 MR. [REDACTED]: I didn't know nothing about
11 it until after I saw it in the news.

12 MR. [REDACTED]: And this is also me
13 showing you this now is more letting you know,
14 like, okay, that looks like you probably were
15 there. Does that help spark recollection?

16 MR. [REDACTED]: I had no conversation with
17 neither one of them that day. Not that I
18 recall.

19 MR. [REDACTED]: None of them that day?

20 MR. [REDACTED]: No.

21 MR. [REDACTED]: All right. Can you tell,
22 does this look like an RCS to you?

23 MR. [REDACTED]: I don't know who --

24 MR. [REDACTED]: Why don't you have a look
25 at this?

1 MR. [REDACTED]: -- whose signature that is.

2 MR. [REDACTED]: All right. So, on day
3 watch, there was a [REDACTED], [REDACTED], [REDACTED]
4 [REDACTED]. As well as [REDACTED]. Does that look
5 like any of those people to you?

6 MR. [REDACTED]: Hmm. I'm not sure.

7 MR. [REDACTED]: Okay. All right. So,
8 you do not recall. And as we go, do you mind
9 just initialing or whatever? Okay. You got
10 those, too, if you don't mind initialing this,
11 and this, and this. Now, although it is
12 voluntary, I guess, we do have to just make
13 sure we know, it also has to be the answers are
14 truthful, you're under oath. So, that also -
15 so, lack of candor can also be constituted by
16 not providing full information or, like, hiding
17 information.

18 MR. [REDACTED]: No. If I remember, it'll -
19 and I don't hide nothing - but if I remember,
20 then I will say it.

21 MR. [REDACTED]: Okay.

22 MR. [REDACTED]: But when you come with these

23 --

24 MR. [REDACTED]: So, it's just --

25 MR. [REDACTED]: -- saying it looks like, hey,

1 by the way --

2 MR. [REDACTED]: -- and again --

3 MR. [REDACTED]: -- yeah, and if I'm, like --

4 MR. [REDACTED]: -- our purpose, you would
5 have been interviewed a lot earlier, if there
6 was, like, you know --

7 MR. [REDACTED]: Yeah, but still --

8 MR. [REDACTED]: -- we're --

9 MR. [REDACTED]: -- I know, I know being that
10 day, I know it was a big profile case. Hey,
11 let's get such and such, they fill this, and
12 then --

13 MR. [REDACTED]: Yeah, yeah.

14 MR. [REDACTED]: -- and I'm, like, come on.

15 MR. [REDACTED]: And we just need to know,
16 like, as, you know, we've got make sure that,
17 like, hey, what you do remember, you can tell
18 us. Again, it's voluntary, but, like --

19 MR. [REDACTED]: Yeah.

20 MR. [REDACTED]: -- all right. So, these,
21 I'm going to give you these count slips from
22 August 9th up until midnight of August 10th.
23 And is it your understanding that ZA on the
24 count slip, that stands for the SHU?

25 MR. [REDACTED]: Yeah.

1 MR. [REDACTED]: All right. Can you just
2 kind of look through those? I'm going to move
3 this aside for you, so the papers don't get
4 kind of mixed up. Actually, I'm just going to
5 give them back to you, [REDACTED].

6 MR. [REDACTED]: Yeah. (Indiscernible
7 *01:26:40).

8 MR. [REDACTED]: (Indiscernible
9 *01:26:40).

10 MR. [REDACTED]: So, I look for what?

11 MR. [REDACTED]: Oh, that one.

12 MR. [REDACTED]: What am I initialing for? To
13 do what?

14 MR. [REDACTED]: So, when we initial these
15 things, it's just to say what we showed you.

16 MR. [REDACTED]: Okay.

17 MR. [REDACTED]: It's not to say you're
18 certifying anything, or that you received
19 anything. It's any document we place in you,
20 this is what we do for everybody. We ask them
21 to initial and date this --

22 MR. [REDACTED]: That I've seen this.

23 MR. [REDACTED]: Yes.

24 MR. [REDACTED]: Okay.

25 MR. [REDACTED]: -- no, that today you've

1 seen this, not that you've seen it before
2 today. It's just that, today, while we're
3 talking to you, this is in fact the document
4 that we were talking about.

5 MR. ██████: Okay.

6 MR. ██████: It's not certifying its
7 accuracy. It's not saying you saw it before
8 today. It's simply to say that's the document
9 we're discussing right now.

10 MR. ██████: And I'm looking for this --

11 MR. ██████: Thank you, sir.

12 MR. ██████: -- or -?

13 MR. ██████: So, look at the ZAs,
14 starting. So, you're - what is this one that I
15 gave you? Is that the -.

16 MR. ██████: So, this is the 9th at 5:02.

17 MR. ██████: So, 5:00 a.m. count.

18 MR. ██████: a.m., right?

19 MR. ██████: So, okay, so, I gave you
20 the 5:00 a.m. count on the 9th. Can you just
21 take a look at the numbers? You can look at
22 the - is that - what's this first page called?
23 Is that the E1?

24 MR. ██████: Yeah.

25 MR. ██████: All right. So, look at

1 the E1. And then, look at the count slip for
2 ZA. So, when you're looking at E1, just make
3 note of what is the number that says on the E1,
4 and then, go back to probably the last page,
5 maybe the second to last page, for each, and
6 look at the ZA number, to make sure that it
7 matches with what the E1 shows. And I just
8 want you to do that for the one -.

9 MR. [REDACTED]: You said the E1 and the what?

10 MR. [REDACTED]: The E1 and the count slip
11 for ZA.

12 MR. [REDACTED]: The count slips are in the
13 back.

14 MR. [REDACTED]: should be either the last
15 or the second to last page. And I just --

16 MR. [REDACTED]: Where it's 5:00 in the
17 morning?

18 MR. [REDACTED]: -- that's 5:00 in the
19 morning on the 9th. So, what do those numbers
20 show?

21 MR. [REDACTED]: In ZA?

22 MR. [REDACTED]: Yeah.

23 MR. [REDACTED]: So, 77.

24 MR. [REDACTED]: Does it say both of them,
25 77?

1 MR. [REDACTED]: On the E1, yeah.

2 MR. [REDACTED]: All right. Cool. Now,
3 you can just initial and date that, and move it
4 aside. Again, these aren't I gotcha moments.
5 These just help us explain some stuff. All
6 right. So, this E1, well, can you tell me what
7 it says for the ZA on this one? And this is,
8 what, the 5:00 p.m. count? What is this?

9 MR. [REDACTED]: Yeah.

10 MR. [REDACTED]: 4:00 p.m.

11 MR. [REDACTED]: 4:00 p.m., I mean.

12 MR. [REDACTED]: It's 4:00 count. But yeah.

13 So, that ZA is 75.

14 MR. [REDACTED]: 75. And the last one was
15 77?

16 MR. [REDACTED]: Yeah.

17 MR. [REDACTED]: And what does that say?

18 MR. [REDACTED]: 75.

19 MR. [REDACTED]: All right. 75. Cool.

20 Can you just initial that and put that on the
21 side? And you'll understand the question after
22 you look at these. And again, it's not an I
23 gotcha. It's to help us explain something.
24 All right.

25 MR. [REDACTED]: What y'all trying to explain,

1 though?

2 MR. ██████████: The count changes, and
3 I'm going to ask you how you can - if there's a
4 way for you to be able to figure out how this
5 count changed. All right. Can you look at the
6 E1 on here, and compare it to the count slip
7 back there? What is the -?

8 MR. ██████████: And it's the 10:00 count,
9 right?

10 MR. ██████████: 10:00 p.m. count on
11 August 9th.

12 MR. ██████████: Yeah. 73.

13 MR. ██████████: 73? On both? And is there
14 a count - does the count slip say something
15 weird on that one?

16 MR. ██████████: No, I'm just looking at the
17 seven.

18 MR. ██████████: Does it say, like, 73
19 plus one on there?

20 MR. ██████████: Oh, yeah. It does.

21 MR. ██████████: Have you ever seen a plus
22 one on any before, or could you understand a
23 reason why someone will put plus one?

24 MR. ██████████: Plus one. No. I don't know
25 about a plus one.

1 MR. [REDACTED]: All right. Now, this is
2 the one that I really want you to look at.
3 Look at this E1. This is now August 10th at
4 midnight. Check out what it says for ZA on the
5 E1. What number does that say?

6 MR. [REDACTED]: 72.

7 MR. [REDACTED]: All right. And check out
8 the count slip.

9 MR. [REDACTED]: What does the count slip say?

10 MR. [REDACTED]: It says 73.

11 MR. [REDACTED]: So, 73, but the top one,
12 that was clear, it says 72. Right?

13 MR. [REDACTED]: Mm-hmm.

14 MR. [REDACTED]: And I'll give you one
15 more, just so it's not a magic trick, look at
16 this page first, for the August 10th, and I
17 have the rest of them, too, if you want to see
18 them, but 3:00 a.m. on August 10th, and then,
19 the last page where it says the count slip.
20 What does it say on the E1 on the next one?

21 MR. [REDACTED]: It says 72.

22 MR. [REDACTED]: And on the E1. And then,
23 what does the count slip say?

24 MR. [REDACTED]: 72.

25 MR. [REDACTED]: So, in looking at all

1 this, does that tell you - as a lieutenant and
2 someone who worked in the SHU - does that tell
3 you something?

4 MR. ██████: Yeah, but the thing is, this
5 one had up, though.

6 MR. ██████: That's exactly --

7 MR. ██████: That way and clear the count.

8 MR. ██████: -- that's exactly right.
9 So, we're trying to figure out where did this
10 count change down the 72? And does it indicate
11 to you that these counts were not actually
12 conducted? And this is not --

13 MR. ██████: (Indiscernible *01:33:00).

14 MR. ██████: -- and this is not --

15 MR. ██████: It's the 9:00 count.

16 MR. ██████: -- we have no reason to
17 believe you were involved in this. So, I want
18 to make sure you're -. We're actually just
19 looking for your help here. As someone who
20 worked in the SHU, and as someone that is
21 familiar with these kinds of documents, can you
22 help us put this puzzle together? How - so we
23 have reason to believe that they called in at
24 midnight 73 --

25 MR. ██████: Mm-hmm.

1 MR. [REDACTED]: -- and the control
2 lieutenant, who was working that night, figured
3 out there's actually only 72 people in there.
4 They've been calling in 73, but there's only 72
5 people in the SHU. Is there any way, from
6 looking - and that's from this point forward,
7 they're now start --

8 MR. [REDACTED]: Mm-hmm.

9 MR. [REDACTED]: -- calling in 72 - is
10 there any way, from looking at these, you're
11 able to determine, with your knowledge and
12 experience, where that changed? I would say
13 that it changed from the 10:00 count. This was
14 printed at 9:33. So, it has 73. And then, at
15 9:33, attorney conference ain't open. So,
16 Epstein would have probably been up by then.
17 He would have went back to the SHU.

18 MR. [REDACTED]: So, he would have been
19 listed on -. Epstein would have been back at
20 least by 8:00 p.m., right?

21 MR. [REDACTED]: Yeah.

22 MR. [REDACTED]: So, that would have --

23 MR. [REDACTED]: So, he should have been on
24 this count.

25 MR. [REDACTED]: -- he should have been on

1 this one.

2 MR. ██████: So, he threw it, yeah.

3 MR. ██████: And can you see where on
4 the - let's talk about, I guess, what's the one
5 before? The 5:00 p.m.? The 4:00 p.m.?

6 MR. ██████: Yeah, he would have been at
7 attorney conference. Yeah.

8 MR. ██████: And it would have showed
9 him at attorney conference on one of these,
10 correct? On the E1?

11 MR. ██████: Yeah. At 3:00, at attorney
12 conference. Well, from SHU.

13 MR. ██████: And then, does it show
14 that he's already in SHU in this one? Is there
15 any way an attorney conference at the 10:00
16 p.m. count?

17 MR. ██████: No. But see, what I was
18 telling you before about the numbers, see how I
19 had 76?

20 MR. ██████: Yup.

21 MR. ██████: And this is at the 4:00
22 count. And then, it went down to 73?

23 MR. ██████: Right.

24 MR. ██████: So, you don't know until
25 after the count, about the whole cellmate

1 coming back.

2 MR. [REDACTED]: Right. But then, the
3 weird part about it is going from 73 to 72,
4 with no movement.

5 MR. [REDACTED]: So, we don't know, okay,
6 so, they're taking off, you know, if they're
7 going from - what does it say? 76?

8 MR. [REDACTED]: Yeah.

9 MR. [REDACTED]: Down to 73. That's three
10 people, and one person vanishes.

11 MR. [REDACTED]: Mm-hmm.

12 MR. [REDACTED]: When it gets to 72. Are
13 you able to tell where that person vanished
14 from, or is it impossible because, possibly,
15 all of these counts were not conducted, and
16 that's - I know you weren't here for any of
17 these counts, apparently, so it's, again, I'm
18 just asking for your guidance - is that
19 correct? You weren't even working when any of
20 these counts were conducted?

21 MR. [REDACTED]: Yeah, well, if I was - you
22 said 4:00, right?

23 MR. [REDACTED]: Well, you possibly worked
24 up until 4:00.

25 MR. [REDACTED]: Yeah.

1 MR. [REDACTED]: But -.

2 MR. [REDACTED]: So, I wasn't here. I wasn't
3 there for the count.

4 MR. [REDACTED]: Right. So again --

5 MR. [REDACTED]: 76.

6 MR. [REDACTED]: -- I want to reassure you
7 this isn't an I gotcha moment. We're just
8 trying to help --

9 MR. [REDACTED]: No, no, but you know it feels
10 like it.

11 MR. [REDACTED]: Yeah, yeah, yeah --

12 MR. [REDACTED]: (Indiscernible *01:36:12).

13 MR. [REDACTED]: -- and I get that because
14 you've got special agents talking to you --

15 MR. [REDACTED]: Yeah.

16 MR. [REDACTED]: -- it's just all about
17 trying to piece the puzzle together. So, we
18 need help with people like yourself, to be able
19 to say, what the hell happened? You know what I
20 mean?

21 MR. [REDACTED]: Yeah. Well, there's also
22 three here. From (Indiscernible *01:36:28). I
23 mean, I think I'm --

24 MR. [REDACTED]: And we've had other --

25 MR. [REDACTED]: -- and we hadn't keyed them

1 out, that's what it is.

2 MR. [REDACTED]: And you just -.

3 MR. [REDACTED]: Oh, they hadn't keyed them
4 out. But then, they would have keyed them out.
5 R&D leaves at 10:00. They leave at 10:00.
6 Now, they could have left somebody on, and then
7 came out. Because like I said, it's no
8 movement. The only way you get it is you key
9 out. Like, key a guy unless somebody went to
10 the hospital or something.

11 MR. [REDACTED]: Yeah, and if there is
12 nothing that happened, but no inmates were
13 moved after 10:00 p.m. If we know that, does
14 this indicate that they were just going off on
15 numbers and just falsifying their counts, or
16 are you able to tell, by looking at these at
17 all --

18 MR. [REDACTED]: Mm-hmm.

19 MR. [REDACTED]: -- if these counts are
20 legit or not? Are you able to kind of, like,
21 give us any insight into that?

22 MR. [REDACTED]: I mean, the one with the plus
23 one is a question because I don't see why they
24 would -. Then again, you've got R&D with a
25 plus one, too. I don't know. I don't know

1 what's going on. They got R&D, (Indiscernible
2 *01:37:57) cell plus one.

3 MR. [REDACTED]: And by looking at that
4 person in R&D, are you able to tell who that
5 is?

6 MR. [REDACTED]: Hmm-mm.

7 MR. [REDACTED]: Not by looking at that
8 name?

9 MR. [REDACTED]: Not by the name. I mean,
10 there's no outcome. Don't have the out count.

11 MR. [REDACTED]: Don't have the out count?
12 Is that what you're saying?

13 MR. [REDACTED]: Yeah.

14 MR. [REDACTED]: And what time is that
15 for?

16 MR. [REDACTED]: Well, I can't - you don't
17 have the out count.

18 MR. [REDACTED]: No, what time are you
19 looking at?

20 MR. [REDACTED]: This one is for the 10:00.

21 MR. [REDACTED]: So, the 10:00 p.m.
22 doesn't even have an out count on it?

23 MR. [REDACTED]: I mean, it don't add up
24 because - yeah, something is not right -
25 because R&D is not on here. Unless they moved.

1 I mean, some time, they say a ghost count, but
2 --

3 MR. [REDACTED]: And what does a ghost
4 count mean?

5 MR. [REDACTED]: -- so, like, the guys in
6 medical, they say, hey, I didn't have time to
7 key him in, but I'm verifying that he's down
8 here with me, and put him on my count

9 MR. [REDACTED]: So, R&D. Does that say
10 95 plus one?

11 MR. [REDACTED]: It could say 95 or it could
12 say 9-South.

13 MR. [REDACTED]: Oh, 9-South plus one.

14 MR. [REDACTED]: What is 9-South?

15 MR. [REDACTED]: The SHU.

16 MR. [REDACTED]: Now, this name, to me,
17 looks like [REDACTED] (Phonetic Sp. *01:39:27).
18 Do you know any --

19 MR. [REDACTED]: [REDACTED]. Yeah.

20 MR. [REDACTED]: -- so, is that somebody's
21 name?

22 MR. [REDACTED]: Yeah. That's an officer.

23 MR. [REDACTED]: So, if someone was placed
24 in R&D, and someone was told to watch that
25 person there, would the person - at 10:00 p.m.

1 - would they be able to see like a dry cell,
2 someone was still there at night?

3 MR. [REDACTED]: Well, yeah, because you could
4 watch them down here, yeah.

5 MR. [REDACTED]: And is that like a small
6 (Indiscernible *01:39:52)? Is it kind of like
7 you'd be able to - that person would know if
8 somebody was there or not?

9 MR. [REDACTED]: Yeah.

10 MR. [REDACTED]: Verify it.

11 MR. [REDACTED]: Because someone could have
12 came in before the count, too. A U.S. Marshal
13 could have brung one in, and they said, hey,
14 watch this guy. He's going to 9-South. That's
15 why the plus one is throwing me off.

16 MR. [REDACTED]: Have you ever seen plus
17 one on anything before?

18 MR. [REDACTED]: No. I heard people calling
19 in with a plus one. But then, again, I say
20 that's like a ghost. A ghost count.

21 MR. [REDACTED]: All right. Does this --

22 MR. [REDACTED]: But it mess up the base
23 count, though.

24 MR. [REDACTED]: -- but seeing, especially
25 looking at the 72 --

1 MR. [REDACTED]: Yeah, I don't know how that
2 happened.

3 MR. [REDACTED]: -- and does this at all
4 tell you anything about any of these counts?

5 MR. [REDACTED]: Hmm.

6 MR. [REDACTED]: Like, we've had other
7 people, you know, in higher positions saying,
8 to me, it tells me that the counts weren't
9 done. Does that tell you that?

10 MR. [REDACTED]: Yeah, but at 10:00? Pfft, I
11 mean, yeah. I don't know, man. Yeah. I mean,
12 I couldn't tell you, man.

13 MR. [REDACTED]: All right. So -.

14 MR. [REDACTED]: I couldn't tell you. I don't
15 know. I don't understand that.

16 MR. [REDACTED]: Okay. So, is it just a
17 baffling type of deal? Because it's baffling --

18 MR. [REDACTED]: Yeah.

19 MR. [REDACTED]: -- to us, and then, we're
20 just hoping that people can kind of help us -
21 especially people that were there -.

22 MR. [REDACTED]: I don't know. See, that's
23 why I don't understand that. I don't see how
24 they get 73 at the 10:00 count, and then they
25 lose one after the 10:00 count.

1 MR. [REDACTED]: And that's the same
2 thing. We're trying to figure that out.

3 MR. [REDACTED]: Unless it wasn't keyed in the
4 system.

5 MR. [REDACTED]: At what point - are you
6 able to tell - at what point it should have
7 been keyed in the system by that?

8 MR. [REDACTED]: Well, if a guy came into R&D,
9 and they keyed him in SHU, and then put him
10 back in R&D.

11 MR. [REDACTED]: So if he like went to SHU
12 --

13 MR. [REDACTED]: He never went to SHU.

14 MR. [REDACTED]: -- and then back?

15 MR. [REDACTED]: They keyed him in the SHU.
16 They put him on this count. But he didn't make
17 it. So, the medical and stuff taking the guy
18 out. So, they say, hey, leave him down there,
19 and count him in R&D. I could see that
20 happening.

21 MR. [REDACTED]: So if, like, he's in
22 medical, and they can't --

23 MR. [REDACTED]: Well, so like, medical comes
24 down there, and they checking him out, and he
25 don't make it up time in SHU, for the time,

1 seeing they could say, hey, well, I'm not
2 putting him on our count, put him down there.

3 MR. ██████████: So, that would be like
4 the ghost count you're talking about?

5 MR. ██████████: No, that's a real count.

6 MR. ██████████: But if he's -.

7 MR. ██████████: That's just saying someone
8 put him in there but took him out.

9 MR. ██████████: All right. But if he's
10 not physically there, he's not actually allowed
11 to be on the count. Is he?

12 MR. ██████████: Exactly. No. That's why -
13 and this is, I don't - you see, this says RA?
14 That's R&D.

15 MR. ██████████: And does it say anybody's
16 in R&D over on this one?

17 MR. ██████████: Well, there's no out count,
18 and that's what I'm saying. There's no out
19 count with that one.

20 MR. ██████████: So, this RA --

21 MR. ██████████: RA and R&D are separate.

22 MR. ██████████: -- is one.

23 MR. ██████████: You need an out count for
24 this. You don't need an out count for that.
25 This is a unit.

1 MR. [REDACTED]: But as far as this goes,
2 we're looking at the midnight and the 10:00
3 p.m., right?

4 MR. [REDACTED]: Yeah.

5 MR. [REDACTED]: So, at midnight, there is
6 RA1, and the midnight, but at the 10:00 p.m.,
7 you know --

8 MR. [REDACTED]: Right.

9 MR. [REDACTED]: -- two hours earlier, the
10 zero. Correct?

11 MR. [REDACTED]: So I'm thinking this dude
12 went back to RA.

13 MR. [REDACTED]: Okay.

14 MR. [REDACTED]: That's how they lost someone.

15 MR. [REDACTED]: But there is a count slip?

16 MR. [REDACTED]: For RA or R&D?

17 MR. [REDACTED]: What's he talking about?

18 MR. [REDACTED]: So, RA --

19 MR. [REDACTED]: That's the thing. That it
20 was --

21 MR. [REDACTED]: -- isn't the count slip
22 for - (Indiscernible *01:43:21).

23 MR. [REDACTED]: At the top.

24 MR. [REDACTED]: That's R&D.

25 MR. [REDACTED]: Well, they could have messed

1 up. They should have had the RA count slip for
2 that one.

3 MR. [REDACTED]: What's the difference between
4 RA and R&D?

5 MR. [REDACTED]: RA is a real unit. So, when
6 the guys come back from court, they're in RA
7 status. R&D is when they keyed out.

8 MR. [REDACTED]: To go to leave?

9 MR. [REDACTED]: To go to court. But if they
10 come back, they came back in their unit. If
11 they don't come back, they release them from
12 R&D. But RA is technically a unit.

13 MR. [REDACTED]: And it doesn't count as a -
14 it doesn't show up as R&D?

15 MR. [REDACTED]: No. (Indiscernible
16 *01:43:57).

17 MR. [REDACTED]: Where would that one slip
18 - that says R&D in there - where would that
19 show up here?

20 MR. [REDACTED]: That would be right here.
21 But they don't have nobody in R&D.

22 MR. [REDACTED]: So, there's - and so, is
23 that even weirder, the fact that, at the 10:00
24 p.m. count, there's a count slip for R&D, and
25 there's nobody for R&D on this?

1 MR. [REDACTED]: That's why I think they put
2 him, and they keyed him in SHU. They keyed him
3 in SHU, the inmate, and then put him down in
4 R&D. And then, changed it after the count. Or
5 they could have changed it right after this
6 count cleared, and set it up for the next
7 count, say the inmates, the inmate is in - this
8 is the 10:00?

9 MR. [REDACTED]: Yeah, that one is the
10 10:00 p.m.

11 MR. [REDACTED]: Yeah. And you have the
12 midnight one.

13 MR. [REDACTED]: Yes.

14 MR. [REDACTED]: That's the midnight one
15 right there.

16 MR. [REDACTED]: That's the 3:00.

17 MR. [REDACTED]: Oh.

18 MR. [REDACTED]: See, (Indiscernible
19 *01:44:44) right here.

20 MR. [REDACTED]: Oh, I think I took it.

21 MR. [REDACTED]: So, whoever was in SHU, they
22 put him, and they keyed him into RA and R&D.

23 MR. [REDACTED]: This is the midnight.

24 MR. [REDACTED]: Yeah. So that's what
25 happened.

1 MR. [REDACTED]: Does R&D have like a dry cell
2 or a dry room?

3 MR. [REDACTED]: No, they got cells. You see,
4 they got RA right here. Yeah, that's what
5 happened. I think the guy came from SHU and
6 went to RA. That's why they lost one.

7 MR. [REDACTED]: And can you think of why
8 a person would go from SHU to RA, at that late
9 at night?

10 MR. [REDACTED]: Body scan. Probably pulled
11 something. And they kept him down there, put
12 him through the x-ray.

13 MR. [REDACTED]: And is there any way - by
14 looking at these - you can see how -. Is there
15 - you said the 4:00 p.m.?

16 MR. [REDACTED]: Yeah. That's the 4:00 p.m.

17 MR. [REDACTED]: Is the person in R&D at
18 4:00 p.m.? Are you able to tell by this?

19 MR. [REDACTED]: Let me see. You know the
20 inmate that was down there or no?

21 MR. [REDACTED]: I think Fernandez. Is
22 that right?

23 MR. [REDACTED]: Was he a west side dude?

24 MR. [REDACTED]: Do you anything about
25 him?

1 MR. [REDACTED]: No, I don't.

2 MR. [REDACTED]: Yeah, but that's what it
3 looks like. It looks like they took a guy to
4 SHU, and put him in R&D, but instead of keying
5 him in R&D, they keyed him RA. Yeah. That's
6 what it looks like.

7 MR. [REDACTED]: So, at the 4:00 p.m., was
8 he anything to do with Fernandez on that, or
9 anything to do with somebody in -?

10 MR. [REDACTED]: Well, the 4:00 p.m. is - no,
11 because no one is out from R&D. Let me see.
12 You've got one from 11-South. You've got no
13 one else from R&D.

14 MR. [REDACTED]: But it's also said that
15 at the 10:00 p.m., right? Or I don't know which
16 one I'm looking at right there, but -.

17 MR. [REDACTED]: No, you have one out here.
18 Yeah. But it looks like this inmate, from
19 10:00, they did the count at 10:00. Plus one.
20 Yeah. Plus one. Yeah. It seemed like they
21 got screwed up by something. Either moving
22 this guy to R&D, or whatever. I mean, the
23 count slip shouldn't have accepted anyway,
24 though. So, in the 9-South, plus one. Like, I
25 don't know why that was written, but --

1 MR. [REDACTED]: Okay.

2 MR. [REDACTED]: -- that's what it looked
3 like. The guy came from 9-South, he went in
4 the RA. He stayed there throughout the night.
5 Whoever the inmate was --

6 MR. [REDACTED]: Yeah, yeah.

7 MR. [REDACTED]: -- right there.

8 MR. [REDACTED]: And we have reason to
9 believe that that is the case. That there is a
10 guy that was in, you know, he did stay there at
11 the night, and he had somebody on him, and
12 that's one of the reasons why we want to talk
13 to somebody that was in R&D to be able to
14 verify hey, was that guy really there?

15 MR. [REDACTED]: Mm-hmm.

16 MR. [REDACTED]: And by looking at that,
17 would that be that individual we just talked
18 about?

19 MR. [REDACTED]: [REDACTED].

20 MR. [REDACTED]: Yeah.

21 MR. [REDACTED]: Who did the count slip?

22 MR. [REDACTED]: It's based on the count slip
23 (Indiscernible *01:48:18).

24 MR. [REDACTED]: Yeah.

25 MR. [REDACTED]: Um all right. Does this

1 tell you anything else? Just before we move
2 on.

3 MR. [REDACTED]: I mean just -. I don't know.
4 Yeah. I don't know. I don't understand it.
5 That's the only thing I think they probably
6 took him down for that then.

7 MR. [REDACTED]: Is there - which, from
8 looking at these, what basic like counts seem
9 bad to you? Does this 10:00 p.m. one seem like
10 a bad count to you? The way that it - what you
11 just looked at? When there's nothing on the E1
12 and there's a count slip?

13 MR. [REDACTED]: Uh.

14 MR. [REDACTED]: If you were working that
15 night and you got a count like that, is that a
16 good count or bad count?

17 MR. [REDACTED]: I would have said bad count.

18 MR. [REDACTED]: And who - can you tell by
19 looking at this - who was the one who took this
20 count?

21 MR. [REDACTED]: Uh [REDACTED].

22 MR. [REDACTED]: [REDACTED]? And was there any
23 lieutenants involved with this?

24 MR. [REDACTED]: I mean there could have been.
25 I'm not sure.

1 MR. [REDACTED]: But by looking at it like
2 I think like probably the midnight one there
3 was an actual ops lieutenant. Are you able to
4 tell that by looking at the - I think the ops
5 lieutenant is the one who caught it at
6 midnight? Are you able to tell that that -?

7 MR. [REDACTED]: Oh this one here?

8 MR. [REDACTED]: Yeah. Are you able to -
9 by looking at these, are you able to tell when
10 the lieutenant actually took the count?

11 MR. [REDACTED]: It was - says she took the
12 count - [REDACTED] took the count at midnight.

13 MR. [REDACTED]: All right. And it shows
14 [REDACTED] on it? I'm looking at it upside down
15 so I can't even see.

16 MR. [REDACTED]: That's what it says yeah.

17 MR. [REDACTED]: And on this one does it
18 show any lieutenant was involved?

19 MR. [REDACTED]: No.

20 MR. [REDACTED]: So it would just been
21 [REDACTED]?

22 MR. [REDACTED]: Yeah.

23 MR. [REDACTED]: All right.

24 MR. [REDACTED]: What about the 4:00 p.m.?
25 Does it show the lieutenant's name on the 4:00

1 p.m.?

2 MR. [REDACTED]: No.

3 MR. [REDACTED]: Do you have any idea what
4 [REDACTED] first name is?

5 MR. [REDACTED]: No.

6 MR. [REDACTED]: But this does seem like a
7 bad E1.

8 MR. [REDACTED]: E1 seems good. But um -.

9 MR. [REDACTED]: Even though that no one
10 is listed on R&D?

11 MR. [REDACTED]: Yeah that's what's confusing.
12 Like -.

13 MR. [REDACTED]: Because then you say
14 there's a count slip for -.

15 MR. [REDACTED]: This is at 9:33.

16 MR. [REDACTED]: Wasn't that just one that
17 was printed? Oh. Because the numbers are
18 printed on that?

19 MR. [REDACTED]: Yeah.

20 MR. [REDACTED]: I see what you're saying.
21 So after 9:33 possibly, something changed?

22 MR. [REDACTED]: So that could be two things.
23 Either the Marshals was trying to get one in
24 before the count and they thought they had
25 enough time to process him upstairs. And then

1 when they call in the count, it's wrong. Like
2 hold on that's not it. Yeah.

3 MR. [REDACTED]: And that's what I mean by
4 wouldn't this be incorrect if they get a count
5 slip that's not listed on the E1?

6 MR. [REDACTED]: Yeah. They got a - which one
7 did they get? R&D? Yeah. Yep. That would be
8 a bad one.

9 MR. [REDACTED]: All right. So for this
10 it seems like the 10:00 p.m. on August 9th was
11 a bad E1 and as far as the midnight, it seems
12 like it's the count slip that's a bad slip. Is
13 that correct? Whatever that's (Indiscernible
14 *01:51:13). I'm sorry, I'm in the -. So it
15 seems like the E1 is good at midnight, but the
16 count slip is bad at midnight for ZA. And
17 we're primarily asking you this stuff just
18 because we've got to write a report about what
19 we're finding. And we don't want to sound - we
20 don't want to be wrong. You know what I mean?

21 MR. [REDACTED]: Yeah. Yeah so, the count
22 slip is wrong on this one.

23 MR. [REDACTED]: So midnight count slip is
24 wrong, E1 seems right. The E1 at 10:00 p.m.
25 seems wrong, but the count slips seems right.

1 At least for R&D. I - we have reason to
2 believe the count slip for ZA is also wrong for
3 --

4 MR. ██████: Yeah-yeah-yeah.

5 MR. ██████: -- 10:00 p.m. because -.
6 Well it depends, I guess, like you said, what
7 time the individual was moved to R&D. We've
8 been told that after the you know -. People
9 are all moved prior to this time. So if that
10 person was in R&D, it would have been prior to
11 the 10:00 p.m. count. Does that sound right to
12 you?

13 MR. ██████: That's what I'm saying. I
14 mean something could have happened. And you
15 know taken this guy downstairs.

16 MR. ██████: And that's why we need to
17 talk to people. So by looking at this, are you
18 able to like figure out who we can talk to? To
19 see if something happened at 10:00 p.m. to
20 change this count and make this -?

21 MR. ██████: Did you see the log already?

22 MR. ██████: The lieutenant's log?

23 MR. ██████: Yeah.

24 MR. ██████: Do we have it? Yeah. I
25 have it.

1 MR. [REDACTED]: Anything with log?

2 MR. [REDACTED]: Um so here's the - yeah.
3 So here's the log from the day you were on.
4 That's the August - it says August 10th, but
5 you know it's the August 9th log in there. Are
6 you able to tell by looking at that? And
7 here's the day after. So this is the - you've
8 got the August 9th --

9 MR. [REDACTED]: Okay. So moving him to the
10 dry cell.

11 MR. [REDACTED]: -- and the August 10th.

12 MR. [REDACTED]: Okay. So he put someone in
13 dry cell.

14 MR. [REDACTED]: Dry cell is in the SHU isn't
15 it?

16 MR. [REDACTED]: Yeah. If there's space.
17 Okay. So it looks like they didn't key the guy
18 up. He went to dry cell depending on what
19 time.

20 MR. [REDACTED]: And are you able to tell
21 by these lieutenant's - I think you've got the
22 actual lieutenant log back there and I would
23 assume that that's when it should be documented
24 when people are moved. Correct? Are you able
25 to tell by looking at that when someone - you

1 know this person was moved to dry cell?

2 MR. [REDACTED]: Eh.

3 MR. [REDACTED]: Oh. And also if you've
4 got that, are you able to tell by looking at
5 that when you worked until? No?

6 MR. [REDACTED]: No. I wouldn't have done a
7 log that day from activities.

8 MR. [REDACTED]: Yeah. I just didn't know
9 if it like mentioned when people - you know ops
10 or activities started or stopped.

11 MR. [REDACTED]: No. It doesn't say when he -
12 . It just says Inmate Fernandez on dry cell.
13 It doesn't say when he went there.

14 MR. [REDACTED]: There's no time associated
15 with the movement on there?

16 MR. [REDACTED]: Should have there been?

17 MR. [REDACTED]: I mean that's good to put in
18 there yeah.

19 MR. [REDACTED]: So you said you wouldn't
20 have been associated with the lieutenant's log.
21 Who does the lieutenant's log?

22 MR. [REDACTED]: Ops should take care of it.

23 MR. [REDACTED]: Ops would so on your
24 shift it would have been [REDACTED]?

25 MR. [REDACTED]: Yeah. But Fernandez is

1 already on dry cell on day watch it says.

2 MR. [REDACTED]: And that's where we get
3 confused. And that's why we have reason to
4 believe - because it seems like Fernandez was
5 put on day watch.

6 MR. [REDACTED]: At 3:15. Yeah.

7 MR. [REDACTED]: Does it say 3:15 he was
8 placed on there?

9 MR. [REDACTED]: Yeah.

10 MR. [REDACTED]: So that indicates to us
11 the 4:00 p.m. and that 10:00 p.m. count were
12 also both bad. He wasn't in the SHU. Does
13 that make sense to you?

14 MR. [REDACTED]: I think he was -. Yeah. He
15 wasn't in the SHU, but he was he was still
16 keyed in SHU.

17 MR. [REDACTED]: He was still keyed in the
18 SHU, but he wasn't there?

19 MR. [REDACTED]: Yeah.

20 MR. [REDACTED]: Right. So for the Els,
21 they would still show it. The only way the
22 people in control would know it is if SHU
23 actually did their count and said we only got
24 72 people in here not 73. Right?

25 MR. [REDACTED]: I mean....

1 MR. [REDACTED]: Because people working in
2 the SHU. They know hey, we only count bodies
3 that are present.

4 MR. [REDACTED]: Oh hold on. This is the 9th.
5 Okay. So he went to -. Transfer to special
6 housing - dry cell at 4:00.

7 MR. [REDACTED]: At 4:00 it says?

8 MR. [REDACTED]: On the 9th. This is done on
9 the night before. Okay. Okay.

10 MR. [REDACTED]: Can you -? And again I
11 promise you, not a "gotcha." You're being a
12 very extremely help. Can you just note on
13 there where you're seeing these different
14 things? If you can tell at what time he was
15 moved?

16 MR. [REDACTED]: Well this just looks like the
17 log is the same.

18 MR. [REDACTED]: We also have reason to
19 believe that people manipulated the log after
20 the fact.

21 MR. [REDACTED]: Yeah. That's what I'm
22 saying. Some things are (Indiscernible
23 *01:57:13).

24 MR. [REDACTED]: Do you know anything
25 about that? While I mentioned that?

1 MR. [REDACTED]: No. I see SHU corrections;
2 Fernandez; dry cell; RA; Saturday. Yeah. So I
3 mean that's pretty much whatever. I think that
4 the dial was still keyed in the SHU.

5 MR. [REDACTED]: But as far as --

6 MR. [REDACTED]: In the building physically.

7 MR. [REDACTED]: -- are you able to -?
8 Did you say that you saw something in there
9 that said either 3:15 or then you said 4:00
10 p.m. after that? Where are you seeing that?

11 MR. [REDACTED]: No. It looks like --

12 MR. [REDACTED]: The 3:00.

13 MR. [REDACTED]: -- they're saying the guy was
14 transferred back to SHU. Hold on. But this
15 also says that I was - I relieved [REDACTED] as
16 day watch ops.

17 MR. [REDACTED]: It says you relieved
18 [REDACTED] as day watch ops?

19 MR. [REDACTED]: Yeah.

20 MR. [REDACTED]: Instead of [REDACTED]? I
21 mean [REDACTED].

22 MR. [REDACTED]: Yeah.

23 MR. [REDACTED]: Is that wrong?

24 MR. [REDACTED]: Mm.

25 MR. [REDACTED]: Or was it that

1 potentially [REDACTED] was late, and you relieved
2 her?

3 MR. [REDACTED]: I don't know. I'm not sure.

4 MR. [REDACTED]: Would that be like a
5 possibility? Like can they do that? Even if
6 you're activities' lieutenant, if she wants to
7 leave and you're there and [REDACTED] - who is the
8 ops lieutenant - wasn't? Can they say that you
9 relieved her even though you were activities'
10 lieutenant?

11 MR. [REDACTED]: Mm.

12 MR. [REDACTED]: Or is she not supposed to
13 write that? Or not supposed to be in there?

14 MR. [REDACTED]: So who wrote that?

15 MR. [REDACTED]: Uh I don't know. It could be
16 - that's the thing. It could be a - it's like
17 a from the day's prior. So if you don't catch
18 it, you just going to keep it the same. So
19 it's like - because I'm ops - I know I was ops.
20 That's what I'm saying. So I must have came in
21 on doing overtime that day. So normally I
22 would relieve her. So she probably left it
23 that way anyway thinking okay it's the same.
24 You're not changing that. You know?

25 *01:59:23

1 MR. [REDACTED]: Oh you mean the day
2 before you were ops is what you're saying?

3 MR. [REDACTED]: Yeah. I think I was ops that
4 whole quarter though. I think so yeah.

5 MR. [REDACTED]: So you were - that whole
6 quarter you were ops? Why were you -?

7 MR. [REDACTED]: Overtime.

8 MR. [REDACTED]: So overtime was a
9 different duty?

10 MR. [REDACTED]: Yeah.

11 MR. [REDACTED]: So you were the ops
12 lieutenant up until that day? You were
13 activities' lieutenant that day though?

14 MR. [REDACTED]: Yeah. I think so.

15 MR. [REDACTED]: So being that you were
16 ops, were you also potentially acting as like
17 the ops lieutenant?

18 MR. [REDACTED]: Mm.

19 MR. [REDACTED]: Like as in like since
20 that were your normal duties would have you
21 also took - taken that on? Like hey, I know
22 I'm activities, but I'll do the ops role? And
23 this is, again, just to try to help recollect -
24 -

25 MR. [REDACTED]: I don't know.

1 MR. [REDACTED]: -- what you were doing.

2 MR. [REDACTED]: I think I was ops that
3 quarter though.

4 MR. [REDACTED]: Okay.

5 MR. [REDACTED]: Yeah. I was ops.

6 MR. [REDACTED]: Again we don't have your
7 records. There was no reason for us to be
8 grabbing your records or anything like that.
9 So everything we're asking you about is simply
10 to help us fill in the blanks.

11 MR. [REDACTED]: So based on what you said,
12 you think it's - the log is from previous date.
13 It was just a spite edit that wasn't caught on
14 to.

15 MR. [REDACTED]: Yeah. The dry cell stuff. I
16 don't know about all that. But that's what it
17 looks like. It looked like the guy was in
18 there and they didn't key him out even though
19 he was in R&D.

20 MR. [REDACTED]: So let's say if I'm in SHU
21 and I wanted to move somebody. Or you wanted
22 to move somebody in the SHU.

23 MR. [REDACTED]: Yeah.

24 MR. [REDACTED]: You're going to - do you key
25 it in, or do you call in to somebody and tell

1 them to key it in? Who keys it in?

2 MR. ██████: You can do it if you want to.
3 You can do it by yourself.

4 MR. ██████: And let's say you move it.
5 Is someone supposed to be notified hey, listen
6 this person is moved? Or you - the SHU CO's
7 can move the inmates by themselves?

8 MR. ██████: Someone from a different
9 unit?

10 MR. ██████: Yeah. Like control or R&D?

11 MR. ██████: No you tell - you can call
12 control.

13 MR. ██████: Is it policy that control
14 must be notified?

15 MR. ██████: I don't know if it's policy,
16 but I mean, they taking a count it's good to
17 know. Hey, this is what's going on - got to
18 move this guy down to dry cell.

19 MR. ██████: And let's say - sorry. Go
20 ahead.

21 MR. ██████: I was going to say I
22 guess - are you asking like who is responsible
23 for doing the keying? Yeah who -?

24 MR. ██████: It could be CNA.

25 MR. ██████: What's CNA?

1 MR. [REDACTED]: Control number two.

2 MR. [REDACTED]: Okay. But control would
3 be responsible for him. It's not ops or SHU
4 that would have been responsible for
5 (Indiscernible *02:01:28). It's control that
6 was --

7 MR. [REDACTED]: I mean SHU could --

8 MR. [REDACTED]: -- responsible for -?

9 MR. [REDACTED]: -- make that change though.

10 MR. [REDACTED]: SHU could?

11 MR. [REDACTED]: Yeah.

12 MR. [REDACTED]: It's not an ops
13 responsibility or activities'?

14 MR. [REDACTED]: I mean if they say hey, I
15 need this guy in dry cell. You know. Okay.
16 You notify them. You know hey, move him.

17 MR. [REDACTED]: Okay. I guess though
18 what we're saying is like under the regular
19 practice - I understand that other - some
20 people have the ability to do it. But who
21 should have done it?

22 MR. [REDACTED]: Should have moved keyed the
23 inmate from --

24 MR. [REDACTED]: Yeah-yeah-yeah.

25 MR. [REDACTED]: -- SHU to R&D?

1 MR. [REDACTED]: Yeah.

2 MR. [REDACTED]: Uh CNA, control.

3 MR. [REDACTED]: Control should have?

4 MR. [REDACTED]: Number two. Yeah.

5 MR. [REDACTED]: And how should have they
6 been notified that they needed to make that
7 change? Who should have notified them that
8 that change needed to be made?

9 MR. [REDACTED]: Mm. I mean Sue could have
10 called ahead. This guy is keyed up here. He's
11 keyed down there.

12 MR. [REDACTED]: So I guess what I'm
13 saying is like once an inmate is moved, and
14 control needs to be notified. Hey, this guy
15 that was in SHU is now in R&A. Who needs to
16 notify control to make those changes in the
17 system?

18 MR. [REDACTED]: The SHU. They just
19 (Indiscernible *02:02:37) down there.

20 MR. [REDACTED]: So the SHU.

21 MR. [REDACTED]: They'll call control. Yeah.

22 MR. [REDACTED]: Okay. So whenever -
23 let's say for instance we believe Fernandez was
24 moved from the SHU to R&A on dry cell. The SHU
25 should have contacted control and said we just

1 made this movement. He needs to be rekeyed.

2 MR. ██████: Yeah.

3 MR. ██████: All right. That's the
4 way it works?

5 MR. ██████: Yeah.

6 MR. ██████: And again, these are just
7 questions. We don't know.

8 MR. ██████: It could be that or the
9 lieutenant could do it. Either or. Hey, I'm
10 moving this guy. I'm moving here.

11 MR. ██████: So should have a
12 lieutenant been involved in that?

13 MR. ██████: Not necessarily.

14 MR. ██████: Okay. And that's why
15 we're just trying to figure out what is the
16 standard operating procedure? Like what is -
17 typically - what is supposed to happen?

18 MR. ██████: I mean there's no typical.
19 You get it done. Hey, I'm telling you to move
20 him. Or I say I'm moving this guy. The
21 lieutenant told me to move him. And yeah.

22 MR. ██████: I guess but if anybody
23 can do it and no one is told to do it, I guess
24 - I would assume - that it would quite
25 frequently not be done because everyone would

1 be like "well he could have done it - he should
2 have done it." I'm saying like who is usually
3 supposed to do it? Who is like supposed to
4 take the lead of - make sure that that's done
5 or "we just moved this guy - control you know
6 like key that out." Like how is it supposed to
7 be done? Because otherwise, it's always going
8 to fall apart because then everyone is going to
9 say, "well that person could have done it -
10 that person could have done it."

11 MR. ██████: Yeah.

12 MR. ██████: So is there anybody
13 that's supposed to do it?

14 MR. ██████: To notify?

15 MR. ██████: Yeah. To make the
16 notifications so that the numbers can be
17 changed on the E1?

18 MR. ██████: Yeah. I would say the SHU
19 staff.

20 MR. ██████: SHU staff.

21 MR. ██████: They kind of say hey, this
22 guy is not up there. check to see where he's
23 at.

24 MR. ██████: All right.

25 MR. ██████: Maybe key him to R&D.

1 MR. [REDACTED]: Sorry I didn't mean -.

2 MR. [REDACTED]: No-no. That's exactly what I
3 was thinking or trying to get to. You said the
4 SHU staff could also key it in. If they keyed
5 it in, would this E1 document get updated?

6 MR. [REDACTED]: Well these -.

7 MR. [REDACTED]: Or would control have to
8 update it?

9 MR. [REDACTED]: Control will update it.

10 MR. [REDACTED]: So no matter even if the SHU
11 staff decided if they wanted to update it,
12 control manually has to update this document -
13 specifically.

14 MR. [REDACTED]: Yeah. Put a number on it.
15 Because this is the last one that was printed.
16 And then you make a change after that it's not
17 going to show.

18 MR. [REDACTED]: Okay. This was -.

19 MR. [REDACTED]: 9:30.

20 MR. [REDACTED]: 9:30. But let's see the 4:00
21 p.m. count. I just want to see what time that
22 was printed.

23 MR. [REDACTED]: 3:40.

24 MR. [REDACTED]: And according to that, the
25 inmate was supposed to be moved at 3:15?

1 MR. [REDACTED]: Nah.

2 MR. [REDACTED]: The daily log -?

3 MR. [REDACTED]: Well you said two
4 different - I was going to back to that. You
5 said - one time you said 3:15 and the other
6 time you said 4:00 p.m. Are you able to tell?

7 MR. [REDACTED]: Yeah. It looks like -.
8 Okay. So let's start with this. This is the
9 9th, right?

10 MR. [REDACTED]: Yes.

11 MR. [REDACTED]: So you got nobody starting
12 the shift on dry cell. So this says 3:15
13 inmate Fernandez placed on dry cell from SHU.

14 MR. [REDACTED]: Can you just put a star
15 next to that? All right. So then you believe
16 that that is where things got screwed up? They
17 never keyed him out.

18 MR. [REDACTED]: Yeah. Inmate Fernandez
19 placed on dry cell; 75 in SHU; I do believe
20 [REDACTED].... All right. So at 9:00 on August
21 9th Friday he goes in at 3:15 in dry cell. And
22 he stays in there overnight. So the 4:00
23 count, he's still keyed in there though, right?

24 MR. [REDACTED]: Well that's what we're
25 trying to figure out.

1 MR. [REDACTED]: Yeah.

2 MR. [REDACTED]: Because it's not caught
3 until -. So we believe from people that we
4 talked to, it was caught at midnight. And that
5 person who caught it said like this person is
6 on dry cell and then revised the numbers and
7 the count.

8 MR. [REDACTED]: Mm-hm.

9 MR. [REDACTED]: Now we're trying to
10 determine were the counts ever conducted in the
11 SHU?

12 MR. [REDACTED]: Mm.

13 MR. [REDACTED]: It doesn't appear to us
14 that they would have been. Because they would
15 have caught that at 4:00 p.m. and the 10:00
16 p.m. They would have said this is the number
17 of people we physically have present.

18 MR. [REDACTED]: Yeah but I don't see -.

19 MR. [REDACTED]: And even at midnight it
20 still says 73. And it's changed to 72. And to
21 us it suggests - and everyone else that we're
22 talking to - that we haven't shared this
23 information with many people. You're one of a
24 very select few that we're even showing this
25 stuff to.

1 MR. [REDACTED]: Mm-hm.

2 MR. [REDACTED]: But the people that we've
3 showed it to before says, hey the fact that
4 they're reporting 73 and the actual count is
5 72, they're basically getting the number from
6 this and just writing that down. They're not
7 actually conducting the counts. Would you
8 agree with that statement?

9 MR. [REDACTED]: They could do that. Or they
10 could actually be counting but not counting.
11 Making sure that they're just walking and
12 making sure they're alive.

13 MR. [REDACTED]: So doing more of a round
14 than a count?

15 MR. [REDACTED]: Yeah.

16 MR. [REDACTED]: And that is also one of
17 the things that we believe happened. Is that
18 at least on one of the instances, they did do a
19 round, but they didn't do an actual count.

20 MR. [REDACTED]: Yeah. Because honestly, I
21 don't see it on this end. A 4:00 and a 10:00.

22 MR. [REDACTED]: You don't see what?

23 MR. [REDACTED]: The missing of 4:00 and
24 10:00.

25 MR. [REDACTED]: Yeah. The fact that they

1 missed both seems very unlikely.

2 MR. [REDACTED]: Yeah.

3 MR. [REDACTED]: If they're actually
4 counting. Correct?

5 MR. [REDACTED]: Yeah.

6 MR. [REDACTED]: And that's why we believe
7 - and it sounds like you agree - they didn't
8 actually do the 4:00, the 10:00, or the
9 midnight count.

10 MR. [REDACTED]: No. I mean I'm thinking they
11 did to the 4:00 and the 10:00.

12 MR. [REDACTED]: Even though the numbers
13 are wrong?

14 MR. [REDACTED]: Yeah. They probably just
15 went off the numbers.

16 MR. [REDACTED]: SO you think --

17 MR. [REDACTED]: What --

18 MR. [REDACTED]: -- they conducted the round?

19 MR. [REDACTED]: They conducted a round
20 not a count.

21 MR. [REDACTED]: Yeah. Or something.

22 MR. [REDACTED]: I mean because they can't
23 miss the number if they're actually counting
24 numbers both at 4:00 - or all not just both.
25 At 4:00, at 10:00, and at midnight, all of the

1 count slips are wrong.

2 MR. [REDACTED]: Yeah but then that's what
3 those (Indiscernible *02:08:32) to plus one.
4 It's like they know they got someone, but then
5 it's like -. Like maybe they was told -.

6 MR. [REDACTED]: But they're still using
7 the 73 plus one. It should be 72 plus one if
8 they're doing that.

9 MR. [REDACTED]: Yeah. Yeah.

10 MR. [REDACTED]: Unless it was 73 minus
11 one. Then they could do it. But 73 plus one
12 seems to indicate they're using the number
13 that's provided --

14 MR. [REDACTED]: On the E1.

15 MR. [REDACTED]: -- and saying we got one
16 more down there.

17 MR. [REDACTED]: Yeah. I don't know what was
18 going on with this. That's baffling.

19 MR. [REDACTED]: All right. To your
20 knowledge, if they're not doing the count
21 though that's all on the SHU? The people that
22 are in there right now? Nothing to do with
23 lieutenants.

24 MR. [REDACTED]: No.

25 MR. [REDACTED]: Okay. There's no way for

1 like anyone else other than the people in the
2 SHU -. Or let me ask it a different way. Is
3 there any way for anyone other than the SHU to
4 know that they're not doing the counts?

5 MR. ██████: No.

6 MR. ██████: No? Okay. Anything that
7 you didn't initial, just again to say what it
8 is we showed you.

9 MR. ██████: (Indiscernible *02:09:41)

10 MR. ██████: Is this one you or me?

11 MR. ██████: That's (Indiscernible
12 *02:09:48)

13 MR. ██████: So what does this pertain to
14 - Thomas and Noel?

15 MR. ██████: Well it's everybody know.
16 Because everybody that's in the SHU. Right?
17 We've got to talk to them. Hey, did you
18 conduct these counts. Or these you know?
19 Because this just brought to light the fact
20 that it doesn't appear that the counts were
21 ever being conducted. So we've got to - that's
22 why we've got to talk to the people that we
23 want to talk to first. People like yourself
24 that were lieutenants on duty. Hey, do you
25 know anything about this? Did you - do you

1 know?

2 MR. [REDACTED]: I mean they wasn't counting.

3 MR. [REDACTED]: Yeah-yeah-yeah. I know.

4 But I mean just letting you know like, oh yeah,
5 first we want to know about the cellmate. Hey,
6 did you know anything about this? Did you - it
7 looks like -. From the way that this memo
8 reads, we assumed that either you or [REDACTED] told
9 [REDACTED] hey, he's WAB. Make sure he gets a
10 cellmate. Because that's one of the reasons
11 why we want to talk -.

12 MR. [REDACTED]: Based on that memo?

13 MR. [REDACTED]: Yeah. because like the
14 fact that -. He's saying, I knew. I knew he
15 was going WAB. And I told him.

16 MR. [REDACTED]: Mm-hm.

17 MR. [REDACTED]: Hey, make sure he gets a
18 cellmate. So the assumption that we were going
19 off of is that either you and/or [REDACTED] --

20 MR. [REDACTED]: Mm-hm.

21 MR. [REDACTED]: -- spoke to [REDACTED] and
22 said he's going WAB. Make sure he gets a
23 cellmate.

24 MR. [REDACTED]: Mm.

25 MR. [REDACTED]: But it sounds like what

1 you're saying is you don't -. You didn't even
2 know, and you never had that conversation.

3 MR. [REDACTED]: With Reyes and everything.
4 No. I don't even know - I never knew the dude
5 until that thing came out. You know what I
6 mean. He would have been notified.

7 MR. [REDACTED]: Right.

8 MR. [REDACTED]: But then again, I mean, we do
9 get notified. But usually R&D calls us up.
10 Hey, those two guys ain't coming back.

11 MR. [REDACTED]: And is it your belief
12 though by that -? Would it be -? All right.
13 If you said you dint' speak to him. So
14 probably he was notified directly from control?
15 Or R&D?

16 MR. [REDACTED]: I would say probably R&D.

17 MR. [REDACTED]: So R&D wouldn't call
18 control. And control wouldn't call him? R&D
19 would call directly to the SHU?

20 MR. [REDACTED]: That's how we used to do it.

21 MR. [REDACTED]: Okay. That's how it
22 would always be? So when you were in the SHU -
23 ?

24 MR. [REDACTED]: They call up -.

25 MR. [REDACTED]: R&D would call you

1 directly?

2 MR. [REDACTED]: But again that's evening
3 watch. Again that's on evening watch.

4 MR. [REDACTED]: Right.

5 MR. [REDACTED]: That guy's not coming back.

6 MR. [REDACTED]: But at 1:50 that's early.
7 And that's when it notified. All right. So if
8 he doesn't have WAB listed on his name on the
9 court list that morning. And that's what
10 people have told us. So we're going on the
11 assumption that - and this is an assumption.
12 That he was - somebody was contacted in the SHU
13 saying hey, it looks like he's not coming back.
14 He did write possibly. But that's the first
15 that we're seeing WAB.

16 MR. [REDACTED]: Mm-hm.

17 MR. [REDACTED]: So the thought is that
18 someone contacted [REDACTED]. We haven't - we've
19 got to talk to him. But like and say, hey,
20 doesn't look like he's coming back. You know
21 we're just notifying you now.

22 MR. [REDACTED]: Mm-hm.

23 MR. [REDACTED]: And again we were told
24 typically the way it works - and it sounds like
25 you're correcting us - R&D typically calls

1 control. Control calls ops. Ops calls SHU.

2 Is that not correct?

3 MR. [REDACTED]: What. When an inmate doesn't
4 come back?

5 MR. [REDACTED]: Yeah.

6 MR. [REDACTED]: No.

7 MR. [REDACTED]: No? It doesn't work that
8 way? So R&D you're saying typically just would
9 go straight to SHU?

10 MR. [REDACTED]: That's a heads up. That's a
11 courtesy.

12 MR. [REDACTED]: Right.

13 MR. [REDACTED]: Hey, this guy's not coming
14 back. Control knows.

15 MR. [REDACTED]: Right.

16 MR. [REDACTED]: Control knows. They could
17 call control too. But usually they call in you
18 know why would you call me?

19 MR. [REDACTED]: I don't know.

20 MR. [REDACTED]: You know? You in SHU.

21 MR. [REDACTED]: That's just what we were
22 told.

23 MR. [REDACTED]: Hey, this guy's not coming
24 back.

25 MR. [REDACTED]: And then again, we're

1 only as good as who the people we talk to.

2 MR. ██████: Mm-hm.

3 MR. ██████: Whatever information we
4 get is like people like yourself trying to like
5 -. Hey, I know it's probably like yourself it
6 sounds like. At least in the beginning of this
7 thing, you seemed pretty nervous to talk to us
8 because we're really just trying to --

9 MR. ██████: No-no. The thing about it -.
10 The thing is. I know this. This is a high-
11 profile case, looking to point fingers.

12 MR. ██████: Right-right-right-right.

13 MR. ██████: Blame someone. Who dropped
14 the ball? Who did this and that?

15 MR. ██████: Totally get it.

16 MR. ██████: I mean two years later, now
17 it's still like okay, let's go down and see.

18 MR. ██████: And the reason why and
19 I'm sure you saw on the papers what happened
20 recently.

21 MR. ██████: Yeah.

22 MR. ██████: Well that now allows us
23 to try to come back and try to figure out. All
24 right. Now we can do -.

25 MR. ██████: Yeah. But you're going to go

1 after a whole shift. You know.

2 MR. [REDACTED]: It's not necessarily go
3 after the whole shift. But we've got to figure
4 out what went wrong at the MCC. And what needs
5 to be fixed. Do you know what I'm saying?

6 MR. [REDACTED]: I mean -.

7 MR. [REDACTED]: But I get -. Trust me -.

8 MR. [REDACTED]: Just to deal - they have
9 suicides man. Like they do.

10 MR. [REDACTED]: Yeah-yeah-yeah. Totally.

11 MR. [REDACTED]: He just happened to be a
12 high-profile one.

13 MR. [REDACTED]: Right. And because it's
14 so high-profile, and the fact that there were -
15 .

16 MR. [REDACTED]: The other things with the --
17 yeah-yeah-yeah.

18 MR. [REDACTED]: All these other things
19 are going on now. It looks like there was some
20 false you know slips that were created.

21 MR. [REDACTED]: Yeah.

22 MR. [REDACTED]: They weren't doing
23 counts. You know we're getting these signs
24 saying that --

25 MR. [REDACTED]: Yeah but that stuff is --

1 MR. [REDACTED]: -- hey, you're supposed
2 to check on him every -.

3 MR. [REDACTED]: -- not the normal though.

4 MR. [REDACTED]: Right-right-right-right.

5 MR. [REDACTED]: That's not the normal.
6 Definitely.

7 MR. [REDACTED]: Yeah. So yeah. And
8 you're right. It's because it's a high-profile
9 -.

10 MR. [REDACTED]: I was there for ten years. I
11 used to do that stuff and all that. That's not
12 normal.

13 MR. [REDACTED]: What's not normal?

14 MR. [REDACTED]: Missed counts and all this
15 and -. Yeah.

16 MR. [REDACTED]: And so you're saying that
17 this seems to be abnormal?

18 MR. [REDACTED]: It's definitely abnormal.

19 MR. [REDACTED]: When you were in the SHU,
20 did you ever - were you ever - did you ever
21 experience people not doing counts?

22 MR. [REDACTED]: No.

23 MR. [REDACTED]: People always did counts
24 when you were there?

25 MR. [REDACTED]: Yeah. Yeah but here.

1 MR. [REDACTED]: And that's -.

2 MR. [REDACTED]: Yeah.

3 MR. [REDACTED]: You know and that's what
4 people - that's what the conspiracy theorists
5 come in and all that kind of stuff. Like wow,
6 this is one day? And that's where we've got to
7 -. All right. Well let's figure out what
8 actually happened. Is this abnormal or is it
9 normal? You're saying that this seems to be a
10 very abnormal day.

11 MR. [REDACTED]: I'm talking about that's why
12 the counts and the slips and the rounds and the
13 falsifying stuff like that. But everything
14 else, I mean, this place is a busy place.

15 MR. [REDACTED]: Yeah.

16 MR. [REDACTED]: You know? They lose -
17 inmates go out WAB all the time. New inmates
18 come in.

19 MR. [REDACTED]: Yeah.

20 MR. [REDACTED]: So this is a revolving door.

21 MR. [REDACTED]: All right. I know we're
22 taking a lot longer than we thought. Let me
23 just go through a lot of these things now.
24 Just back to the round sheet where -.

25 MR. [REDACTED]: Yeah.

1 MR. [REDACTED]: What is the purpose of a
2 supervisor actually signing this round sheet?

3 MR. [REDACTED]: Making sure the officer is
4 filing and doing their rounds how they're
5 supposed to be.

6 MR. [REDACTED]: And we don't really need
7 to look at it. Just. All right. So it's not
8 to verify that they were done. It's to verify
9 that the sheets are being kept up?

10 MR. [REDACTED]: So if I go up there and I see
11 the times. You all made a round after 40
12 minutes. What happened here?

13 MR. [REDACTED]: So you ask them about
14 that.

15 MR. [REDACTED]: Right.

16 MR. [REDACTED]: But on this date you
17 can't - you don't remember going and speaking
18 to them?

19 MR. [REDACTED]: I said I could have went. I
20 don't recall.

21 MR. [REDACTED]: Okay. And again just
22 going forward, know that these are just simply
23 questions to see what we can find out about
24 that day. And as well as you know the point
25 being you saying that this is such an abnormal

1 day. And it was such a big event that's been
2 in the news now for two years.

3 MR. [REDACTED]: Mm-hm.

4 MR. [REDACTED]: Just try and really place
5 yourself. What was your role on that day?

6 MR. [REDACTED]: Yeah. Like I said I just
7 know I worked. And that was it.

8 MR. [REDACTED]: All right. And as far as
9 you know, were rounds being conducted in the
10 SHU at that time?

11 MR. [REDACTED]: Yeah. It's day watch.
12 You've got to make rounds.

13 MR. [REDACTED]: On day watch you've got
14 to?

15 MR. [REDACTED]: There's no way you can avoid
16 a round on day watch.

17 MR. [REDACTED]: What about for - and I'm
18 not talking about just your shift - I'm saying
19 the SHU in general. Are you aware that rounds
20 weren't being conducted on evening watch or
21 morning watch?

22 MR. [REDACTED]: Weren't?

23 MR. [REDACTED]: Yeah. Were not.

24 MR. [REDACTED]: Evening watch you've got to
25 make rounds too. I worked SHU for years.

1 MR. [REDACTED]: Yeah-yeah.

2 MR. [REDACTED]: You have to. You've got to
3 go. Yeah .

4 MR. [REDACTED]: So when you were there
5 they were being conducted?

6 MR. [REDACTED]: Yeah. That's why I'm saying.
7 The whole mess of the count thing. I'm like I
8 don't know. That's -.

9 MR. [REDACTED]: Any of those people that
10 we discussed that were on day watch and you
11 know anybody working in the SHU on August 9th
12 and August 10th. Do you have any recollection
13 of speaking with any of those people about
14 morning watch or -? I mean not morning watch.
15 About speaking with about rounds or counts.

16 MR. [REDACTED]: No.

17 MR. [REDACTED]: No. And now being that
18 you were an ops - the ops lieutenant. It
19 sounds like your quarterly post. Would that be
20 something that you would visit with them and
21 just say hey guys make sure you're doing your
22 rounds or anything like that? Would that be a
23 duty or responsibility of an ops lieutenant?

24 MR. [REDACTED]: Yeah. But not - it's not
25 really my responsibility. It's the SHU

1 lieutenant.

2 MR. [REDACTED]: Yeah-yeah. Did you have
3 any conversations with the SHU lieutenant? At
4 the time?

5 MR. [REDACTED]: Yeah. I talked to the SHU
6 lieutenant. [REDACTED]. Yeah.

7 MR. [REDACTED]: Yeah-yeah-yeah.

8 MR. [REDACTED]: Oh no you said it was [REDACTED].
9 Right?

10 MR. [REDACTED]: Right.

11 MR. [REDACTED]: Yeah.

12 MR. [REDACTED]: Do you remember talking
13 to him at all about Epstein or Reyes?

14 MR. [REDACTED]: I ain't seen the fence that
15 day.

16 MR. [REDACTED]: Prior -? No. What I'm
17 asking about is up until August 10th.

18 MR. [REDACTED]: Mm-hm.

19 MR. [REDACTED]: Do you remember ever
20 conversing with [REDACTED] about make sure you're
21 going these rounds and that Epstein is being -
22 you know looked at or he's got a cellmate or
23 anything like that?

24 MR. [REDACTED]: Man, I don't recall that.

25 MR. [REDACTED]: No?

1 MR. [REDACTED]: Yeah. But we all you know.
2 It's hey, you got the email.

3 MR. [REDACTED]: Right. The email saying
4 he needs a cellmate.

5 MR. [REDACTED]: Yeah-yeah. And all the
6 lieutenants know. They say oh no, such-and-
7 such we got the email. He was off of watch.
8 You know?

9 MR. [REDACTED]: Do you think it's
10 acceptable for any lieutenant to say that they
11 didn't know that Epstein needed a cellmate?

12 MR. [REDACTED]: Some people say they didn't
13 know the cellmate left.

14 MR. [REDACTED]: No. The - if they're
15 saying that -. Let's talk about just the
16 people on that day. Let's talk about like for
17 instance somebody that maybe wasn't normally a
18 lieutenant. Can you - [REDACTED].

19 MR. [REDACTED]: Mm-hm.

20 MR. [REDACTED]: All right. So she's in -
21 you said basically she's in training. She's
22 like an acting lieutenant. She's the person -.

23 MR. [REDACTED]: I don't think she was acting
24 that day either though. I mean -.

25 MR. [REDACTED]: Well I just mean that she

1 was activities' lieutenant.

2 MR. [REDACTED]: Yeah-yeah.

3 MR. [REDACTED]: Sorry. She was the
4 activities' lieutenant and she was either
5 training or she's typically an SIS at the time
6 though. Should have she known by Epstein being
7 on the hotlist and Epstein you know coming off
8 suicide watch. Should she have known that he
9 was required to have a cellmate? Just by -?

10 MR. [REDACTED]: Uh-uh. No.

11 MR. [REDACTED]: No? What about [REDACTED]?
12 Should he have known?

13 MR. [REDACTED]: I mean that's only if you're
14 aware though. If I'm not aware, the guy left.

15 MR. [REDACTED]: I thought you said if
16 you're - first of all, I thought you said that
17 -.

18 MR. [REDACTED]: Well, no.

19 MR. [REDACTED]: Everybody knows that in
20 the SHU you're supposed to have a cellmate
21 unless you're a certain classification.

22 MR. [REDACTED]: Yeah. But sometimes it be an
23 odd number and they can't have one.

24 MR. [REDACTED]: But then the second thing
25 would be he's on the hotlist. Everybody knows

1 if you're on the hotlist you're supposed to
2 have a cellmate. Right?

3 MR. [REDACTED]: Yeah.

4 MR. [REDACTED]: And then the third thing
5 would be that there's an actual email that was
6 sent out and that said he's supposed to have a
7 cellmate.

8 MR. [REDACTED]: Right.

9 MR. [REDACTED]: So that's where -. With
10 that all in mind -. And I'm not --

11 MR. [REDACTED]: About the notifications -.

12 MR. [REDACTED]: -- pointing to one person
13 out in particular. What I'm just asking is
14 these people that were working. So you're not
15 like throwing somebody under the bus.

16 MR. [REDACTED]: Oh well.

17 MR. [REDACTED]: I'm just asking like as
18 far as these people. Should [REDACTED] have known
19 that there should have been -? And I'm not
20 saying that he knew. These people may very
21 well have not have known that [REDACTED] -. I'm
22 just asking like -.

23 MR. [REDACTED]: Yeah but I'm thinking.

24 MR. [REDACTED]: In general with their
25 positions.

1 MR. [REDACTED]: In general. Well [REDACTED]
2 probably never got the email.

3 MR. [REDACTED]: Like you're saying you
4 knew. So yes. He knew. Should [REDACTED] have
5 known?

6 MR. [REDACTED]: I think all lieutenants
7 should know.

8 MR. [REDACTED]: What about -?

9 MR. [REDACTED]: But then again, we all - if
10 you're not aware to the inmate's leaving,
11 there's no reason to follow-up.

12 MR. [REDACTED]: And that's why I started
13 after you. So at this point you said at least
14 by 8:00, people should know -.

15 MR. [REDACTED]: That the guy's not coming
16 back or something.

17 MR. [REDACTED]: He's not coming back.

18 MR. [REDACTED]: Yeah.

19 MR. [REDACTED]: So that's where I'm going
20 off of -. Alright, there's three lieutenants
21 from that point. After you leave, there's
22 three lieutenants. Right? There's [REDACTED].

23 MR. [REDACTED]: Mm-hm.

24 MR. [REDACTED]: [REDACTED].

25 MR. [REDACTED]: Mm-hm.

1 MR. [REDACTED]: And then the next
2 morning, [REDACTED]. Should [REDACTED] - who
3 replaced you - should she have known that he
4 needed a cellmate?

5 MR. [REDACTED]: I could see her not knowing.

6 MR. [REDACTED]: And is that because she
7 wasn't a lieutenant?

8 MR. [REDACTED]: Not a lieutenant.

9 MR. [REDACTED]: Okay. What about
10 [REDACTED]/

11 MR. [REDACTED]: He's not a lieutenant.

12 MR. [REDACTED]: So should have he known?

13 MR. [REDACTED]: Yeah. Or knew. Like I said.
14 we all knew.

15 MR. [REDACTED]: You all knew.

16 MR. [REDACTED]: Because we got the email.

17 MR. [REDACTED]: And then what about
18 [REDACTED]? Not only the email though. It
19 sounds like there was at least three checks.
20 One: he's in the SHU. Should have a cellmate.
21 Two: he came off of suicide watch. Should have
22 a cellmate. Three: an email was sent out to
23 all the lieutenants. Should have a cellmate.
24 So is there any -?

25 MR. [REDACTED]: Yeah, but two and three

1 happens all the time though. Like the guy
2 comes off suicide watch. You put him in SHU
3 with a cellmate. And then again, that's not
4 forever.

5 MR. [REDACTED]: Yeah-yeah. But in this
6 case, you know, July 30th to August 9th or
7 10th.

8 MR. [REDACTED]: But is it a set -? I don't
9 think -. That's up to psychology. Because we
10 have guys that - suicide watch. Same thing.
11 Once they leave, they didn't commit suicide and
12 it's nothing.

13 MR. [REDACTED]: So if you get this email
14 then on July 30th saying make sure he's got a
15 cellmate.

16 MR. [REDACTED]: There's no time on it.

17 MR. [REDACTED]: In your mind, is that -?
18 Well two weeks from now? He doesn't need one
19 anymore.

20 MR. [REDACTED]: There's no set time. It's
21 just immediately this guy's coming off. A guy
22 maybe got kicked to the unit.

23 MR. [REDACTED]: Okay. So in his case -.
24 All right. How should it have been -? What
25 kind of notification should have been made

1 then?

2 MR. ██████: This is a tough one. But if
3 a guy goes to court and he leaves, you know and
4 you're doing your daily operations. There's so
5 much going on. Epstein ain't the - I know he's
6 high-profile out to the outside.

7 MR. ██████: But I mean he's still on
8 the hotlist.

9 MR. ██████: Yeah.

10 MR. ██████: So he's on the hotlist
11 still. So doesn't that indicate he needs a
12 cellmate? If he's still on the hotlist.

13 MR. ██████: Yeah. But he had one.
14 Right?

15 MR. ██████: Right. And that's why
16 I'm saying. By - we're knocking you and we're
17 knocking ██████ out of this thing because you're
18 saying 8:00. So let's now look at 8:00 on.
19 Let's say - even for this instance let's even
20 say ██████ and ██████ they didn't know. Now
21 let's look at ██████. Certainly by
22 midnight you should have known. Right?

23 MR. ██████: Yeah. But not a lieutenant
24 though.

25 MR. ██████: No?

1 MR. [REDACTED]: Like if the information isn't
2 told to me -.

3 MR. [REDACTED]: But if they're coming in
4 -. You said that they needed to do a around.
5 Right? Don't these - for this case [REDACTED] or
6 [REDACTED] needed to do a round in the SHU.
7 Correct?

8 MR. [REDACTED]: Mm-hm.

9 MR. [REDACTED]: Check on all the inmates.

10 MR. [REDACTED]: Check inmates, feeding, or
11 officers - making sure they doing the rounds or
12 got to go to SHU.

13 MR. [REDACTED]: [REDACTED]. Was she
14 required to check on all the inmates and do a
15 round?

16 MR. [REDACTED]: When she was probably doing a
17 round. Yeah.

18 MR. [REDACTED]: All right. So as far as
19 her. By that point, now we've only got -. You
20 know we're now -. You know let's say that
21 she's the one that corrected you know the count
22 slip. She caught that. She goes. She visited
23 -. She's supposed to go to the SHU. She's
24 supposed to actually visit all the tiers and do
25 a round?

1 MR. [REDACTED]: I mean our policy is really
2 to say you've got to do a round in the SHU.
3 You know. So you in SHU, you in SHU. I don't
4 know what did she do.

5 MR. [REDACTED]: And that's where I was
6 getting to before. Is doing a round in the SHU
7 for a lieutenant - does that mean just walking
8 into the SHU and walking out? Or does that
9 entail actually doing something when you're in
10 there?

11 MR. [REDACTED]: I don't think -. There's no
12 guidance on that.

13 MR. [REDACTED]: So we've had other people
14 tell us that when you - a lieutenant is
15 actually required to walk the tiers and conduct
16 a round. Not to list it on the round sheet,
17 but like it were - like the people who list
18 those rounds on the rounds sheet. Is that
19 you're understanding of what you were supposed
20 to do?

21 MR. [REDACTED]: I mean yeah.

22 MR. [REDACTED]: So is that what she
23 should have done? She should have walked the
24 tiers and checked on the inmates?

25 MR. [REDACTED]: Yeah. I mean -.

1 MR. [REDACTED]: By policy I'm saying.

2 MR. [REDACTED]: By policy you've got to make
3 a round.

4 MR. [REDACTED]: And that round is
5 classified as like a round like the COs who are
6 in the SHU do a round?

7 MR. [REDACTED]: I've got to double check on
8 that.

9 MR. [REDACTED]: Okay.

10 MR. [REDACTED]: To tell you the truth.

11 MR. [REDACTED]: And that's what's unsure?

12 MR. [REDACTED]: Yeah.

13 MR. [REDACTED]: You're unclear? Okay.
14 And that's where I'm still trying. Because
15 we've also had less people - but some people
16 have also said no, a round for a lieutenant and
17 a round for a CO is different. A round for a
18 lieutenant is visiting the SHU and checking in
19 with the officers. We've had more people say
20 no-no-no-no-no. You need to go into the SHU.
21 You need to check in with the officers, but you
22 also need to walk the tier.

23 MR. [REDACTED]: Right.

24 MR. [REDACTED]: And I'm trying to get
25 that like -.

1 MR. [REDACTED]: It depends on the lieutenant.

2 MR. [REDACTED]: And then their

3 interpretation?

4 MR. [REDACTED]: Yeah.

5 MR. [REDACTED]: But there's no -?

6 MR. [REDACTED]: Like I said that's why I
7 really don't - I'll have to check on that part.

8 MR. [REDACTED]: Okay. And what policy
9 would that be in? Where it would spell that
10 out?

11 MR. [REDACTED]: That would be in inmate
12 discipline which is SHU. And it also would
13 probably be in psychology.

14 MR. [REDACTED]: So it would be psychology
15 for if the lieutenant needs to do it?

16 MR. [REDACTED]: I know it's about 30 rounds
17 and everything.

18 MR. [REDACTED]: But it would also be like
19 -.

20 MR. [REDACTED]: But for lieutenants -.

21 MR. [REDACTED]: It would also be like a
22 SHU type of -?

23 MR. [REDACTED]: Yeah. But I'm thinking it's
24 more -. You got the polices?

25 MR. [REDACTED]: Well I got the SHU

1 policies. I don't have the psychology.

2 MR. [REDACTED]: Isn't it in there?

3 MR. [REDACTED]: I don't know. I was
4 going to look.

5 MR. [REDACTED]: Yeah. Let me see. It might
6 be. Psychology is definitely the 30-minute
7 rounds. I know.

8 MR. [REDACTED]: Again these aren't "I
9 gotcha." These are just genuine questions.

10 MR. [REDACTED]: Yeah.

11 MR. [REDACTED]: But psychology you think
12 might have it with like lieutenants -.

13 MR. [REDACTED]: Well they definitely with the
14 30 minutes. The -.

15 MR. [REDACTED]: Yeah. I mean the SHU
16 policy clearly states that rounds need to be
17 conducted. I just haven't seen anything that
18 said lieutenants need to do it. And that's
19 where - I mean you can look through them if you
20 want.

21 MR. [REDACTED]: Nah.

22 MR. [REDACTED]: If you can -.

23 MR. [REDACTED]: I think it's in there. It
24 may not be in this, but it's definitely in
25 there. Speaking of lieutenants, we don't need

1 to make you look in this. We'll look it up.

2 MR. [REDACTED]: This is post orders.

3 MR. [REDACTED]: We'll dig into that.

4 MR. [REDACTED]: Yeah.

5 MR. [REDACTED]: But you think it's
6 probably in the SHU?

7 MR. [REDACTED]: Yeah. It's a round, but to
8 say specific go 10, check on and all that. I
9 don't know if it says all that.

10 MR. [REDACTED]: All right. It just says
11 you need to conduct a round. And then
12 different people interpret it different way.

13 MR. [REDACTED]: Yeah. Yep.

14 MR. [REDACTED]: All right. You said -.

15 MR. [REDACTED]: But then again, if you don't
16 get the information, I can see it being missed.

17 MR. [REDACTED]: Right.

18 MR. [REDACTED]: Because if no one tells me
19 that the guy left -.

20 MR. [REDACTED]: But if she says that I
21 know Reyes left, I know Epstein is by himself.
22 But I didn't know he needed a cellmate.

23 MR. [REDACTED]: Mm-hm.

24 MR. [REDACTED]: Does that make sense to
25 you at all?

1 MR. [REDACTED]: I mean. Unless she didn't
2 get the email or she's not -. I don't know how
3 it is. Maybe she wasn't aware.

4 MR. [REDACTED]: But I mean that fact that
5 - again - those three things we talked about.
6 I understand you say like odd number or you
7 know that kind of stuff. But the fact that
8 there's an email that went out, there's the
9 hotlist that has his name on it, and the fact
10 that he's in the SHU and he's not one of those.
11 So one of those three, she should have at least
12 known, right, that Epstein was required to have
13 a cellmate?

14 MR. [REDACTED]: Yeah.

15 MR. [REDACTED]: So her saying I didn't
16 know. Is that to you like, of course you knew.
17 You're been around for a long time. Whereas -.

18 MR. [REDACTED]: I mean I'm thinking she needs
19 - no one told her.

20 MR. [REDACTED]: No one verbalized it to
21 her.

22 MR. [REDACTED]: Yeah. Yeah.

23 MR. [REDACTED]: But do you think that
24 that's an appropriate excuse for a lieutenant?
25 Saying that I didn't know if those three things

1 are in place?

2 MR. [REDACTED]: I'm not sure.

3 MR. [REDACTED]: You're not sure. And I
4 know you don't want to like - you know - but
5 like - I'm just trying to reconcile it too.
6 Like alright, if you're saying you didn't know,
7 how is that possible if everybody else -.
8 Everybody else I talked to seems to know.

9 MR. [REDACTED]: Then again, I told you the
10 hotlist and all that. That's things that's
11 like -. Like the email, even though it's out,
12 that's - there's no timeframe on that.

13 MR. [REDACTED]: Yeah. But the fact that
14 they're still on the hotlist, I would think
15 that that would continue because the email went
16 out --

17 MR. [REDACTED]: Yeah.

18 MR. [REDACTED]: -- but then you're also
19 placed on the hotlist. And if you're on the
20 hotlist it basically corresponds with that
21 email. Correct?

22 MR. [REDACTED]: Yeah. But the hotlist is for
23 initial. So you get locked up, that's when I'm
24 checking. I know I'm checking to see if this
25 inmate is on the hotlist. Initially.

1 MR. [REDACTED]: So only when the hotlist
2 changes? You're not looking at the people that
3 are still on the hotlist?

4 MR. [REDACTED]: Well I'm saying like if
5 there's ten on there. and a guy gets locked up
6 - Williams from 11 North. He comes and he just
7 got a psych alert and we make sure he get a
8 bunkie. He got a bunkie. He goes a month with
9 a bunkie. Day 31 we're not still - you know.

10 MR. [REDACTED]: Yeah-yeah. So in this
11 case you think even July 30th to August 9th
12 when the guy leaves that could be enough time
13 to say he doesn't need one anymore?

14 MR. [REDACTED]: I mean I'm not psychology.

15 MR. [REDACTED]: All right. And you don't
16 know of psychology making any more -? No one
17 told you -?

18 MR. [REDACTED]: No one specified the time
19 frame -

20 MR. [REDACTED]: I need to -.

21 MR. [REDACTED]: -- about how long he was
22 going to be -.

23 MR. [REDACTED]: Did anyone after July
24 30th after receiving that email, did anyone
25 walk to you about Epstein needing a cellmate?

1 MR. [REDACTED]: Not that I recall.

2 MR. [REDACTED]: No? Who should have? If
3 he in fact did continue to need a cellmate, who
4 should have told you?

5 MR. [REDACTED]: I say psychology.

6 MR. [REDACTED]: Psychology? Not the
7 captain or another lieutenant? It was
8 psychology?

9 MR. [REDACTED]: Psychology. They deal with
10 that.

11 MR. [REDACTED]: And who in psychology?

12 MR. [REDACTED]: Any one of them.

13 MR. [REDACTED]: Anybody?

14 MR. [REDACTED]: Anyone. Hey, it's an email.

15 MR. [REDACTED]: So just you think that
16 they should have continued like once a week or
17 something sending out an email? Or how often?

18 MR. [REDACTED]: I mean -.

19 MR. [REDACTED]: Because that wasn't even
20 two weeks after that email went out.

21 MR. [REDACTED]: Yeah.

22 MR. [REDACTED]: So like how soon should
23 they?

24 MR. [REDACTED]: I don't think a weekly or you
25 know.

1 MR. [REDACTED]: That was maybe ten days.

2 MR. [REDACTED]: Because I don't know. I
3 don't know. I know they (Indiscernible
4 *02:30:39) to us so I don't know their policy.
5 Because I know they supposed to follow-up. And
6 then there's steps to it. I don't know. I'm
7 not familiar with that policy.

8 MR. [REDACTED]: Okay. But you think it
9 was psychology's - they're the ones that should
10 have made sure like there's people --

11 MR. [REDACTED]: Well they -.

12 MR. [REDACTED]: -- in the SHU and the -.

13 MR. [REDACTED]: They sent out the email to
14 us.

15 MR. [REDACTED]: Right.

16 MR. [REDACTED]: They notified us.

17 MR. [REDACTED]: But you're saying like
18 that could be like a day or two. It doesn't
19 mean that two weeks from there it matters.

20 MR. [REDACTED]: Yeah, I mean. That happens
21 two weeks after that? Yeah. The guy goes to
22 court. He leaves. There's a time and
23 opportunity. And I don't think it's nobody's
24 fault.

25 MR. [REDACTED]: You think it's just -?

1 MR. ██████: I just don't think it's
2 nobody's fault.

3 MR. ██████: Okay. And do you recall
4 this sign - or any sign - hanging up saying
5 that he needed a cellmate, or he needed to be
6 30-minute rounds on him?

7 MR. ██████: I definitely don't recall
8 that. Signs about you saying him needed rounds
9 or -?

10 MR. ██████: That's the rounds.

11 MR. ██████: No the one that -

12 MR. ██████: And then you don't -.

13 MR. ██████: Another one is.

14 MR. ██████: Another one saying that
15 he was required to have a cellmate.

16 MR. ██████: The sign?

17 MR. ██████: So we've been told that
18 there was a sign saying that Epstein was
19 required to have a cellmate in the SHU on the
20 desk area.

21 MR. ██████: Could have been. I don't
22 know. I don't be in the desk area.

23 MR. ██████: So you don't - you're not
24 aware? But you know that there was a hotlist
25 at least.

1 MR. [REDACTED]: No. The hotlist is there.
2 It's been there since I was working there. The
3 hotlist is back there. And that's about it.

4 MR. [REDACTED]: And do you know if
5 Epstein was on the hotlist?

6 MR. [REDACTED]: No. I'm not sure.

7 MR. [REDACTED]: You're not sure.

8 MR. [REDACTED]: Do you have the hotlist?

9 MR. [REDACTED]: Not with us. No. I don't
10 think. Do we have it? No. You said you
11 didn't even as the ops lieutenant you don't
12 recall specific conversations with anybody that
13 worked in the SHU on August 9th or 10th? No?

14 MR. [REDACTED]: Specific conversation, no.
15 It was a regular day.

16 MR. [REDACTED]: Yeah-yeah-yeah. I mean
17 up - leading from basically July 30th to August
18 9th.

19 MR. [REDACTED]: Oh. About the -?

20 MR. [REDACTED]: About the need for
21 checking on Epstein or a cellmate or anything
22 to do with Epstein?

23 MR. [REDACTED]: No. All I know is when he
24 tried it the first time, he went to suicide
25 watch. Came off. And they put him with the

1 other guy. No-no. They put him with someone
2 else. I don't know.

3 MR. [REDACTED]: So initially he is with -
4 is it Tartaglione?

5 MR. [REDACTED]: Tartaglione he was named.
6 Yeah.

7 MR. [REDACTED]: And then he went to
8 suicide watch.

9 MR. [REDACTED]: Uh-huh.

10 MR. [REDACTED]: Came back on Jul 30th
11 like that. So from July 30th to August 9th.
12 As ops lieutenant or otherwise, did you have
13 any conversations with anybody working on the
14 SHU - in the SHU - on August 9th or August 10th
15 about Epstein?

16 MR. [REDACTED]: Yeah.

17 MR. [REDACTED]: And what were those
18 conversations entail?

19 MR. [REDACTED]: Uh you know just hey, leave
20 him with - just gotta make sure they got down
21 here early. You've got legal visits. Uh I
22 know he was asking for a phone call. This is
23 like basic you know regular stuff.

24 MR. [REDACTED]: What about with regard to
25 making sure they're doing rounds or that he has

1 a cellmate? Did you have any conversations
2 from the time you got that email on? After you
3 got that email, did you call down to the SHU
4 and say hey, or visit the SHU, and say hey make
5 sure he's got a -?

6 MR. [REDACTED]: I can't recall.

7 MR. [REDACTED]: Did you -?

8 MR. [REDACTED]: And I wouldn't do it if I'm
9 not the -

10 MR. [REDACTED]: Right.

11 MR. [REDACTED]: You know?

12 MR. [REDACTED]: Did you take any action
13 after receiving that email? Did you talk to
14 anybody about it?

15 MR. [REDACTED]: I can't recall.

16 MR. [REDACTED]: That email was -. Why
17 was that email sent out to all the lieutenants?

18 MR. [REDACTED]: I told you. They send it out
19 every time someone comes off suicide watch.

20 MR. [REDACTED]: Right. So what is the
21 purpose of that?

22 MR. [REDACTED]: For the doing they job.

23 MR. [REDACTED]: So by you getting it and
24 doing your job as like an ops lieutenant. Or
25 an activities' lieutenant. What does that - is

1 that something that you're supposed to make
2 other people aware of? Or why do they provide
3 you with that information?

4 MR. [REDACTED]: I think they required to.

5 MR. [REDACTED]: They're required to?

6 MR. [REDACTED]: I think they're required, or
7 it could be a reminder. Hey, by the way, this
8 guy's getting released off suicide watch and
9 placed him with an inmate in SHU.

10 MR. [REDACTED]: But is it so you can then
11 follow-up to make sure the CO's know? Or there
12 must be a reason rather than just for your own
13 information. There's got to be. Usually
14 you're provided information for a specific
15 reason. So why are lieutenants provided that
16 information? Rather than just the SHU
17 lieutenant? Why are everybody else provided
18 it?

19 MR. [REDACTED]: Uh I'm not sure. But they
20 send an email out to everybody though.

21 MR. [REDACTED]: Right.

22 MR. [REDACTED]: Lieutenants (Indiscernible
23 *02:35:05).

24 MR. [REDACTED]: SO that's what I'm
25 saying. Well it's not an all-staff email.

1 It's like -.

2 MR. ██████: No. It's a correctional
3 services and correctional systems. Right?

4 MR. ██████: Oh you can tell me. Here
5 I'll show you. I thought it was primarily
6 lieutenants. I mean I think a couple SHU staff
7 might be on there. But it's the three pages
8 behind it.

9 MR. ██████: Okay. So suicide watch psych
10 observation update. So you got legal in here,
11 food service, case managers, lieutenants, unit
12 team -.

13 MR. ██████: So by reviewing that are
14 you able to tell like is there a target
15 audience that they're --

16 MR. ██████: No.

17 MR. ██████: -- sending it out to?

18 MR. ██████: This is to make everybody
19 aware.

20 MR. ██████: Because it's not an all-
21 staff email though is it?

22 MR. ██████: No.

23 MR. ██████: So who are they sending
24 it to?

25 MR. ██████: Uh....

1 MR. [REDACTED]: Like how do they come up
2 with that group of people to send it to?

3 MR. [REDACTED]: It's the same way we do the
4 logs. We send it to eh same group every night.

5 MR. [REDACTED]: What group is that?

6 MR. [REDACTED]: Then Executive staff, then
7 lieutenants, then psychology, then a psycho
8 assistant, it's a -.

9 MR. [REDACTED]: So is it all correctional
10 staff though?

11 MR. [REDACTED]: Correctional staff yeah.
12 It's not all correctional officers though.

13 MR. [REDACTED]: So is everybody but the
14 officers?

15 MR. [REDACTED]: You got some officers on here
16 too.

17 MR. [REDACTED]: But you're not sure how
18 they make that decision?

19 MR. [REDACTED]: No. Yeah. You got medical,
20 lieutenants, food service, R&D, legal, duty
21 officer, yeah. I mean I think they would
22 probably do this it's for your information.
23 Like FYI.

24 MR. [REDACTED]: But you know -. I
25 understand where the FYI.

1 MR. [REDACTED]: Is that a target audience?

2 MR. [REDACTED]: Yeah.

3 MR. [REDACTED]: Yeah.

4 MR. [REDACTED]: You're not clear on why
5 they --

6 MR. [REDACTED]: (Indiscernible *02:37:15) No.

7 MR. [REDACTED]: -- send it to those
8 specific people? Okay. But as far as you
9 receiving it.

10 MR. [REDACTED]: Yeah, I can't recall if I
11 spoke to him about it up internal or not.

12 MR. [REDACTED]: And that wouldn't be like
13 - that's not the way it works whereas provide
14 the information to lieutenants and the
15 lieutenants make sure that you provide the
16 information the COs?

17 MR. [REDACTED]: It depends on your area.
18 Like if I'm the SHU lieutenant right now,
19 right.

20 MR. [REDACTED]: Yeah-yeah-yeah.

21 MR. [REDACTED]: So they say hey, [REDACTED] this
22 guy's coming in. Make sure. Okay. Make sure
23 you know. I'm saying directly to the staff I'm
24 supervising.

25 MR. [REDACTED]: Is it the ops

1 lieutenant's job to make sure the SHU
2 lieutenant does it?

3 MR. [REDACTED]: Mm.

4 MR. [REDACTED]: Is there any oversight
5 there? Does the ops lieutenant kind of have
6 oversight over the SHU lieutenant?

7 MR. [REDACTED]: I mean sometimes the SHU
8 lieutenant has rank on an ops lieutenant.

9 MR. [REDACTED]: Oh. It depends on if
10 you're a 9 or an 11?

11 MR. [REDACTED]: yeah.

12 MR. [REDACTED]: All right. So it's not
13 based upon the position that you're holding?
14 Like the ops lieutenant doesn't - like that
15 position doesn't -.

16 MR. [REDACTED]: I mean we don't supervise
17 lieutenants. No lieutenant supervises
18 lieutenants.

19 MR. [REDACTED]: Okay.

20 MR. [REDACTED]: That's - we have a
21 supervisor.

22 MR. [REDACTED]: No-no-no. And again,
23 these are questions just for us to try to
24 understand how the operation works here.

25 MR. [REDACTED]: Yeah.

1 MR. [REDACTED]: And it again, not placing
2 blame on you whatsoever. It's just trying to
3 figure out how is it supposed to work? If
4 they're saying it's you, are you supposed to do
5 something with that information?

6 MR. [REDACTED]: I mean but the thing is they
7 follow-up into that time.

8 MR. [REDACTED]: What do you mean?

9 MR. [REDACTED]: He had a bunkie up until that
10 time.

11 MR. [REDACTED]: Right. So they put it
12 out. He had a bunkie.

13 MR. [REDACTED]: Right.

14 MR. [REDACTED]: And then he didn't. And
15 that's what we're trying to figure out.

16 MR. [REDACTED]: And then (Indiscernible
17 *02:38:39).

18 MR. [REDACTED]: Who - where was the
19 communication breakdown? Who should have at
20 that time taken action to make sure he had a
21 bunkie?

22 MR. [REDACTED]: Yeah.

23 MR. [REDACTED]: And that's the whole
24 thing we're looking into. Who should have made
25 sure Epstein -? Once Reyes was removed and

1 people were notified that he was removed. Who
2 should have taken action?

3 MR. [REDACTED]: yeah.

4 MR. [REDACTED]: And who in your opinion
5 should have?

6 MR. [REDACTED]: I don't know man that's a
7 tough one. Yeah.

8 MR. [REDACTED]: But like even position
9 wise. Not to name names. What position should
10 have taken action?

11 MR. [REDACTED]: Mm. I'm not sure. I'm not
12 sure with that one there.

13 MR. [REDACTED]: Okay.

14 MR. [REDACTED]: I just - that just -. The
15 guy left and I mean, you know.

16 MR. [REDACTED]: Now I'm just handing you
17 back this lieutenant log.

18 MR. [REDACTED]: Mm-hm.

19 MR. [REDACTED]: You know a few pages
20 back. But um did you - were you involved with
21 that lieutenant's log? Did you make any
22 entries on that lieutenant log on August 9th?

23 MR. [REDACTED]: I'm not sure.

24 MR. [REDACTED]: Yeah. Are you able to
25 tell by looking at it? Like is that something

1 you can tell who made entries? Or is it anyone
2 can make an entry?

3 MR. ██████: I mean we all can make an
4 entry.

5 MR. ██████: Does it show like
6 initials or anything like that after an entry
7 was made? Does it show who made what entry?

8 MR. ██████: No.

9 MR. ██████: No? Does it show
10 anything with regard to Reyes on that
11 lieutenant's log?

12 MR. ██████: Yeah.

13 MR. ██████: What does it say?

14 MR. ██████: Reyes to pre-remove.

15 MR. ██████: And what does that mean?

16 MR. ██████: Pre-trial remove.

17 MR. ██████: Does that mean that he's
18 leaving and he's not coming back?

19 MR. ██████: Yeah. Yeah.

20 MR. ██████: What time does it say
21 that?

22 MR. ██████: Or -. Yeah. Or -. Yeah. It
23 depends. 8:38.

24 MR. ██████: So 8:38. Does that mean
25 at 8:39 pretrial to remove? Does that mean

1 that they knew at 8:38 that he wasn't coming
2 back?

3 MR. [REDACTED]: Not necessarily.

4 MR. [REDACTED]: What does it mean?

5 MR. [REDACTED]: It means that's when they put
6 the information in.

7 MR. [REDACTED]: But I'm saying like what
8 the information says. Is that what normally
9 that people are going to court - what it says
10 for them - if they're coming back?

11 MR. [REDACTED]: Mm. No. Normally they say
12 it's taken off the count. Pretrial is removed.
13 So he was taken off the count from 7:00 to 6:00
14 he was taken off the count.

15 MR. [REDACTED]: Are people that go to
16 court always taken off the count?

17 MR. [REDACTED]: Mm. No.

18 MR. [REDACTED]: So by looking at that,
19 that tells you that he was already WAB?

20 MR. [REDACTED]: Mm. I mean if they go to
21 Brooklyn, sometimes they take them off for a
22 different court. But this one here, I would
23 say yeah, taken off the count. And again I'm
24 not sure. I see pre-remove proof. Pre-remove.

25 MR. [REDACTED]: But by saying pre-remove,

1 does that mean it's more likely that he's --

2 MR. [REDACTED]: HE's taken off the count.

3 MR. [REDACTED]: -- not coming back?

4 MR. [REDACTED]: Uh. Yeah.

5 MR. [REDACTED]: And who would have that
6 entry?

7 MR. [REDACTED]: Mm. I'm not sure.

8 MR. [REDACTED]: Do you know if you made
9 that entry?

10 MR. [REDACTED]: I'm not sure.

11 MR. [REDACTED]: And there's no way to
12 tell?

13 MR. [REDACTED]: Mm.

14 MR. [REDACTED]: So I guess the question
15 is at approximately 8:30 , did we already know
16 as the BOP - did we already know hey, this
17 guy's probably not coming back?

18 MR. [REDACTED]: Um. I'm not sure.

19 MR. [REDACTED]: What does it show if he was
20 coming back?

21 MR. [REDACTED]: That's why I say 8:00.

22 MR. [REDACTED]: No-no-no. What would show?

23 MR. [REDACTED]: If he was coming back?

24 MR. [REDACTED]: You said that's it's pre-
25 remove.

1 MR. [REDACTED]: Yeah.

2 MR. [REDACTED]: If he was coming back, what
3 would it show? Would it say pre-remove or
4 would it say something else?

5 MR. [REDACTED]: See that's the thing is -. I
6 mean.

7 MR. [REDACTED]: Like not that he was
8 coming back. Like if he's just going to court,
9 and you don't know if he's coming back or not.
10 If he's going to court.

11 MR. [REDACTED]: Mm-hm.

12 MR. [REDACTED]: And he's not WAB. Would
13 it say that?

14 MR. [REDACTED]: No.

15 MR. [REDACTED]: So it would only say that
16 if they thought he wasn't coming back?

17 MR. [REDACTED]: Mm. Yeah. Probably.

18 MR. [REDACTED]: All right. So then it
19 looks like from looking at that.

20 MR. [REDACTED]: Okay.

21 MR. [REDACTED]: At - by 8:38, we knew he
22 was probably not coming back?

23 MR. [REDACTED]: Yeah.

24 MR. [REDACTED]: All right. And with that
25 knowledge, should have any action - or should

1 have any notification at least been made of
2 hey, Epstein's cellmate is likely not coming
3 back. We need to start thinking about a new
4 cellmate. For the people that knew.

5 MR. ██████: I'm not sure. You know. The
6 thing is this is when it was -. See our log is
7 not -. I could go in and see what time someone
8 left and input it.

9 MR. ██████: Mm-hm.

10 MR. ██████: That's what we do. At the
11 end of the shift.

12 MR. ██████: So at 4:00 p.m. this
13 could have been updated is what you're saying?
14 Not at 8:30?

15 MR. ██████: Uh probably like 3:00 around
16 there. Yeah. It's not the only one.

17 MR. ██████: Yeah. I'm not saying
18 specifically, I'm just saying like later in the
19 day.

20 MR. ██████: It's not an ongoing thing.

21 MR. ██████: It could have been -. So
22 -. But does that -. But do you wouldn't put
23 8:38 - this is when that happened - if at 8:38
24 you dint' know that. Would you?

25 MR. ██████: Well if I don't check it, I

1 wouldn't know it.

2 MR. [REDACTED]: Right. I'm not saying
3 you specifically.

4 MR. [REDACTED]: No I mean anybody. If I go
5 on the computer and it has a time. And it says
6 these are the people that left. That's what
7 I'm going off of.

8 MR. [REDACTED]: So -.

9 MR. [REDACTED]: If I don't check it at 8:38
10 or - I won't know.

11 MR. [REDACTED]: So when I say "you"
12 though I'm talking about BOP. So what I'm
13 saying is like the person who entered that.
14 They're entering it as if at 8:38 it was known
15 that he was likely not coming back. Is that
16 correct?

17 MR. [REDACTED]: It was known to BOP.

18 MR. [REDACTED]: Right.

19 MR. [REDACTED]: Yeah.

20 MR. [REDACTED]: Yeah. I'm not saying
21 "you" [REDACTED]. I'm saying -.

22 MR. [REDACTED]: BOP. There's no officers
23 would yeah.

24 MR. [REDACTED]: Yeah. And who likely
25 would have entered that? Like who has access

1 to enter that? Control and lieutenants. Who
2 else?

3 MR. [REDACTED]: Mm. I think that's about it.

4 MR. [REDACTED]: All right. So at that
5 time, it would have been either you, [REDACTED], or
6 control. Correct?

7 MR. [REDACTED]: Mm. I'm not sure.

8 MR. [REDACTED]: But I'm just saying like
9 it's - you're the only two lieutenants on. And
10 then control. Right?

11 MR. [REDACTED]: Again, I'm not sure.

12 MR. [REDACTED]: And this is all just - I
13 didn't even realize this until we're now
14 reviewing it. So this isn't a - I promise you
15 this isn't like a setup. This is just trying
16 of figure out.

17 MR. [REDACTED]: I'm not sure. Because what
18 if - what if I say hey, I didn't do the log.
19 Or what if hey, you forgot the log. You have
20 to do this.

21 MR. [REDACTED]: What do you mean?

22 MR. [REDACTED]: If you get an emergency.

23 MR. [REDACTED]: Yeah-yeah.

24 MR. [REDACTED]: Hey listen, believe me --

25 MR. [REDACTED]: Yeah-yeah.

1 MR. [REDACTED]: I ain't touch the log. All
2 right. Whatever. I got you.

3 MR. [REDACTED]: Right-right. So you
4 don't - so what you're just saying is you don't
5 know if it was --

6 MR. [REDACTED]: I don't know.

7 MR. [REDACTED]: -- you, [REDACTED] --

8 MR. [REDACTED]: I don't know.

9 MR. [REDACTED]: -- or control?

10 MR. [REDACTED]: I don't know who did it.

11 MR. [REDACTED]: All right. Because I
12 mean like I know like I'm pretty sure [REDACTED]
13 knew he was going but he didn't know he wasn't
14 coming back. Is that correct?

15 MR. [REDACTED]: Yes.

16 MR. [REDACTED]: So that's - I think
17 that's what you're -.

18 MR. [REDACTED]: Yeah. But the thing about it
19 with this is if I relieve you and you didn't do
20 nothing. Hey, you know, look out for me. I
21 got you next time. Okay. So just because it's
22 on day watch don't mean day watch staff did it.

23 MR. [REDACTED]: So that -.

24 MR. [REDACTED]: You know what I'm saying.

25 MR. [REDACTED]: So that could have been

1 filled out by someone other than that was even
2 present at 8:38?

3 MR. [REDACTED]: Yeah.

4 MR. [REDACTED]: How would they know?

5 MR. [REDACTED]: They got a computer.

6 MR. [REDACTED]: What would they see at
7 the computer?

8 MR. [REDACTED]: It's on Sentry.

9 MR. [REDACTED]: So on Sentry it would say
10 if he was WAB or not?

11 MR. [REDACTED]: All movement for the day.

12 MR. [REDACTED]: Would that -?

13 MR. [REDACTED]: All the movement.

14 MR. [REDACTED]: And would that be
15 maintained for a long period of time? Or is
16 that constantly refreshed?

17 MR. [REDACTED]: It refreshed until midnight.

18 MR. [REDACTED]: And then you - at this
19 point in time would we be able to go back and
20 see what did it say?

21 MR. [REDACTED]: I could come in at 10:00 or
22 11:00 at night and do a whole 24 hours of
23 movement.

24 MR. [REDACTED]: All right. So you don't
25 know.

1 MR. ██████: I don't know who did this.
2 Was it day watch or what?

3 MR. ██████: And there's no way to
4 tell by looking at it?

5 MR. ██████: No.

6 MR. ██████: Is there in Sentry any
7 way to tell who entered it?

8 MR. ██████: We don't do the Sentry. We
9 just take the information off of Sentry.

10 MR. ██████: Oh. Well who would have
11 put it in Sentry?

12 MR. ██████: R&D.

13 MR. ██████: Okay. So R&D could have
14 put it in Sentry and then whomever - either one
15 of the lieutenants or control would have typed
16 it in?

17 MR. ██████: Yeah.

18 MR. ██████: Okay.

19 MR. ██████: Or yeah somebody.

20 MR. ██████: All right. So with this
21 information at 8:38, would it have been - if at
22 8:38 we knew that -? And when I say "we" - BOP
23 or whomever - R&D. control - knew that he was
24 going and likely not coming back. Who should
25 have starting making those notifications that

1 Epstein was without a cellmate? Is that SHU
2 staff? Is it lieutenants?

3 MR. [REDACTED]: He said they known at this
4 time?

5 MR. [REDACTED]: Yeah. So at 8:38, he's
6 going WAB. He leaves with a brown paper bag
7 and he' got stuff with him. He knows he's not
8 coming back. Reyes is saying I'm out. I'm not
9 coming back.

10 MR. [REDACTED]: Mm-hm.

11 MR. [REDACTED]: Who should have at that
12 point should have it been the SHU staff that
13 started making notifications? Hey, we know
14 Epstein's cellmate is gone. We need to start
15 making some rounds. Is that you know the ops
16 or the activities' lieutenant should have said
17 hey, he's gone. We've got to notify the
18 captain.

19 MR. [REDACTED]: I mean the thing of it is.

20 MR. [REDACTED]: Like who should have -?

21 MR. [REDACTED]: I don't even know who the
22 dude is.

23 MR. [REDACTED]: Right.

24 MR. [REDACTED]: So for one, a regular staff
25 wouldn't even know who bunkie is.

1 MR. [REDACTED]: And that's where my
2 question. Should SHU have started saying like
3 this is - hey ops and activities' lieutenant.
4 This Reyes guy is Epstein's cellmate. We need
5 to start thinking about putting a cellmate and
6 getting a new cellmate assigned.

7 MR. [REDACTED]: That's again if they
8 definitely knew he wasn't coming back. Just
9 because this - like you can get a pre-remove -.

10 MR. [REDACTED]: And is that why -?

11 MR. [REDACTED]: And then at 4:50 you get pre-
12 removed to such-and-such.

13 MR. [REDACTED]: Okay. So is that why
14 [REDACTED] memo that said, "possibly not coming
15 back and will likely need a new cellmate." Is
16 that why that's the appropriate response?

17 MR. [REDACTED]: Possibly. Probably. Because
18 he knows who to tell.

19 MR. [REDACTED]: And is that why you're
20 saying that they would have written possibly
21 because at this point it looks like it's
22 likely, but it's not definite.

23 MR. [REDACTED]: Yeah. I could see him -. I
24 could see that happening because like you said,
25 this happens all the time.

1 MR. [REDACTED]: All right. Because again
2 it says that inmate Reyes was going WAB and
3 possibly may not return. Also that inmate
4 Epstein will be needing a cellmate upon arrival
5 from his attorney visit. So looks like they
6 knew - SHU. Should [REDACTED] have told you -
7 activities' lieutenant - or [REDACTED] - ops
8 lieutenant?

9 MR. [REDACTED]: I mean.

10 MR. [REDACTED]: I'm not saying that he
11 did or that you know. You already said you
12 dint'.

13 MR. [REDACTED]: I'm not even saying that he
14 should have.

15 MR. [REDACTED]: oh.

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

17 MR. [REDACTED]: Okay.

18 MR. [REDACTED]: If he was notified, and he
19 said it could be. Again I told you 8:00.
20 That's (Indiscernible *02:49:44) guys come in
21 all the time from court.

22 MR. [REDACTED]: Yeah-yeah. But I'm just
23 saying with the fact that Epstein - everybody
24 knows he needs a cellmate. Should have they
25 notified up the chain of command at this point?

1 MR. [REDACTED]: What if he came back at 8:00?

2 MR. [REDACTED]: But what I'm saying is
3 like the fact that they know it's possible and
4 likely. Should have they started making
5 notifications being that you were the ops
6 lieutenant for a long time. You were a
7 lieutenant now it seems for a number of years.
8 In your expert opinion as a lieutenant --

9 MR. [REDACTED]: Mm-hm.

10 MR. [REDACTED]: Should these guys have
11 started making some notifications?

12 MR. [REDACTED]: Mm. That's hard to say.
13 Because if you pass on this information,
14 possibly the guy shows up at 8:00. What
15 notification I need to make?

16 MR. [REDACTED]: Okay. So you were the
17 activities' lieutenant and [REDACTED] was the
18 activities' lieutenant when that thing says
19 8:38. Do you believe --

20 MR. [REDACTED]: He said that um -.

21 MR. [REDACTED]: -- as that person who was
22 you know the ops and the activities' lieutenant
23 - those two people. Do you believe at that
24 time that these notifications should have been
25 made to you? Would have you - do you believe

1 you should have been made aware?

2 MR. [REDACTED]: At 8:30?

3 MR. [REDACTED]: Or any time between 8:30
4 and I guess 1:50. During your shift. If your
5 shifted at 2:00 or 4:00. We don't know.

6 MR. [REDACTED]: I'm not sure because this -
7 you see pre-removal all the time. They come
8 back.

9 MR. [REDACTED]: Okay.

10 MR. [REDACTED]: That's why I could see him
11 saying hey, this guy might not come back.

12 MR. [REDACTED]: Okay.

13 MR. [REDACTED]: But it's a possibility he
14 can.

15 MR. [REDACTED]: So then -.

16 MR. [REDACTED]: So to make notifications -.

17 MR. [REDACTED]: If he did it this way -.
18 If [REDACTED] told the oncoming staff this is
19 what's up, do you think he took appropriate
20 action?

21 MR. [REDACTED]: Who?

22 MR. [REDACTED]: [REDACTED]. If he in fact

23 --

24 MR. [REDACTED]: By passing it on?

25 MR. [REDACTED]: -- passed on that

1 information saying hey guys, you know he's
2 saying he said it's the day of [REDACTED] and
3 [REDACTED]. Right as he's gone, that's Epstein's
4 cellmate. He's going to - like if he doesn't
5 come back, definitely he's going to need a
6 cellmate.

7 MR. [REDACTED]: He said that to who you
8 saying?

9 MR. [REDACTED]: Well this is what the
10 memo says. It says that - again, "On Friday,
11 August 9, 2019, at approximately 1:50 p.m., I
12 ([REDACTED]) passed on to oncoming staff member
13 Officer [REDACTED] and present shift staff - [REDACTED]
14 and Officer [REDACTED] - that inmate Reyes was
15 going WAB and possibly may not return. Also
16 that inmate Epstein will be needing a cellmate
17 upon arrival from his attorney visit."

18 MR. [REDACTED]: Okay. So [REDACTED] and [REDACTED]
19 was on day watch?

20 MR. [REDACTED]: Uh I don't know. It
21 sounds like what he says is that he told [REDACTED].

22 MR. [REDACTED]: [REDACTED].

23 MR. [REDACTED]: And these guys were also
24 present.

25 MR. [REDACTED]: So in my expert option, at

1 that time, he did the right thing.

2 MR. ██████████: All right. So by this,
3 he shouldn't have passed it up to the ops and
4 activities' lieutenant. He should have kept it
5 in-house until it was definite.

6 MR. ██████████: It's premature. Yeah.

7 MR. ██████████: Okay. Because that would
8 have been premature prior to this time.

9 MR. ██████████: Yeah. Because like I said
10 that time. If he came back, then oh. I
11 thought you said we need to know to change him
12 out or we start - yeah.

13 MR. ██████████: And even keeping in mind
14 that both Tartaglione, or however you pronounce
15 his name.

16 MR. ██████████: Well after that I don't think
17 he was bunked with him after that.

18 MR. ██████████: Him and -. No-no-no.
19 What I'm saying is both of his previous inmates
20 - Epstein I'm saying - Reyes and Tartaglione -
21 they were both vetted from the highest of
22 levels. Even with that knowledge, you think
23 that they should have still waited.

24 MR. ██████████: I mean I don't under -.

25 MR. ██████████: They were vetted by the

1 captain, the warden, and the regional director.

2 MR. [REDACTED]: Yeah.

3 MR. [REDACTED]: So obviously it took some
4 doing.

5 MR. [REDACTED]: Mm-hm. But didn't get -.

6 MR. [REDACTED]: With that knowledge, do
7 you think that they should have told you? Or
8 no you still think it's premature.

9 MR. [REDACTED]: At 1:50? Um.

10 MR. [REDACTED]: Well I mean not at 1:50.

11 MR. [REDACTED]: I mean I don't know.

12 MR. [REDACTED]: It looks like 8:38.

13 MR. [REDACTED]: Then again, I told you about
14 that. If I don't check for it, I don't know -.

15 MR. [REDACTED]: no-no-no. I'm not saying
16 -. I'm not saying you checking for him. You
17 already -.

18 MR. [REDACTED]: No. I'm talking about
19 anybody.

20 MR. [REDACTED]: Yeah-yeah-yeah. But what
21 I'm saying like it appears that in looking at
22 that, it appears that they knew he was WAB
23 since 8:38, right?

24 MR. [REDACTED]: Yeah.

25 MR. [REDACTED]: So I'm saying between

1 8:38 and whatever the end of your shift is --

2 MR. [REDACTED]: No one said nothing to us.

3 MR. [REDACTED]: -- do you believe someone
4 should have said something to you?

5 MR. [REDACTED]: I'm not sure. Because then
6 again, you could look at another log where
7 it'll say from pre-remove to ZA. You
8 understand?

9 MR. [REDACTED]: Right. Because he didn't
10 actually -.

11 MR. [REDACTED]: So that's why I could see him
12 saying well I'm letting y'all know. I'm
13 passing on to you and you because you're going
14 to be here. Possibly.

15 MR. [REDACTED]: Yeah.

16 MR. [REDACTED]: I'm giving you the heads up.

17 MR. [REDACTED]: So I guess -. And I
18 understood you answered that question. But
19 what I said was - considering the fact that it
20 takes at least almost an entire day to vet who
21 was even going to be placed with him, do you
22 think that they should have started moving this
23 up the chain of command knowing that this guy -
24 no inmate - just a regular inmate shouldn't be
25 placed with this guy. He needs to be vetted.

1 It's vetted all the way up to the regional
2 director's level.

3 MR. [REDACTED]: Yeah. I'm not sure on that
4 one.

5 MR. [REDACTED]: Yeah sure. Yeah. All
6 right. Not sure. So is there anything else if
7 it says with Reyes? Does it say when he was
8 actually --

9 MR. [REDACTED]: It just says 8:38 pre-
10 removed. That means taken off the count. Now
11 if he comes back, it will say pre-removed to
12 ZA. And it kind of changes.

13 MR. [REDACTED]: So because it says pre-
14 removed, there's no reason to note when they
15 were definitively told he wasn't coming back?

16 MR. [REDACTED]: Yeah. This just means he
17 went to court. Right? So you have three going
18 out. Meaning you're off on count.

19 MR. [REDACTED]: Mm-hm.

20 MR. [REDACTED]: It could be in the Eastern
21 District - whatever. If you do come back, they
22 put you back on.

23 MR. [REDACTED]: But only if you come
24 back. Otherwise, they won't name you again.

25 MR. [REDACTED]: So this isn't definite.

1 MR. [REDACTED]: It's indefinite?

2 MR. [REDACTED]: Yeah.

3 MR. [REDACTED]: All right.

4 MR. [REDACTED]: I mean no this is not
5 definite. That means he's possibly - he could
6 come back. Just because it says pre-removed,
7 he'll come back.

8 MR. [REDACTED]: But what I'm saying is
9 the fact that he didn't come back. Should have
10 there been another note saying he is now
11 definitely off of our books.

12 MR. [REDACTED]: No. You just don't see it on
13 the - you just don't see it.

14 MR. [REDACTED]: So just by him not being
15 back on it that just means hey, refer back -.

16 MR. [REDACTED]: Yeah.

17 MR. [REDACTED]: Hey, refer back to that
18 thing where it said that he was possibly not
19 coming back.

20 MR. [REDACTED]: Yep.

21 MR. [REDACTED]: There should not be any
22 more notes saying like he's gone.

23 MR. [REDACTED]: No. Only think because if
24 I'm evening watch, the only think I'm checking
25 for is the pre-removed to the institution. So

1 these three, hey did they come back today or
2 are they off the count? So there wouldn't be
3 no follow up.

4 MR. [REDACTED]: SO there's no additional
5 -? There should have -. There's not another
6 line item that shouldn't be in there saying
7 that Reyes wasn't one of the individuals that
8 came back.

9 MR. [REDACTED]: No because - because no.

10 MR. [REDACTED]: So there's a pre-removed
11 but there's no line for removed.

12 MR. [REDACTED]: No. Pre-removed means off the
13 count. He's out the building. Now if he comes
14 back --

15 MR. [REDACTED]: -- and you -?

16 MR. [REDACTED]: -- you just put him back in.

17 MR. [REDACTED]: Okay. So that's the only
18 notification that should be made - should have
19 been made on the lieutenant's log?

20 MR. [REDACTED]: Yeah. This one here?

21 MR. [REDACTED]: Yeah.

22 MR. [REDACTED]: Yeah.

23 MR. [REDACTED]: All right. And do you
24 mind just putting it like you did that last
25 one. Just a little star next to is.

1 MR. [REDACTED]: I've just got a question real
2 quick.

3 MR. [REDACTED]: Yes, please do.

4 MR. [REDACTED]: This the 4:00 p.m. count,
5 right?

6 MR. [REDACTED]: Mm-hm.

7 MR. [REDACTED]: This outcount that you see
8 over here.

9 MR. [REDACTED]: For ZD?

10 MR. [REDACTED]: For ZA sorry.

11 MR. [REDACTED]: ZA?

12 MR. [REDACTED]: ZA. See that one? Is that
13 one? Who is that one for? Is that for Reyes?

14 MR. [REDACTED]: Outcount.

15 MR. [REDACTED]: Who normally gets marked off?
16 On the E1 that's outcount?

17 MR. [REDACTED]: Well.

18 MR. [REDACTED]: It means that he's still in
19 the facility? Or the inmates had - leave the
20 facility?

21 MR. [REDACTED]: You never usually see an
22 outcount for that one though. I don't know
23 what assignment this is.

24 MR. [REDACTED]: Say that again.

25 MR. [REDACTED]: I'm not sure what assignment

1 this is.

2 MR. [REDACTED]: You don't know what account?

3 Okay.

4 MR. [REDACTED]: Uh. It could have been some
5 type of -.

6 MR. [REDACTED]: I was just trying to figure
7 out if they were still counting him as hey,
8 there's a possibility of him coming back.
9 They've left him as outcount. And eventually,
10 after evening they removed him from outcount.

11 MR. [REDACTED]: No. So the outcount - oh I
12 know what you're saying now. You're trying to
13 say you mean who is the one that they have at
14 attorney conference.

15 MR. [REDACTED]: See attorney conference we
16 know. That's -.

17 MR. [REDACTED]: Yeah. That's the same thing.

18 MR. [REDACTED]: That's the same thing?

19 MR. [REDACTED]: Yeah. All the numbers is
20 repeats for the outcounts.

21 MR. [REDACTED]: So you hear what he's
22 saying?

23 MR. [REDACTED]: Yeah. Okay.

24 MR. [REDACTED]: Ten, one, two. That
25 equals 13. One, one. Three plus one plus 13

1 plus two equals 19.

2 MR. [REDACTED]: Got it. So at this point,
3 Reyes is completely off the count.

4 MR. [REDACTED]: Yeah. 4:00. Yeah. He was
5 off at this time.

6 MR. [REDACTED]: Okay.

7 MR. [REDACTED]: But the thing is he could
8 come back.

9 MR. [REDACTED]: Got it.

10 MR. [REDACTED]: That's why I'm saying that -.
11 I know you're saying that hey, should he have.
12 I can't say that.

13 MR. [REDACTED]: So you're not like upset
14 at the fact that like he didn't notify you and
15 then you could have notified the captain. You
16 don't think that that would have been what he
17 should have done?

18 MR. [REDACTED]: I mean yeah, that's
19 definitely helpful. And it would have been
20 appreciated. But to say that you know he's in
21 the wrong for not doing it and stuff like that.
22 I can't say that.

23 MR. [REDACTED]: Okay. And he didn't
24 notify you?

25 MR. [REDACTED]: No. Not that I recall.

1 MR. [REDACTED]: Okay. All right. So
2 we're going to move on from that. You can give
3 that back or you can hold onto it. Whatever
4 you want to do. Do you know about any cameras
5 in the MCC SHU that were not working on August
6 9th or 10th?

7 MR. [REDACTED]: No. That they wasn't
8 working?

9 MR. [REDACTED]: Yeah-yeah-yeah.

10 MR. [REDACTED]: No.

11 MR. [REDACTED]: Have you - did you ever -
12 were you made aware of that after August 9th?
13 Any cameras were not working?

14 MR. [REDACTED]: I heard something about when
15 they was like checking videos and stuff.

16 MR. [REDACTED]: What did you hear about
17 it?

18 MR. [REDACTED]: That some of them was showing
19 grainy.

20 MR. [REDACTED]: And who would have been
21 responsible for making sure the cameras were
22 working?

23 MR. [REDACTED]: Mm. The facilities.

24 MR. [REDACTED]: Who from facilities
25 should we speak with?

1 MR. [REDACTED]: I'm not sure.

2 MR. [REDACTED]: Who worked in facilities?

3 MR. [REDACTED]: Whoever they manager is.

4 Facilities manager.

5 MR. [REDACTED]: Do you know who that
6 person was back in August?

7 MR. [REDACTED]: '19.

8 MR. [REDACTED]: Or does [REDACTED] -?

9 MR. [REDACTED]: It probably was vacant.

10 MR. [REDACTED]: Vacant. Was there a
11 [REDACTED]?

12 MR. [REDACTED]: [REDACTED], he was there.

13 MR. [REDACTED]: Did he send - was he a
14 supervisor?

15 MR. [REDACTED]: He's not a supervisor.

16 MR. [REDACTED]: No?

17 MR. [REDACTED]: He's a com tech though. He's
18 com tech.

19 MR. [REDACTED]: Would he be somebody that
20 would be good to speak with on that?

21 MR. [REDACTED]: Yeah. Probably.

22 MR. [REDACTED]: All right. Were you
23 aware thought that prior to that time that they
24 weren't working?

25 MR. [REDACTED]: The cameras? No.

1 MR. [REDACTED]: No? Okay. Who is BOP
2 employee [REDACTED]?

3 MR. [REDACTED]: I know him.

4 MR. [REDACTED]: Do you know what his
5 position was in August of 2019?

6 MR. [REDACTED]: He would have been
7 (Indiscernible *03:00:48)

8 MR. [REDACTED]: What does that role
9 entail? What is - his duties and
10 responsibilities?

11 MR. [REDACTED]: He's a supervisor of a unit
12 team.

13 MR. [REDACTED]: What unit team at the
14 time? Do you know?

15 MR. [REDACTED]: I'm not sure.

16 MR. [REDACTED]: Did you have any
17 communication with regard to Epstein with
18 [REDACTED]?

19 MR. [REDACTED]: Like what?

20 MR. [REDACTED]: Just with him being
21 housed within the SHU.

22 MR. [REDACTED]: I probably talked to him
23 about something but I don't recall nothing
24 specific.

25 MR. [REDACTED]: Okay.

1 MR. ██████: No communication like that.
2 I don't know.

3 MR. ██████: Did you ever provide him
4 with any kind of special instructions with
5 regard to Epstein?

6 MR. ██████: Not that I recall.

7 MR. ██████: No? What about -? Did
8 you ever communicate with ██████ regarding
9 rounds being conducted in the SHU or Epstein
10 needing a cellmate?

11 MR. ██████: Not that I recall.

12 MR. ██████: Are you aware that
13 ██████ allowed Epstein to make a telephone
14 call on the evening of August 9, 2019?

15 MR. ██████: Mm. I think I heard
16 something about that. I don't know was it
17 ██████ though.

18 MR. ██████: No?

19 MR. ██████: I just heard something. I
20 think he made a phone call though.

21 MR. ██████: All right. So do you
22 know anything about ██████ involved with that
23 phone call?

24 MR. ██████: No.

25 MR. ██████: All right. What is your

1 understanding of the phone call that took place
2 on August 9th with Epstein's telephone call?

3 MR. ██████: It was a regular phone call.

4 MR. ██████: Did you hear that it was
5 made in the shower area?

6 MR. ██████: No.

7 MR. ██████: Have you ever heard of
8 telephone calls being made in the shower area?

9 MR. ██████: In the shower area? Yeah.

10 MR. ██████: And what's the purpose of
11 that?

12 MR. ██████: The cord can't reach. And
13 I'll say we got him (Indiscernible *03:02:16)
14 hey I'm going to give you a phone right now
15 while I'm -0 while you're right there. I don't
16 have to pull you out and it's like a time
17 consuming method.

18 MR. ██████: Do you know if the line
19 that they would be using in that area would be
20 recorded line or a legal line?

21 MR. ██████: It's two. There's two.

22 MR. ██████: Okay. So would there be
23 any reason to provide someone with a legal line
24 that's not recorded?

25 MR. ██████: No.

1 MR. [REDACTED]: So -.

2 MR. [REDACTED]: Would there a be a reason?

3 MR. [REDACTED]: Yeah.

4 MR. [REDACTED]: No.

5 MR. [REDACTED]: So why if they provided
6 Epstein a phone call in the shower area for a
7 legal line, would that be wrong?

8 MR. [REDACTED]: You mean an unmonitored line?

9 MR. [REDACTED]: Yeah.

10 MR. [REDACTED]: If they gave him an
11 unmonitored line?

12 MR. [REDACTED]: Right.

13 MR. [REDACTED]: Yeah. Unless you didn't know
14 which one it is.

15 MR. [REDACTED]: And if they did know that
16 they gave him a legal line, that was an
17 unmonitored line, should someone have monitored
18 that call?

19 MR. [REDACTED]: You can't though. You said
20 it was unmonitored.

21 MR. [REDACTED]: No I mean like sit here
22 and listen to the call.

23 MR. [REDACTED]: Oh you mean like - I mean
24 they do that all the time. I think they could
25 you know they let them call their legal

1 attorneys. And yeah, they do that.

2 MR. [REDACTED]: Okay. And if they didn't
3 do that.

4 MR. [REDACTED]: I don't know if it's a
5 violation.

6 MR. [REDACTED]: Right.

7 MR. [REDACTED]: But it's not common.

8 MR. [REDACTED]: Yeah. So let's say if
9 the captain even authorized it. Yeah, give him
10 his phone call. Just make sure you monitor it
11 and log it.

12 MR. [REDACTED]: No.

13 MR. [REDACTED]: They didn't monitor it.
14 They didn't log it. Would that be a problem?

15 MR. [REDACTED]: The captain telling me.
16 Yeah.

17 MR. [REDACTED]: All right. Did you ever
18 hear of that practice taking place in the past?

19 MR. [REDACTED]: Unmonitored calls?

20 MR. [REDACTED]: Yeah. Or like letting
21 somebody in the SHU have a phone call on an
22 unmonitored line, walking away, letting that
23 person talk?

24 MR. [REDACTED]: No. Now from an officer's
25 standpoint?

1 MR. [REDACTED]: Yeah.

2 MR. [REDACTED]: No.

3 MR. [REDACTED]: You never seen that
4 before? Or heard about it?

5 MR. [REDACTED]: Officers. No.

6 MR. [REDACTED]: Okay. What is the policy
7 for inmates making a calls from the SHU?

8 MR. [REDACTED]: Mm. I do know they could get
9 - they got to come - there's a (Indiscernible
10 *03:04:12) in SHU that everyone has a line. A
11 compassionate phone line. And they get with
12 the chaplain they can make a phone call. Like
13 say that they might you only get one call every
14 30 days. So chaplain say hey, give this guy a
15 call. They come up. They bring him. They let
16 him use the compassionate phone.

17 MR. [REDACTED]: And when you say -.

18 MR. [REDACTED]: And that's about it.

19 MR. [REDACTED]: What's a compassionate
20 phone?

21 MR. [REDACTED]: Yeah. It's like something
22 they have a death in the family or something
23 like that.

24 MR. [REDACTED]: But is that a monitored
25 call?

1 MR. [REDACTED]: I don't think so. But I mean
2 staff would stay with him. It's monitored
3 yeah. It's monitored.

4 MR. [REDACTED]: So anybody in the staff.
5 It's either a monitored line or staff is with
6 them? Is that correct?

7 MR. [REDACTED]: If it's monitored in the SHU?

8 MR. [REDACTED]: Yeah.

9 MR. [REDACTED]: Yeah.

10 MR. [REDACTED]: So when I say monitored,
11 I mean it's either a recorded line -.

12 MR. [REDACTED]: Or you right there.

13 MR. [REDACTED]: -- or you're right there.

14 MR. [REDACTED]: Yeah.

15 MR. [REDACTED]: And what are the reasons
16 why you would give him an unrecorded line? Or
17 a non-recorded line?

18 MR. [REDACTED]: Mm. I mean probably like an
19 emergency or something.

20 MR. [REDACTED]: So for him -?

21 MR. [REDACTED]: Definitely yeah. So like the
22 chaplain ain't the hey, you know, okay.

23 MR. [REDACTED]: But if it was in the
24 shower area, they would actually have the
25 ability to do either a recorded line or a non-

1 recorded line?

2 MR. [REDACTED]: Yeah.

3 MR. [REDACTED]: They're right next to
4 each other?

5 MR. [REDACTED]: It's a jack. Yeah.

6 MR. [REDACTED]: Yeah. Okay. What about
7 - what's the MCC policy on conducting searches
8 in the SHU? Cell searches.

9 MR. [REDACTED]: You have to search the cell.

10 MR. [REDACTED]: Do you know about them
11 not conducting cell searches?

12 MR. [REDACTED]: Staff not conducting?

13 MR. [REDACTED]: Yeah.

14 MR. [REDACTED]: Like what?

15 MR. [REDACTED]: Like for instance here's
16 cell search from 9 South or the SHU on August
17 9th. It's one cell search. It was conducted
18 at 12:36 p.m. during the day by [REDACTED]. It's
19 the only cell search that was conducted on
20 August 9th.

21 MR. [REDACTED]: Hm.

22 MR. [REDACTED]: Is that weird for you?
23 That you would see only one cell search
24 conducted on a day?

25 MR. [REDACTED]: Meh.

1 MR. [REDACTED]: Are they supposed to
2 conduct more than one cell search?

3 MR. [REDACTED]: Yeah.

4 MR. [REDACTED]: How many are they
5 supposed to conduct?

6 MR. [REDACTED]: Five.

7 MR. [REDACTED]: And is it at least five
8 on night watch? And during the day watch -?

9 MR. [REDACTED]: Per shift.

10 MR. [REDACTED]: What's that?

11 MR. [REDACTED]: Per shift.

12 MR. [REDACTED]: Per shift? Everyone's
13 supposed to do five?

14 MR. [REDACTED]: Yeah.

15 MR. [REDACTED]: Is that including the
16 morning watch?

17 MR. [REDACTED]: No.

18 MR. [REDACTED]: So day watch and -?

19 MR. [REDACTED]: Do area searches on morning
20 watch.

21 MR. [REDACTED]: So your understanding is
22 that on day watch and on night watch it's
23 supposed to be five per shift?

24 MR. [REDACTED]: Yeah.

25 MR. [REDACTED]: And are you aware if they

1 weren't doing that?

2 MR. ██████: Mm.

3 MR. ██████: Or is this what you were
4 saying before? An abnormal day?

5 MR. ██████: I mean I don't know. I
6 wasn't aware that they wasn't doing it. No.

7 MR. ██████: Okay. Um and is there
8 any responsibility of the ops or activities'
9 lieutenant overseeing to make sure that these
10 cell searches are being conducted?

11 MR. ██████: Yeah.

12 MR. ██████: There is?

13 MR. ██████: Yeah.

14 MR. ██████: And what is that
15 responsibility?

16 MR. ██████: I mean pretty much we check
17 every 30 days. They've got to be done. Every
18 cell supposed to eb searched every 30 days. So
19 -.

20 MR. ██████: Every cell in there is
21 supposed to be searched every 30 days?

22 MR. ██████: The whole unit yeah.

23 MR. ██████: Okay. And that's where
24 the ops lieutenant and activities' lieutenant
25 come in?

1 MR. [REDACTED]: Any lieutenant.

2 MR. [REDACTED]: Any lieutenant.

3 MR. [REDACTED]: It's everybody's
4 responsibility.

5 MR. [REDACTED]: So I guess what I'm
6 asking is on August 9th there's no SHU
7 lieutenant in there. As the activities'
8 lieutenant or the ops lieutenant on any of the
9 watches. Should have they been like making
10 sure that they were doing their job?

11 MR. [REDACTED]: Mm. I'm not sure.

12 MR. [REDACTED]: You're not sure?

13 MR. [REDACTED]: Yeah.

14 MR. [REDACTED]: Because I mean that's in
15 TruScope. It's like you're not checking
16 TruScope at that time --

17 MR. [REDACTED]: Yeah-yeah-yeah.

18 MR. [REDACTED]: -- anyways. You know.

19 MR. [REDACTED]: And during your rounds --

20 MR. [REDACTED]: And on top of that I think
21 the cells - the cameras probably show the cells
22 being checked. I'm quite sure. They just
23 didn't log them.

24 MR. [REDACTED]: All right. So you think
25 that they're actually searching them?

1 MR. [REDACTED]: They got to.

2 MR. [REDACTED]: And not locking it?

3 MR. [REDACTED]: You got to hey, get out.

4 You're doing a feed and cuff up, showers, you
5 come out and yeah. So they not locked.

6 MR. [REDACTED]: But would it be
7 surprising to you to hear that there was a lot
8 of extra linens and clothing and all that kind
9 of stuff in the SHU?

10 MR. [REDACTED]: That's not surprising.

11 MR. [REDACTED]: So if they're doing cell
12 searches, wouldn't they take that stuff out and
13 keep them with the -?

14 MR. [REDACTED]: I suppose so. Yeah.

15 MR. [REDACTED]: All right. But you
16 believe that they were actually conducting the
17 cell searches?

18 MR. [REDACTED]: I'm quite sure. More than
19 one was conducted.

20 MR. [REDACTED]: Okay.

21 MR. [REDACTED]: Yeah.

22 MR. [REDACTED]: SO you think it was just
23 - this is all they logged but they probably did
24 more?

25 MR. [REDACTED]: Yes.

1 MR. [REDACTED]: Okay. All right. Do you
2 know anything about Epstein being authorized to
3 have pills in his cell in the SHU?

4 MR. [REDACTED]: Pillows?

5 MR. [REDACTED]: No. Pills.

6 MR. [REDACTED]: Nah.

7 MR. [REDACTED]: Pills. Like medication.

8 MR. [REDACTED]: Nah.

9 MR. [REDACTED]: Should have he been
10 allowed medication in his cell?

11 MR. [REDACTED]: I mean inmates have
12 medication?

13 MR. [REDACTED]: They do?

14 MR. [REDACTED]: Yeah.

15 MR. [REDACTED]: So in the SHU they're
16 allowed to have medication?

17 MR. [REDACTED]: Yeah.

18 MR. [REDACTED]: Is there ever a problem
19 with like OD-ing or anything like that?

20 MR. [REDACTED]: I mean if it's - depending on
21 the medication, medical give is to them.

22 MR. [REDACTED]: Okay.

23 MR. [REDACTED]: Some have self-carrying
24 medicines.

25 MR. [REDACTED]: All right. And so that -

1 and that's not abnormal for them to have their
2 own pill bottles and things like that in the
3 SHU?

4 MR. ██████: No.

5 MR. ██████: What can an inmate have
6 in their cell in the SHU?

7 MR. ██████: T-shirt, boxes, washcloth, a
8 towel, depending on what season too. Blankets,
9 two sheets.

10 MR. ██████: So they can have tow
11 blankets and two sheets?

12 MR. ██████: Depending on the weather.

13 MR. ██████: Okay.

14 MR. ██████: And how much is available.

15 MR. ██████: What about in August?
16 How many blankets and sheets could have they
17 had?

18 MR. ██████: How many they could have?

19 MR. ██████: Or are they allowed to
20 have?

21 MR. ██████: Uh. It depends. Some of
22 them -. It depends. It they say hey, let them
23 keep it, two and two, let them keep it.

24 MR. ██████: Okay.

25 MR. ██████: I say hey, you need to - you

1 know. They go down to one.

2 MR. [REDACTED]: Would it be ever
3 authorized to have more than two of each?

4 MR. [REDACTED]: How many? Like an extra
5 blanket or something?

6 MR. [REDACTED]: Yeah. Like if three
7 blankets or four blankets.

8 MR. [REDACTED]: I don't know about four, but
9 an extra blanket I heard that especially in the
10 wintertime depending on the cells.

11 MR. [REDACTED]: What about in August?

12 MR. [REDACTED]: An extra blanket?

13 MR. [REDACTED]: Or extra linens.

14 MR. [REDACTED]: Nah.

15 MR. [REDACTED]: Yeah. What about extra
16 clothing?

17 MR. [REDACTED]: I mean it wouldn't be
18 authorized but they could get it.

19 MR. [REDACTED]: How could they get it?

20 MR. [REDACTED]: They could get it. They
21 could fish it themselves - inmates.

22 MR. [REDACTED]: You mean they can like
23 throw a cord over ... over like the -?

24 MR. [REDACTED]: Yeah.

25 MR. [REDACTED]: They do that?

1 MR. [REDACTED]: Yeah. They fish.

2 MR. [REDACTED]: All right. And would
3 that be caught on the cell search if they were
4 being conducted though?

5 MR. [REDACTED]: Not all the time.

6 MR. [REDACTED]: No?

7 MR. [REDACTED]: No.

8 MR. [REDACTED]: And how would they miss
9 that?

10 MR. [REDACTED]: What if I don't search that
11 cell today?

12 MR. [REDACTED]: No I'm saying during the
13 cell searches. Like if they search their cell.

14 MR. [REDACTED]: If they see the fishing line?
15 Yeah.

16 MR. [REDACTED]: No-no-no. Not if they
17 see a fishing line. But if a cell is being
18 searched --

19 MR. [REDACTED]: And it has excessive linen?

20 MR. [REDACTED]: And it has - would they
21 take it at that point?

22 MR. [REDACTED]: Yeah. Usually they take it.
23 Yeah.

24 MR. [REDACTED]: Okay. Anything else
25 they're allowed to have?

1 MR. [REDACTED]: Books. Food. Yeah.

2 MR. [REDACTED]: All right. Do you know
3 if Epstein was given any special privileges to
4 have extra clothing or extra linens?

5 MR. [REDACTED]: No.

6 MR. [REDACTED]: No? Do you know if he
7 had extra clothing or extra linens?

8 MR. [REDACTED]: No.

9 MR. [REDACTED]: Who was making sure that
10 Epstein had the correct amount of clothing and
11 linens?

12 MR. [REDACTED]: Not sure.

13 MR. [REDACTED]: Would it be like the SHU
14 staff or the lieutenant or all of the above?
15 The SHU lieutenant?

16 MR. [REDACTED]: I'm not sure.

17 MR. [REDACTED]: Working in the SHU
18 though, or previously, you don't know who would
19 -?

20 MR. [REDACTED]: Who is mentoring it? I mean.

21 MR. [REDACTED]: Like who would be - who's
22 responsible? Not let - sounds like - looks
23 like no one was monitoring it but who was
24 actually responsible to make sure him and these
25 guys aren't supposed to have that many - that

1 much clothing or linen.

2 MR. [REDACTED]: I'm not sure. Because when
3 we used to do linen, you give me three, I give
4 you three. That's how we used to monitor it.

5 MR. [REDACTED]: Yes. It's supposed to be
6 like a one-for-one exchange.

7 MR. [REDACTED]: Yeah. So I don't know who's
8 responsible to keep an eye on his things
9 though. I uh -.

10 MR. [REDACTED]: Typically who provides
11 inmates with their linens?

12 MR. [REDACTED]: Staff.

13 MR. [REDACTED]: Do lieutenants ever do
14 that?

15 MR. [REDACTED]: No. Not really.

16 MR. [REDACTED]: So it would be the staff
17 that's responsible then huh?

18 MR. [REDACTED]: Yeah. That's why I say
19 (Indiscernible *03:12:15) responsibility I
20 guess then.

21 MR. [REDACTED]: Okay. Does the SHU
22 lieutenant ever do it?

23 MR. [REDACTED]: I mean, it could. I could if
24 I want to.

25 MR. [REDACTED]: Yeah. But typically it

1 would be the SHU staff?

2 MR. [REDACTED]: Yeah.

3 MR. [REDACTED]: Okay. Any idea how
4 Epstein's interactions were with other inmates?
5 Did he ever have interactions with other
6 inmates really?

7 MR. [REDACTED]: I don't know. I know when he
8 first got there, he told me some guy he was
9 nervous because his face was on the TV. And
10 guys might be trying to intimidate him. That's
11 about it though.

12 MR. [REDACTED]: That was something he -
13 Epstein specifically told you?

14 MR. [REDACTED]: He told the officer and then
15 the officer told me. He said, hey I didn't
16 know who he was. I was like alright. Let me
17 look into it. And then they moved him.

18 MR. [REDACTED]: Where was he?

19 MR. [REDACTED]: He was on - his first unit I
20 think was 11 North.

21 MR. [REDACTED]: So was he then in general
22 population?

23 MR. [REDACTED]: When he first came here, he
24 was general population.

25 MR. [REDACTED]: All right. So people

1 that tell us that he was in the SHU the entire
2 time are incorrect?

3 MR. ██████: When he first got through, he
4 was in general population.

5 MR. ██████: And for how long was he
6 in general population?

7 MR. ██████: Say about a day or two.

8 MR. ██████: And are you the one that
9 actually moved him into the SHU?

10 MR. ██████: No.

11 MR. ██████: Who did that?

12 MR. ██████: I don't know.

13 MR. ██████: All right. But an
14 officer reported it to you? And then you -?

15 MR. ██████: Yeah. I know he was in
16 general population.

17 MR. ██████: And what did you do with
18 the information when that was told?

19 MR. ██████: What?

20 MR. ██████: You said an officer said
21 he's worried about safety.

22 MR. ██████: Yeah. I spoke to him.

23 MR. ██████: You spoke to Epstein?

24 MR. ██████: I wanted to know I said
25 what's going on. I said alright, we going to

1 look into this. And then they moved him.

2 MR. [REDACTED]: Okay.

3 MR. [REDACTED]: Yeah.

4 MR. [REDACTED]: But I guess my question
5 was did you report that information to someone?
6 And then it was - a person?

7 MR. [REDACTED]: I don't remember. I know I
8 passed it on. I said hey, this guy, I think
9 he's high profile.

10 MR. [REDACTED]: Okay.

11 MR. [REDACTED]: Look into it I think by the
12 captain or someone got together and they moved
13 him. Put him in place in the SHU.

14 MR. [REDACTED]: Okay. And when was the
15 last time you interacted with Epstein?

16 MR. [REDACTED]: I can't recall.

17 MR. [REDACTED]: Did you have any
18 interactions with him on August 9th?

19 MR. [REDACTED]: I could have. I don't know.
20 He's right there on the floor. So I could
21 have.

22 MR. [REDACTED]: But you don't know. So
23 again, dude dies the next day. You can't
24 remember if the day before you talked with this
25 guy when it's like the biggest case ever?

1 MR. [REDACTED]: yeah.

2 MR. [REDACTED]: You don't remember?

3 MR. [REDACTED]: Uh-huh. 'Cause I brung him
4 up to SHU a few times. But I don't know if I
5 did that day.

6 MR. [REDACTED]: I'm just saying that kind
7 of sparks a little suspicion if --

8 MR. [REDACTED]: I know what you're saying.

9 MR. [REDACTED]: -- it's like - if it's
10 like you can't even remember the last - if you
11 talked to him on that day - the day before.

12 MR. [REDACTED]: I mean it's a big case. I
13 get that. But I mean, you know, I have a job
14 like you know?

15 MR. [REDACTED]: Yeah-yeah. I mean, I'm
16 just saying that that's going to create a
17 little -.

18 MR. [REDACTED]: Yeah but I cannot remember if
19 I spoke to that dude that day.

20 MR. [REDACTED]: Do you remember when was
21 the last time you saw him?

22 MR. [REDACTED]: No. I'm probably assuming
23 that day. If he was in attorney conference.

24 MR. [REDACTED]: Um. And is that because
25 you would have visited attorney conference?

1 MR. ██████: Yeah. The elevator is right
2 there. I'm on the third floor here. Attorney
3 conference is there. If I wait right here in
4 the elevator, I see him. He's in the same room
5 every day.

6 MR. ██████: But you can't remember if
7 you actually spoke with him on that day?

8 MR. ██████: No.

9 MR. ██████: Would you typically speak
10 with him when he was in attorney conference?

11 MR. ██████: The only time I used to speak
12 to him is if they say hey, you can bring this.
13 Hey, you going to SHU? Can you take him up?
14 All right. Come on.

15 MR. ██████: All right.

16 MR. ██████: Can I ask a question on that?

17 MR. ██████: Yes. Please do.

18 MR. ██████: Just in case, I mean I know
19 you said you don't remember, but that's his
20 last day. That's the last time you saw him.
21 Do you remember who he was with that day?

22 MR. ██████: His lawyers.

23 MR. ██████: Do you remember his demeanor?

24 MR. ██████: Mm.

25 MR. ██████: Was he upset? Was he

1 yelling? Did he complain about anything?

2 MR. ██████: He used to sleep a lot.
3 That's all I know. Sometimes you see him in
4 there, he's just laying on the table. His
5 lawyer is right there.

6 MR. ██████: While he's with his
7 attorneys?

8 MR. ██████: He was there -. He used to
9 be there from 8 from in the morning time all
10 the way to day watch and evening watch.

11 MR. ██████: Around what time would he
12 show up there?

13 MR. ██████: Early. He'd be the first one
14 there.

15 MR. ██████: And what time would that
16 be?

17 MR. ██████: 8:00, 8:30.

18 MR. ██████: And then what time would
19 he typically go back to the SHU?

20 MR. ██████: Before - or attorney
21 conference over at 8:00. So about 8:00.

22 MR. ██████: So basically 8:00 a.m. to
23 8:00 p.m.? And who were the people that would
24 take him to attorney conference and then take
25 him back to the SHU?

1 MR. [REDACTED]: I told you. Like I said,
2 I've done it sometimes.

3 MR. [REDACTED]: Yeah.

4 MR. [REDACTED]: But typically, hey get the
5 guy ready in SHU. Bring him down. If R&D's
6 out there, hey we got to move him. You know.
7 I'll take him down.

8 MR. [REDACTED]: Mm-hm.

9 MR. [REDACTED]: Whoever's going that way.

10 MR. [REDACTED]: Did you take him either
11 there to attorney conference or back to the SHU
12 on August 9th?

13 MR. [REDACTED]: I don't think so. I can't
14 recall.

15 MR. [REDACTED]: Were you still at the MCC
16 at around 8:00 p.m. on August 9th?

17 MR. [REDACTED]: No. I wasn't there at 8:00.

18 MR. [REDACTED]: And what time do you
19 believe that you left MCC on August 9th?

20 MR. [REDACTED]: Uh between 2:00 and 4:00.

21 MR. [REDACTED]: Sometime between 2:00 and
22 4:00.

23 MR. [REDACTED]: Yeah.

24 MR. [REDACTED]: But you weren't back? So
25 he was in attorney conference all that time.

1 So the last time you possibly could have
2 interacted with him would have been around 8:00
3 a.m. Correct?

4 MR. ██████: I mean interacting like
5 talking to him?

6 MR. ██████: Speaking with him.

7 MR. ██████: Yeah. But I don't think I -
8 I can't recall if I spoke -. I don't think I
9 spoke to him. But --

10 MR. ██████: Yeah-yeah-yeah.

11 MR. ██████: -- I'm not sure if I did or I
12 didn't.

13 MR. ██████: Okay. But -.

14 MR. ██████: The last time would have been
15 I mean -. Yeah. If I stepped into attorney
16 conference and said something. But -.

17 MR. ██████: Okay.

18 MR. ██████: I don't recall that.

19 MR. ██████: But you don't recall what
20 his demeanor was? Or state of mind?

21 MR. ██████: That day?

22 MR. ██████: Yeah. Um you just
23 mentioned the one thing where he was worried
24 because his - you know -.

25 MR. ██████: Yeah. The first day he got

1 here.

2 MR. [REDACTED]: He told an officer.

3 MR. [REDACTED]: He's saying hey, uh officer,
4 hey there's this guy up here. His face is -
5 well we get those calls all the time.

6 MR. [REDACTED]: Do you know of any other
7 complaints that he made? Did he ever complain
8 to you or you get any other information about
9 it?

10 MR. [REDACTED]: While he was planning on
11 getting off of suicide watch. That's about it.

12 MR. [REDACTED]: Okay. And was he making
13 those complaints to you about getting off of
14 suicide watch?

15 MR. [REDACTED]: He was just saying hey, why
16 you guys got me like -. I'm like well you talk
17 to psych and then they'll talk to you and they
18 spoke to him and he went back up.

19 MR. [REDACTED]: And what was this
20 complaint about? About being -?

21 MR. [REDACTED]: He was saying why he was on
22 there yeah. He wanted his clothes and you
23 know.

24 MR. [REDACTED]: So he didn't want to be
25 on suicide watch?

1 MR. [REDACTED]: No.

2 MR. [REDACTED]: Is that what you're
3 saying?

4 MR. [REDACTED]: No. He didn't want to.

5 MR. [REDACTED]: So he wanted to go back
6 to the SHU?

7 MR. [REDACTED]: Well he wanted to go -.
8 Yeah.

9 MR. [REDACTED]: Do you know if he wanted
10 to be on the SHU? Or did he want to be in a
11 different area?

12 MR. [REDACTED]: I don't know.

13 MR. [REDACTED]: Did he ever tell that to
14 you?

15 MR. [REDACTED]: No. Not to me.

16 MR. [REDACTED]: Do you ever -? Do you
17 believe that he was in the correct place in the
18 SHU? Or do you believe he should have been on
19 like 10 South or G Tier?

20 MR. [REDACTED]: I mean he can't be in G Tier.
21 Can't be in 10 South. He got to have a Bunkie,
22 right?

23 MR. [REDACTED]: Well. I guess. It
24 depends on -. Do you know what the reason why
25 he would need a Bunkie?

1 MR. [REDACTED]: His suicide attempt.

2 Hotlist.

3 MR. [REDACTED]: Do you ever put people
4 that are suicide attempts or hotlist in G Tier
5 or 10 South, so they have extra eyes on them?

6 MR. [REDACTED]: Mm. I don't think. No one
7 in 10 South is on the hotlist. I don't recall.

8 MR. [REDACTED]: What about G Tier?
9 What's their -? Who? What's the deal with G
10 Tier? Like who goes --

11 MR. [REDACTED]: Single cells.

12 MR. [REDACTED]: -- in there?

13 MR. [REDACTED]: Single cells.

14 MR. [REDACTED]: Yeah-yeah-yeah. But they
15 have cameras in there, right? Every one of
16 them gets - just like 10 South - but -?

17 MR. [REDACTED]: Yeah but uh 9 South some of
18 the - some cameras in some of those. Psych
19 cells.

20 MR. [REDACTED]: Do you believe Epstein
21 should have been in a cell with a camera in it?

22 MR. [REDACTED]: No.

23 MR. [REDACTED]: No?

24 MR. [REDACTED]: I mean yeah, if you have to
25 have two. The ones with the cameras is single

1 cell. You can't go there.

2 MR. [REDACTED]: Yeah-yeah-yeah.

3 MR. [REDACTED]: You know?

4 MR. [REDACTED]: So you believe he should
5 have had a cellmate and he should have been in
6 the regular SHU? Because we've had other
7 people say should have been on G tier. Should
8 have been on 10 South. But you believe -.

9 MR. [REDACTED]: People are saying - I mean -
10 if you try to commit - like you just showed me
11 the memo. Right? So either he needs an extra
12 set of eyes on him and then the - that's even
13 worse. I'm going to put you in there by
14 yourself? You saying? For an extended time?

15 MR. [REDACTED]: I guess but so people are
16 saying because officers are watching those
17 people at all times. Is that -? Are they
18 watching them at all times?

19 MR. [REDACTED]: How?

20 MR. [REDACTED]: On the cameras I don't
21 know.

22 MR. [REDACTED]: No.

23 MR. [REDACTED]: SO they're not actually
24 being monitored?

25 MR. [REDACTED]: They can't watch. No one can

1 watch someone all the time. No.

2 MR. [REDACTED]: Okay. So you think that
3 it would have been just as risky or if not more
4 risky with him being in G Tier or 10 South?

5 MR. [REDACTED]: Yeah.

6 MR. [REDACTED]: Okay. Fair enough. Do
7 you know why Epstein was in prison?

8 MR. [REDACTED]: Yeah.

9 MR. [REDACTED]: Why?

10 MR. [REDACTED]: Uh underage trafficking.
11 Child molestation. Charges like that.

12 MR. [REDACTED]: And did you have any
13 specific feelings regarding why he was in
14 prison?

15 MR. [REDACTED]: No.

16 MR. [REDACTED]: How often would you speak
17 with Epstein?

18 MR. [REDACTED]: Uh whenever I needed to.

19 MR. [REDACTED]: All right. Any kind of
20 conversation that had any substance to it?
21 Like a substantive conversation? Anything that
22 was like more than just like below?

23 MR. [REDACTED]: Nah.

24 MR. [REDACTED]: No? and you said you did
25 not work at all on August 20th?

1 MR. [REDACTED]: That's the day it happened,
2 right?

3 MR. [REDACTED]: Yeah.

4 MR. [REDACTED]: I wasn't there.

5 MR. [REDACTED]: And then you were
6 definitely gone by then - from the MCC - by
7 4:00 p.m. on August 9th?

8 MR. [REDACTED]: I think so yeah. I think so.

9 MR. [REDACTED]: And you may have bene
10 gone as early as 2:00 p.m. you just can't
11 recall?

12 MR. [REDACTED]: Yeah.

13 MR. [REDACTED]: When was you next shift?

14 MR. [REDACTED]: Mm. That happened on what -
15 Saturday?

16 MR. [REDACTED]: Yeah. He was found on a
17 Saturday.

18 MR. [REDACTED]: He died on Saturday, right?

19 MR. [REDACTED]: Yeah-yeah-yeah.

20 MR. [REDACTED]: Saturday. I don't know if I
21 came in Sunday. I think I came in Sunday.

22 MR. [REDACTED]: Okay. And did you at
23 that time did you speak with anybody about
24 Epstein's death?

25 MR. [REDACTED]: I mean I knew about it.

1 Everyone was talking about it.

2 MR. [REDACTED]: Yeah-yeah-yeah. So what
3 was your understanding about how he died?

4 MR. [REDACTED]: He hung himself.

5 MR. [REDACTED]: Do you know anything
6 about anyone else taking his life?

7 MR. [REDACTED]: No.

8 MR. [REDACTED]: No? Do you know anything
9 about anyone assisting with taking his life?

10 MR. [REDACTED]: Nah.

11 MR. [REDACTED]: No. Do you believe that
12 Epstein took his own life?

13 MR. [REDACTED]: Yes.

14 MR. [REDACTED]: Do you believe that
15 Epstein acted alone in taking his own life?

16 MR. [REDACTED]: Yes.

17 MR. [REDACTED]: All right. Then there's
18 only three more questions here. They're more
19 open-ended. What do you believe would have
20 prevented Epstein from dying?

21 MR. [REDACTED]: Nothing.

22 MR. [REDACTED]: Nothing? Do you think
23 that if he was - wanted to take his life he
24 would have done it?

25 MR. [REDACTED]: If it was a regular inmate, I

1 don't even think we would be - you know.

2 MR. [REDACTED]: Um what are some of the
3 systematic problems inside the MCC? And
4 specifically the SHU that allowed for Epstein
5 to die?

6 MR. [REDACTED]: Mm. Systematic problems.

7 MR. [REDACTED]: You know like -.

8 MR. [REDACTED]: It sound like a union
9 question or something like that.

10 MR. [REDACTED]: Well no it because like I
11 told you, we're trying to look into like. He
12 man, you're right.

13 MR. [REDACTED]: Yeah.

14 MR. [REDACTED]: If another inmate died,
15 we're probably not going to be here talking to
16 you. But this is high-profile. We now need to
17 figure out what went wrong here. How do we fix
18 it? So in your opinion, what went wrong here?

19 MR. [REDACTED]: I mean.

20 MR. [REDACTED]: And how do we fix it?
21 We're from the government. We're here to help.

22 MR. [REDACTED]: Yeah. My opinion, the whole
23 cellmate leaving. That's not on nobody. I'm
24 not. If I have the notice he had up until that
25 time and left for one day. Then this happens.

1 I can't blame lieutenant, staff, notifications.
2 You know. Remember there's like 900 inmates in
3 there.

4 MR. [REDACTED]: Right.

5 MR. [REDACTED]: I know he's high-profile, but
6 we also have to monitor other inmates. The
7 round situation. If that's true. That could
8 have been a little bit you know -. You've got
9 to make rounds in SHU.

10 MR. [REDACTED]: Counts too though, right?

11 MR. [REDACTED]: You've got to make rounds and
12 counts.

13 MR. [REDACTED]: Now going back to there.
14 You say it's not on anybody. But if he's -
15 psychology is saying he's required to have a
16 cellmate. It's got to be on somebody. Right?
17 If he's on the hotlist. He's in SHU where he's
18 supposed to have a cellmate anyway. And
19 psychology is saying he's got to have a
20 cellmate. It's got to fall to somebody to make
21 sure. Hey, who is supposed to make sure this
22 guy has got a cellmate? His cellmate is gone.
23 He doesn't have a cell mate.

24 MR. [REDACTED]: Mm-hm.

25 MR. [REDACTED]: Because -.

1 MR. [REDACTED]: So if I know. If I get the
2 notice by 8:00. Right? So I'm evening watch
3 ops. I get the notice. Hey, this guy doesn't
4 have a cellmate. All right. What's my call?
5 I just throw him in there with anybody?

6 MR. [REDACTED]: My thought - and from
7 talking to other people - are supposed to be
8 that SHU staff should have notified the ops
9 lieutenant or the activities' lieutenant. Who
10 then should have notified the captain?

11 MR. [REDACTED]: Yeah. At 8:00. I could see
12 that. But at that time on day watch, hm-mm.

13 MR. [REDACTED]: Yeah-yeah-yeah.

14 MR. [REDACTED]: It's a judgment call.

15 MR. [REDACTED]: And I'm not talking about
16 at 8:00 a.m. I'm saying like what you just
17 said --

18 MR. [REDACTED]: I want to say we can't
19 (Indiscernible *03:24:48) notice.

20 MR. [REDACTED]: -- you don't think that
21 the cellmate thing should be on anybody. Well
22 but it's like it's got to be on somebody. If
23 he's required to have a cellmate, somebody's
24 got to make sure he's got a cellmate.

25 MR. [REDACTED]: Yeah. Yeah but what if I

1 don't -. Remember these guys don't even - the
2 guys on evening watch wasn't even sure it was
3 right. It was overtime. I know [REDACTED] --

4 MR. [REDACTED]: Well no, I'm not talking
5 --

6 MR. [REDACTED]: -- I think worked -.

7 MR. [REDACTED]: Yeah-yeah-yeah. I'm
8 talking it was [REDACTED].

9 MR. [REDACTED]: But if I'm the OIC.

10 MR. [REDACTED]: I think [REDACTED] and Noel.

11 MR. [REDACTED]: He wasn't even in custody at
12 that time no more.

13 MR. [REDACTED]: All right. So but you
14 got -. Tova Noel who --

15 MR. [REDACTED]: Mm-hm.

16 MR. [REDACTED]: -- that's her quarterly
17 post.

18 MR. [REDACTED]: She did a double that day,
19 right?

20 MR. [REDACTED]: Well she - but yea but at
21 8:00 p.m. that was her first shift, right?

22 MR. [REDACTED]: Mm-hm.

23 MR. [REDACTED]: So we're talking - we're
24 not now talking about morning watch. We're
25 talking about - you're saying 8:00 p.m., right?

1 MR. [REDACTED]: Yeah.

2 MR. [REDACTED]: So that's evening watch.
3 So we're looking at -. Where are we looking
4 at?

5 MR. [REDACTED]: So if I know - if I'm
6 notified by 8:00. And I call the captain. Say
7 hey, this guy don't -. What's my next move
8 then? Throw him in there with anybody? Or 0?

9 MR. [REDACTED]: Yeah, so we have [REDACTED],
10 Noel, and [REDACTED].

11 MR. [REDACTED]: Mm-hm.

12 MR. [REDACTED]: So yeah, I guess-.

13 MR. [REDACTED]: I mean I can see them saying
14 - whoever said that. Because they say hey,
15 kick it up.

16 MR. [REDACTED]: Right.

17 MR. [REDACTED]: You know. Kick it up. Kick
18 the blame up top. Now if I'm on, what do you
19 want me to do? Throw the guy in there with
20 anybody? Just because he have to have a
21 cellmate?

22 MR. [REDACTED]: Well some people have
23 said that at the very least they would have put
24 him on like a dry cell type of a situation
25 where you've got a staff member on him until he

1 can get placed with a cellmate.

2 MR. [REDACTED]: Yeah. But that's a
3 questionable move too.

4 MR. [REDACTED]: Um.

5 MR. [REDACTED]: You want me to take him and
6 put him on - you know?

7 MR. [REDACTED]: So you believe - so I
8 guess. What is your belief then?

9 MR. [REDACTED]: I mean there was a time and
10 opportunity. Guy wanted to take his life. The
11 inmate left. He saw the time and opportunity.
12 He did it. The officers - you know.

13 MR. [REDACTED]: But don't -?

14 MR. [REDACTED]: Uh yeah.

15 MR. [REDACTED]: -- do you believe though
16 as a correctional officer it's the
17 responsibility to ensure that we ensure that
18 they don't die in our custody?

19 MR. [REDACTED]: Well that's what the rounds
20 is for. That's why it's so important.

21 MR. [REDACTED]: All right. So that's why
22 you think it's really the rounds and the count.
23 Not necessarily the cellmate but the rounds and
24 the counts.

25 MR. [REDACTED]: Well in SHU, you required to

1 do it.

2 MR. [REDACTED]: Right.

3 MR. [REDACTED]: You have to do it. It's for
4 the inmate.

5 MR. [REDACTED]: And if they're not doing
6 the rounds - the 30-minute rounds - that's
7 really the blame here?

8 MR. [REDACTED]: That's a bad situation.

9 MR. [REDACTED]: Okay.

10 MR. [REDACTED]: It's a bad situation.

11 MR. [REDACTED]: So you blame it on the
12 rounds way more than you would blame it on the
13 cellmate?

14 MR. [REDACTED]: That's it. The cellmate, he
15 ain't here. Yeah.

16 MR. [REDACTED]: Yeah.

17 MR. [REDACTED]: You know I mean that
18 happened. It's the same thing. I understand
19 they sent out the notification. There's no
20 time for any more than that.

21 MR. [REDACTED]: Yeah-yeah-yeah.

22 MR. [REDACTED]: Is an inmate goes hey, you
23 know, by the way, this guy was on - you sent
24 this out a month ago. He's not suicidal no
25 more. He said it. It's like you know.

1 MR. [REDACTED]: Well in this case I think
2 it was like 9 days. But yeah.

3 MR. [REDACTED]: Yeah. But there's still no
4 timeframe. Some guys say they suicidal just to
5 get out of SHU and play the game. Go back in.

6 MR. [REDACTED]: Right.

7 MR. [REDACTED]: But it's never saying hey
8 this guy is not. There's no memo saying he
9 does need a cellmate.

10 MR. [REDACTED]: Would you agree though
11 that it's both? The fact that the was require
12 to have a cellmate and they weren't conducting
13 rounds?

14 MR. [REDACTED]: Yeah. Yeah.

15 MR. [REDACTED]: And that's where - when I
16 talk about the problems.

17 MR. [REDACTED]: The thing is, that happened,
18 but it's - that can happen. Hey oh. His
19 Bunkie left. I didn't put a cellmate. That
20 can happen.

21 MR. [REDACTED]: Right.

22 MR. [REDACTED]: You know. That can happen
23 here.

24 MR. [REDACTED]: Right.

25 MR. [REDACTED]: You get inmates that was

1 crying on level two. Hey, got to have a
2 cellmate. You moved him? Yeah. Oh you ain't
3 check? Oh you know.

4 MR. [REDACTED]: Yeah. So I think what I
5 understand you saying is that the primary issue
6 is not doing rounds. Secondary and a much
7 lesser issue was that they didn't fill up his
8 cellmate. Is that correct?

9 MR. [REDACTED]: Yeah.

10 MR. [REDACTED]: Okay. And are there any
11 other problems or violations occurring inside
12 the MCC that we should be made aware of?

13 MR. [REDACTED]: Mm.

14 MR. [REDACTED]: We're talking about the
15 MCC.

16 MR. [REDACTED]: Violations?

17 MR. [REDACTED]: Anything that we should
18 have known about that you think needs to be
19 fixed.

20 MR. [REDACTED]: You got mandated. I know
21 that. You're working.

22 MR. [REDACTED]: So there's - is what
23 you're saying then that they're severely
24 understaffed?

25 MR. [REDACTED]: They was. I don't know how

1 it is now. Buy they was.

2 MR. ██████████: And again when did you
3 leave there?

4 MR. ██████████: Uh December '19.

5 MR. ██████████: December of 2019? At
6 that point they were still extremely over -?

7 MR. ██████████: Extremely.

8 MR. ██████████: What about - was there
9 anything that was being fixed ever since when
10 Epstein died and August of 2019. Did you see
11 anything being fixed by that point?

12 MR. ██████████: Uh. They did change the log.
13 I know that.

14 MR. ██████████: What does that mean?

15 MR. ██████████: They started putting inmates
16 that go to court. Just in case. We started
17 doing them and started attaching the PP38 to
18 the log.

19 MR. ██████████: So they would almost be
20 part of the outcount?

21 MR. ██████████: No. You could see. You
22 could see all the movement.

23 MR. ██████████: Okay.

24 MR. ██████████: You know. You could see all
25 the movement. They started single cell memos.

1 Every time I need to know- every night.
2 Because I worked the morning. Every night I
3 need the -. Hey whose up there - single cell?
4 That was an every night thing. We started that
5 um. More rounds. More reiteration of doing
6 your rounds. Um. I know the rounds. They got
7 tighter with the rounds. The log. Mm. It was
8 some things. There were some things. As far
9 as staff, I think they did hire a class like
10 right before. But um. You know.

11 MR. ██████████: Now has that just been a
12 constant problem with um with the MCC with
13 being able to like fill -?

14 MR. ██████████: I mean that's -. Yeah.
15 That's been a problem for a while. It wasn't
16 like that when I first got there though.

17 MR. ██████████: And what is - why do you
18 think it's so hard to keep that place staffed?

19 MR. ██████████: Well uh I think they can't
20 compete. It's the pay. They're not competing
21 with other agencies. It's a tough job.
22 Working there is tough.

23 MR. ██████████: Yeah.

24 MR. ██████████: It's not easy. I'll tell you
25 that.

1 MR. [REDACTED]: What it makes it so
2 tough?

3 MR. [REDACTED]: You've got some unruly
4 inmates.

5 MR. [REDACTED]: Yep.

6 MR. [REDACTED]: You got a lot of unruly
7 inmates. You doing some long hours.

8 MR. [REDACTED]: Are they doing long hours
9 though because it's understaffed?

10 MR. [REDACTED]: Yeah.

11 MR. [REDACTED]: And that's what I mean.
12 So it sounds to me, I mean an outsider's
13 perspective. Is that they need a lot more
14 employees.

15 MR. [REDACTED]: No. They need that
16 definitely more employees.

17 MR. [REDACTED]: Is there a way for us to
18 not only get employees but get good employees?
19 What would be a solution there?

20 MR. [REDACTED]: I mean you got to recruit.
21 You got to take people that really want to do
22 the job.

23 MR. [REDACTED]: Um.

24 MR. [REDACTED]: I mean it takes some people
25 that. You know. Say hey, you can make this

1 your first year. Just going to put some work
2 in it. You've got people that want it. You
3 know. That wants the money.

4 MR. [REDACTED]: You think that it means
5 they should have like a higher pay at the MCC?
6 And the MDC?

7 MR. [REDACTED]: Higher pay or you look for
8 people that are looking for opportunity. You
9 know.

10 MR. [REDACTED]: Like as in make it like a
11 rotating place? You have to do a certain
12 amount of time there and then you can go to
13 like your choice location afterwards?

14 MR. [REDACTED]: I mean.

15 MR. [REDACTED]: What do you mean by
16 opportunity? I guess I should say.

17 MR. [REDACTED]: Like I don't know. I know
18 the - I think it's a (Indiscernible *03:32:28)
19 problem there. Or credit something like that.
20 Is it? I don't know. I'm not sure.

21 MR. [REDACTED]: I have -. We've
22 definitely talked to people that don't have
23 bachelor's degrees.

24 MR. [REDACTED]: Yeah. But I think they have
25 um credits. I think they change it for

1 credits.

2 MR. [REDACTED]: Yeah. Some people have
3 said some college.

4 MR. [REDACTED]: Yeah.

5 MR. [REDACTED]: That we've talked to that
6 they don't have -.

7 MR. [REDACTED]: I think -.

8 MR. [REDACTED]: I don't think I've talked
9 to anybody that said they didn't have any
10 college. But I mean I think it was like a
11 couple credits. You know.

12 MR. [REDACTED]: Yeah. But I mean some people
13 without college, it's one opportunity to say
14 hey, you can make \$60,000 your first year. I
15 just need you to show up and work.

16 MR. [REDACTED]: Right.

17 MR. [REDACTED]: Follow the rules. You know.
18 And the credit check I think was getting a lot
19 of people.

20 MR. [REDACTED]: Is that right?

21 MR. [REDACTED]: Yeah. Credit checks. I
22 think that's what weeds out a lot of people.

23 MR. [REDACTED]: Now do you believe though
24 - on that note - if we're not doing credit
25 checks, we're letting that slide. Wouldn't

1 that breed a potential problem with
2 introduction of contraband and being paid you
3 know for brining things in?

4 MR. ██████: Bribery and stuff?

5 MR. ██████: Yeah. Because that's a
6 big problem in the BOP.

7 MR. ██████: Yeah. But I think that's -.
8 I mean you've got some people in there I mean.
9 That don't work. That don't. no. you could
10 be. I seen people get arrested with good
11 credit.

12 MR. ██████: Right.

13 MR. ██████: Six figures - making six
14 figures and do some corrupt stuff.

15 MR. ██████: Right-right.

16 MR. ██████: So. That's not it.

17 MR. ██████: Okay.

18 MR. ██████: I'm not saying take everyone.
19 But you know.

20 MR. ██████: Yeah.

21 MR. ██████: It's like if you renting to
22 somebody and you a landlord. And you say
23 alright, I know you ain't got the top score,
24 but I see you pay your bills on time. You had
25 a little student loan debt here or whatever.

1 I'll give you a shot.

2 MR. [REDACTED]: Yeah.

3 MR. [REDACTED]: You know.

4 MR. [REDACTED]: What have you got?

5 MR. [REDACTED]: You mentioned that you saw
6 Epstein in the conference room.

7 MR. [REDACTED]: Attorney conference. Yeah.

8 MR. [REDACTED]: And sometimes he was
9 sleeping.

10 MR. [REDACTED]: It looked like he was
11 sleeping. He would lay down on the table like
12 that.

13 MR. [REDACTED]: Is that normal for inmates to
14 be sleep in the conference room?

15 MR. [REDACTED]: To sleep? No. that's not
16 normal. Most guys is trying to get out. Saying
17 hey, you need to do this and do that.

18 MR. [REDACTED]: Did anyone ever tell him to
19 wake up or address it?

20 MR. [REDACTED]: I don't think so.

21 MR. [REDACTED]: The reason I ask is like was
22 that a privilege that was allowed to Epstein?
23 To do that?

24 MR. [REDACTED]: No. It wasn't a privilege.
25 I think the being that he was there from early

1 in the morning to whatever time. The lawyers
2 probably like alright, let's look over this.
3 And he probably laying, and I'll wait until
4 y'all finished. And then alright, let's go.
5 But he also gets to buy out the vending machine
6 too. At first.

7 MR. [REDACTED]: The vending machine?

8 MR. [REDACTED]: Yeah. He used to get all his
9 snacks.

10 MR. [REDACTED]: Yeah. Because you weren't
11 allowed to give him food in there right?

12 MR. [REDACTED]: In the SHU? You got food.

13 MR. [REDACTED]: Not in SHU.

14 MR. [REDACTED]: In attorney -.

15 MR. [REDACTED]: Attorney conference. I
16 was told that he basically had to get his own
17 food from the vending machines.

18 MR. [REDACTED]: Yeah.

19 MR. [REDACTED]: Was he allowed -? Would
20 people feed him - the BOP food - when he was in
21 attorney conference? Would they bring him a
22 tray?

23 MR. [REDACTED]: Mm. No. I don't think so.
24 I don't even think he even at that. I'm not
25 sure. I don't even know if he even ate the BOP

1 food. He probably just ate commissary.

2 MR. [REDACTED]: Oh so there's a
3 commissary he could go to?

4 MR. [REDACTED]: Sure. You could go to
5 commissary in SHU.

6 MR. [REDACTED]: No. I'm talking about
7 because 8:00 a.m. to 8:00 p.m. he was always
8 with attorney conference.

9 MR. [REDACTED]: Yeah. So he used to get
10 drinks and chips - snack food.

11 MR. [REDACTED]: And that's what he would
12 just eat all day?

13 MR. [REDACTED]: I don't know about all day.
14 But I know you know he'll have a - hey, make
15 sure when the lawyers come, they get his sodas
16 and drinks and they get us his chips.

17 MR. [REDACTED]: Hm.

18 MR. [REDACTED]: Yeah.

19 MR. [REDACTED]: Do you know anything
20 about would he eat before he would go and then
21 be afforded a tray as soon as he got back to
22 SHU?

23 MR. [REDACTED]: Uh. I mean yeah . but that
24 wouldn't be -. That wouldn't be kind of
25 common. That's what any legal visit that we

1 used to do.

2 MR. ██████████: Yeah-yeah-yeah. I'm just
3 saying if he's 7 days a week not eating - only
4 eating a bag of chips or something from 8:00
5 a.m. to 8:00 p.m., that seems like he'd get a
6 little more hungry than that.

7 MR. ██████████: Yeah. I don't know. I don't
8 know - I don't recall him getting a tray in
9 there though.

10 MR. ██████████: Yeah-yeah-yeah. No.

11 MR. ██████████: Yeah. I don't know.

12 MR. ██████████: I don't know if he was or
13 not. That's why I was asking.

14 MR. ██████████: Yeah. But if he comes back
15 from there and they said hey that's my tray
16 from earlier and if he was in legal visit, we
17 would give it to him.

18 MR. ██████████: Right.

19 MR. ██████████: I mean that's common
20 practice.

21 MR. ██████████: Let's say - once Reyes left
22 that morning.

23 MR. ██████████: Who?

24 MR. ██████████: Reyes.

25 MR. ██████████: Okay.

1 MR. ██████: Once he left that morning, I
2 know there's like a sheet that keeps track of
3 all the inmates in the SHU. Right? They have
4 like a bed count sheet.

5 MR. ██████: Bed book count.

6 MR. ██████: Bed book count. Would that
7 book need to be updated?

8 MR. ██████: That he left? Yeah.

9 MR. ██████: Whose responsibility would
10 that have been?

11 MR. ██████: Uh. I don't know officers.

12 MR. ██████: So officers should have
13 updated it. Now let's say they went in 4:00
14 p.m. count. And then 9:00 p.m. count - god
15 forbid there was something off with the count.
16 They would have to pull out eh bed book and
17 verify it. Right?

18 MR. ██████: If you get two bad counts.

19 MR. ██████: Two bad counts.

20 MR. ██████: Yeah.

21 MR. ██████: But if no one updated the
22 book, would that be an issue?

23 MR. ██████: Well if you get two bad
24 counts, you've got to a bed book. And then
25 you'll find discrepancy. But then again, you

1 know who usually updates the bed book count?

2 MR. [REDACTED]: The lieutenant?

3 MR. [REDACTED]: Morning watch. Because I'm
4 now - this is the new day - 12:01.

5 MR. [REDACTED]: Okay.

6 MR. [REDACTED]: This person's not here. Now
7 I know for a fact that this is what I'm
8 starting my day with - for the whole day.

9 MR. [REDACTED]: I was going to show one - the
10 same document. You mentioned that when you
11 were working the SHU around 2:00 a.m. you would
12 have got the court document. Right? The
13 attorney would have brought it up. Or someone
14 would have brought up the document.

15 MR. [REDACTED]: Yeah. It comes up on morning
16 watch.

17 MR. [REDACTED]: If - I mean and we don't know
18 for sure if that was the same happening. Who
19 would have got that notification at 2:00 a.m.
20 on August 9th?

21 MR. [REDACTED]: About the paperwork?

22 MR. [REDACTED]: About the court documents.

23 MR. [REDACTED]: Uh probably internal.

24 MR. [REDACTED]: No who in the SHU. Who was
25 in the SHU at that point? Who would have

1 gotten notified? Hey, listen Reyes is meeting
2 me in the morning.

3 MR. [REDACTED]: Uh. [REDACTED] and Thomas.

4 MR. [REDACTED]: [REDACTED] Thomas?

5 MR. [REDACTED]: Yeah.

6 MR. [REDACTED]: And let's say the morning
7 came around. The shift changes and -. Who
8 would have notified um - they got the document?
9 They - Reyes is leaving.

10 MR. [REDACTED]: Mm-hm.

11 MR. [REDACTED]: Who would have notified
12 control or kept track of the fact that Reyes is
13 walking out of there?

14 MR. [REDACTED]: And again I told you, see if
15 you don't - it's not a thought. It's not
16 coming on my radar until -.

17 MR. [REDACTED]: No. I'm not saying that.
18 But who in the SHU would have been responsible?

19 MR. [REDACTED]: Someone in the SHU like I
20 said evening watch around 8:00. If they're
21 saying hey, R&D they weren't back? Make sure
22 our count is right. But um. Yeah.

23 MR. [REDACTED]: That's it. I just had to
24 clarify that. Thank you.

25 MR. [REDACTED]: But just because Thomas

1 and [REDACTED] got that sheet, it doesn't mean
2 that they would have done anything at that
3 time, right? Wouldn't it have been the next
4 shift to get -? Who would have gotten him
5 ready to do at 8:30?

6 MR. [REDACTED]: Well depending on what time.
7 I mean they could do it at 6:00.

8 MR. [REDACTED]: They being?

9 MR. [REDACTED]: Hey, whoever comes in at
10 6:00. Hey, he got court.

11 MR. [REDACTED]: All right. So they would
12 have been the guys that probably getting
13 everybody ready to go to court?

14 MR. [REDACTED]: Yeah.

15 MR. [REDACTED]: Okay. At least giving
16 them notice.

17 MR. [REDACTED]: Who was on shift to get Reyes
18 ready? If he left around 8:00.

19 MR. [REDACTED]: Uh [REDACTED], [REDACTED], [REDACTED],
20 Monge.

21 MR. [REDACTED]: [REDACTED] was though?

22 MR. [REDACTED]: [REDACTED] was there at 6:00
23 yeah.

24 MR. [REDACTED]: Okay.

25 MR. [REDACTED]: He was SHU 3.

1 MR. [REDACTED]: Okay. At 6:00 a.m.?

2 MR. [REDACTED]: Yep. I see - wait. So I see
3 he notified his relief is what he's saying.
4 Right? [REDACTED] was his relief at 2:00.

5 MR. [REDACTED]: Yeah. According to that
6 memo.

7 MR. [REDACTED]: Yeah. I mean yeah. It's one
8 of those situations.

9 MR. [REDACTED]: That's all I got.

10 MR. [REDACTED]: Okay. Cool. Anything
11 you got (Indiscernible *03:40:03). We had a
12 really long interview here. So I apologize for
13 that. But we do appreciate you bearing with
14 us. All right. It is 4:46 p.m. on Monday,
15 July 12, 2021. This is Senior Special Agent
16 [REDACTED] and I am turning off the
17 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 



Marci Bratton, Transcriber